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<tr>
<th>Item</th>
<th>Description</th>
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<tbody>
<tr>
<td>I</td>
<td>Call the Meeting to Order</td>
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<tr>
<td>II</td>
<td>Pledge of Allegiance</td>
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<td>III</td>
<td>Roll Call</td>
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<tr>
<td>IV</td>
<td>Approval of the Minutes</td>
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<td></td>
<td>August 5, 2020 Work Session</td>
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<td>August 5, 2020 Regular Meeting</td>
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<td>V</td>
<td>Communications:</td>
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<td>VI</td>
<td>Privilege of the Floor</td>
<td></td>
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<tr>
<td>VII</td>
<td>Public Hearing &amp; Bid Opening</td>
<td></td>
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<tr>
<td>VIII</td>
<td>Committee &amp; Department Head Reports</td>
<td></td>
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<tr>
<td>IX</td>
<td>Town Clerk Reports:</td>
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<tr>
<td>X</td>
<td>Old Business:</td>
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<td>1.) Standard Work Day</td>
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<td>2.) Rescind Term Limits &amp; Form Advisory Committee</td>
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<td>3.) Milling &amp; Repaving - Patriot Court</td>
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<tr>
<td>XI</td>
<td>Resolutions:</td>
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<tr>
<td></td>
<td>1.) Authorization to Enter Off Town Right-of-Way</td>
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<tr>
<td></td>
<td>2.) Highway Dept. MEO Light Appointment</td>
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<td>3.) Highway Dept. Working Crew Chief Appointment</td>
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<td>4.) Move Grievance to Arbitration</td>
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<td>5.) Seasonal Part Time Employee Appointment</td>
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<tr>
<td>XII</td>
<td>Licenses:</td>
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<td>XIII</td>
<td>Audit of Bills:</td>
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<td>XIV</td>
<td>Adjournment to</td>
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<td>Wednesday, September 2, 2020 at 6:00pm for a Work Session then to</td>
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<td>a Regular Meeting immediately following.</td>
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</tbody>
</table>

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.


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Evans Town Board

At a meeting of the Town Board of the Town of Evans held by Zoom Meeting due to COVID-19 Pandemic 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 #308 Enter Executive Session

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS: the Evans Town Board wishes to enter Executive Session, and;

BE IT RESOLVED: that the public shall be excluded from discussion of and action upon hereinafter specified subject matter.

The general nature of the subject matter to be discussed as follows: employment history of a particular person.

NOW THEREFORE BE IT RESOLVED: Ken Farrell, Town Attorney, Mike Krajacic, Matt DeAngelo and Tom Dzeidzec are invited to attend the Evans Town Board Executive 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
Evans Town Board

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

PRESENT:
Mary Hosler  
Michael Schraft  
Thomas George

SUPERVISOR
COUNCILMAN
COUNCILMAN

ALSO PRESENT:
Lynn Krajacic  
Kenneth Farrell  
Doug Czora  
Bill Smith  
Ed Michalski

TOWN CLERK
TOWN ATTORNEY
CHIEF OF POLICE
DIRECTOR OF PLANNING & COMMUNITY DEVELOPMENT
HIGHWAY SUPERINTENDENT

RESOLUTION 2020 #309 Accept Minutes

Supervisor Hosler moved and Councilman Schraft seconded that the reading of the minutes of meeting of July 15, 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

LEGAL NOTICE
TOWN OF EVANS

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a Public Hearing on August 5, 2020 at 7:10 P.M. via a Zoom Public Meeting to consider the adoption of Proposed Local Law #2 of the year 2020 which will amend Local Law #3 of the year 1998 entitled “Business Districts Law” and any amendments thereto, within Town Code Chapter 200, Article VI, Section 200-22(B)(1) “Permitted Uses,” providing for any structure and/or use permitted within the General Business (GB) District to be permitted within the Motor Vehicle Service District (MS). Copies of the Proposed Local Law will be available for inspection by any interested person in the Office of the Town Clerk during normal business hours Monday, Tuesday, Thursday, Friday from 8am - 4pm, Wednesday from 9am - 5pm and the Town’s website www.townofevans.org on or after July 9, 2020. Questions and comments may be forwarded to the Planning Office by USPS or by email to planning@townofevans.org; any written questions or comments forwarded to the Planning Department will be included in the record of the Public Hearing. All parties in interest and citizens shall have an opportunity to be heard by the Town Board at the Zoom Public Hearing to be held aforesaid.

By Order of the Town Board of the Town of Evans
Lynn M. Krajacic
Town Clerk.
RESOLUTION 2020 #310 Open the Public Hearing

Supervisor Hosler moved and Councilman Schraft seconded to open the public hearing.

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

There was nobody wishing to speak in favor or opposition

RESOLUTION 2020 #311 Close the Public Hearing

Supervisor Hosler moved and Councilman Schraft seconded to close the public hearing.

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

RESOLUTION 2020 #312 Declare Lead Agency

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, the Evans Town Board wishes to 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.; and

WHEREAS, the Evans Planning Board unanimously recommended approval of the above-referenced Zoning Amendment at their February 26, 2020 Planning Board meeting as set forth in Proposed Local Law #2 of the year 2020, and

WHEREAS, the Town Board of the Town of Evans desires to be the Lead Agency for the SEQR process regarding said amendment.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans shall be the Lead Agency for the SEQR process for proposed Local Law #2 of