

Evans Town Board

At a meeting of the Town Board of the Town of Evans, the following were present:

PRESENT:	Mary Hosler	Supervisor
	Michael Schraft	Councilman
	Thomas George	Councilman
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Kenneth Farrell	Town Attorney

RESOLUTION 2020 #282 Accept Minutes

Supervisor Hosler moved and Councilman Schraft seconded that the reading of the minutes of meeting of June 17, 2020 and June 24, 2020 be dispensed with and accepted as submitted by the Town Clerk.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman George	Aye
	Councilman Schraft	Aye
	Supervisor Hosler	Aye

Communications

RE: Amend Section 200-22(B)(1) of the Town of Evans Code so that any structure and/or use permitted within the General Business (GB) District is also permitted within the Motor Vehicle Services (MS) District.

RESOLUTION 2020 #283 Advertise for Public Hearing for PLL#2 of 2020

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, the Evans Planning Board held a public meeting on February 26, 2020 and voted to recommend for approval a Zoning Amendment to Section 200-22(B)(1) of the Town of Evans Code so that any structure and/or use permitted within the General Business (GB) District is also permitted within the Motor Vehicle Services (MS) District; and

WHEREAS, in a letter dated ~~February 27, 2020~~ June 26, 2020, the Evans Planning Board unanimously recommended approval of the above-referenced Zoning Amendment; and

WHEREAS, the Evans Planning Director has requested that the Town Board set a public hearing regarding the request of the Evans Planning Board.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans authorizes the Town Clerk to advertise for a public hearing to consider Proposed Local Law #2 of the year 2020, to be held on ~~March 18, 2020~~ August 5, 2020 at 7:10p.m. for the consideration of said Zoning Amendment,

AND BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Office.

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman George Aye
 Councilman Schraft Aye
 Supervisor Hosler Aye

RE: Amend Section 200 Zoning to include Article XIV, Small Cell Wireless Facilities.

RESOLUTION 2020 #284 Advertise for Public Hearing for PLL#5

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, the Evans Planning Board held a public meeting on March 25, 2020 and voted to recommend for approval a Zoning Amendment to Section 200 of the Town of Evans Code to include Article XIV, Small Cell Wireless Facilities; and

WHEREAS, in a letter dated ~~February 27, 2020~~ June 26, 2020, the Evans Planning Board unanimously recommended approval of the above-referenced Zoning Amendment; and

WHEREAS, the Evans Planning Director has requested that the Town Board set a public hearing regarding the request of the Evans Planning Board.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans authorizes the Town Clerk to advertise for a public hearing to consider Proposed Local Law #5 of the year 2020, to be held on ~~March 18, 2020~~ August 5, 2020 at 7:10p.m. for the consideration of said Zoning Amendment,

AND BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Office.

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman George Aye
 Councilman Schraft Aye
 Supervisor Hosler Aye

Re: Special Use Permit - for the purpose of operating a private grooming facility to be located at 7030 Sweetland Road, Derby, NY, 14047, SBL# 207.00-4-66. Petitioner: Mary Moran, 7030 Sweetland Road, Derby, NY 14047

RESOLUTION 2020 #285 Advertise for Public Hearing for PLL#5

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, in a letter dated June 26, 2020, the Planning Director has requested that the Town Board set a public hearing regarding the petition of Mary Moran for a Special Use Permit for the operation of a private dog grooming facility to be located at 7030 Sweetland Road, Derby, NY 14047, SBL# 207.00-4-66, and

WHEREAS, the Planning Board unanimously recommended approval of the Special Use Permit at their GoTo Planning Board meeting held on March 25, 2020.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize the Town Clerk to advertise for a public hearing to be held on August 5, 2020 at 7:10pm for the consideration of said special use permit, and

BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Office and the Code Enforcement Office.

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman George Aye
 Councilman Schraft Aye
 Supervisor Hosler Aye

Supervisor Hosler reported that the Supervisor’s May 2020 Monthly Report has been made to the Town Board and a copy was filed with the Town Clerk’s Office.

RESOLUTION 2020 #286 Town Clerk’s Report

Supervisor Hosler moved and Councilman Schraft seconded to accept the reports of the Town Clerk as presented for the month of June 2020:

Town Clerk Report	\$142,902.69
Interest for	\$ 4.92
Greenspace Fee	\$ 1400.00
Petty Cash	\$ 650.00

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman George Aye
 Councilman Schraft Aye
 Supervisor Hosler Aye

RESOLUTION 2020 #287 Purchase of Utility Trailer

Supervisor Hosler moved and Councilman George seconded,

BE IT RESOLVED, the following equipment is hereby declared surplus equipment by the Town of Evans, whereby trade-in values listed below will be utilized towards the purchase of a new John Deere 4066R Compact Utility Tractor with accessories and allied equipment;

2000 John Deere 5410 cab tractor with loader:	Trade-In Value \$ 5,243.62
2010 John Deere 3520 cab tractor (not running):	Trade-In Value <u>\$ 6,910.00</u>
	Total Trade-In \$12,153.62

FURTHER, BE IT RESOLVED, the Evans Town Board hereby authorizes the purchase of a new John Deere 4066R Compact Utility Tractor including a Model 440R Loader, 485A Backhoe, RC2072 Rotary Cutter and allied equipment totaling \$62,974.00, which reflects the deduction of the trade-in amounts; and

FURTHER, BE IT RESOLVED, that the Town Board of the Town of Evans authorizes Supervisor Mary K. Hosler to execute all documentation pursuant to the purchase of the above referenced equipment, upon the approval of the Town Attorney.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman George	Aye
Councilman Schraft	Nay
Supervisor Hosler	Aye

RESOLUTION 2020 #288 Appointment of Part Time Police Clerk

Councilman Schraft moved and Supervisor Hosler seconded,

BE IT RESOLVED, effective immediately, Nicole Sullivan is hereby appointed as a part time clerk assigned to the Evans Police Department, pending results of a background investigation, at a rate of \$12.80 per hour.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman George	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2020 #289 Purchase of ATV

Councilman George moved and Councilman Schraft seconded,

WHEREAS, the U.S. Department of Homeland Security through U.S Border Patrol in an effort to reduce the nation’s vulnerability to terrorism established the Operation Stone Garden Grant to enhance law enforcement preparedness and operational readiness along the borders of the United States; and

WHEREAS, the NYS Dept. of Homeland Security and Emergency Services administers the 2019 Operation Stone Garden grant award including funding for various local units of government in Erie County to facilitate law enforcement partnerships to enhance border

enforcement capabilities and has awarded the County of Erie funds to equipment, personnel and fringe benefits which will be utilized to increase the general protective capacity and preparedness of local law enforcement and to support the U.S. Border Patrol’s primary mission of apprehending terrorists and their weapons as they attempt to illegally enter the United States; and

WHEREAS, The Town of Evans Police Department entered into an agreement with Erie County and was awarded funding through the 2019 Operation Stone Garden Grant in the amount of \$20,000 for equipment, specifically an All Terrain Vehicle; and

WHEREAS, the Town of Evans has received the grant funding in the amount of \$20,000 to purchase the All Terrain Vehicle; and

WHEREAS, the Town of Evans Police Department has secured 3 bids for the purchase of an ALL Terrain Vehicle; therefore be it

RESOLVED, that the Town of Evans Police Department is hereby authorized to purchase an ALL-Terrain Vehicle at the Cost of \$18,584 dollars with \$1,416 dollars for emergency equipment and graphic change over. For a total of \$20,000 dollars.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman George Aye
Councilman Schraft Aye
Supervisor Hosler Aye

RESOLUTION 2020 #290 Lifeguard Appointment

Supervisor Hosler moved and Councilman Schraft seconded,

BE IT RESOLVED, effective June 29, 2020, that the following individual be appointed to the titles and salaries listed below:

<u>Name</u>	<u>Title</u>	<u>Salary</u>
Emilee	Smartz	PT Seasonal Lifeguard \$12.00

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman George Aye
Councilman Schraft Aye
Supervisor Hosler Aye

RESOLUTION 2020 #291 Appointment of Part-time Police Officer

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, there is an opening for a part-time Police Officer in the Evans Police Department; and

WHEREAS, Daniel Welch meets the requirements needed to become a part-time police officer;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Daniel Welch to the position of part-time police officer with the Evans Police Department, effective immediately; and

FURTHER, BE IT RESOLVED, all other relative issues, rules and regulations will be understood to all parties subject to Civil Service Law and the Evans Police Benevolent Association collective bargaining agreement.

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman George Aye
 Councilman Schraft Aye
 Supervisor Hosler Aye

RESOLUTION 2020 #292 Appointment of Part-time Police Dispatcher

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, there is an opening for a part time Public Safety Dispatcher in the Evans Police Department; and

WHEREAS, Daniel Schnorr is currently employed as a full time Public Safety Dispatcher for the Town of Orchard Park Police Department; and

WHEREAS, limited training would be required to assume the duties of a part-time position;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Daniel Schnorr, effective immediately, to the position of Police Dispatcher with the Evans Police Department; and

FURTHER, BE IT RESOLVED, all other relative issues, rules and regulations will be understood to all parties subject to Civil Service Law

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman George Aye
 Councilman Schraft Aye
 Supervisor Hosler Aye

RESOLUTION 2020 #293 Suspend the Rules of Order

Supervisor Hosler moved and Councilman George seconded to suspend the Rules of Order for the consideration of additional resolutions.

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman George Aye
 Councilman Schraft Aye
 Supervisor Hosler Aye

RESOLUTION 2020 #294 Advertise for Full-time Clerk

Supervisor Hosler moved and Councilman George seconded,

WHEREAS, a full-time Court Clerk to the Town of Evans Justice vacancy exists;

BE IT RESOLVED, that the Town Clerk is hereby authorized to advertise for the vacancy in the Dunkirk Observer, Indeed.com and the Town of Evans website with resumes due by 12:00pm on Friday, July 17, 2020 to the Supervisor’s Office at 8787 Erie Road, Angola NY 14006 Attn: Mary Holl or via email mholl@townofevans.org

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman George Aye
 Councilman Schraft Aye
 Supervisor Hosler Aye

RESOLUTION 2020 #295 Decrease Town of Evans Highway Department Budget

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, the anticipated sales tax revenue for the Highway Department has experienced a reduction in sales tax revenue for the 2nd quarter in the amount of \$79,290 or 16% due to the New York State shut down to combat COVID 19: and

WHEREAS, the uncertainty of the futures sales tax revenue may present an even greater shortfall for the remaining of the year, the board hereby adopts a budget reduction to the following Highway personnel account codes for a total of \$138,000

NOW THEREFORE BE IT RESOLVED, the 2020 Highway Department budget lines will decrease by \$138,000 as follows:

Maintenance	DB5110.101	\$71,361
Snow Removal	DB5142.101	\$21,615
Social Security	DB9030.800	\$ 7,089
State Retirement	DB9010.800	\$12,047

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman George Aye
 Councilman Schraft Nay
 Supervisor Hosler Aye

RESOLUTION 2020 #296 Approve Town Licenses

Supervisor Hosler moved and Councilman Schraft seconded,

RESOLVED, that the aforesaid licenses be granted pertaining to the report of the Chief of Police and the Department of Health where appropriate.

- 1.)Matthew Shaw - 8926 Lake Shore Road - Fireworks - July 25, 2020
- 2.)Matthew Shaw - 8934 Lake Shore Road - Fireworks - July 5, 2020

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman George	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2020 #297 Adjournment

Supervisor Hosler moved and Councilman Schraft seconded to adjourn to July 15, 2020 at 6pm for a Work Session and a Board meeting to follow and the July 22, 2020 at 6:00pm for a Work Session.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman George	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

Open Meetings Law, Public Officers Law, Article 7, §106. Minutes.

Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.

These minutes are an unofficial copy unless the original signature of the Town Clerk is affixed below. The original official paper minutes are stored in the Town's vault.

Respectfully Submitted,

Lynn M. Krajacic, RMC
Town Clerk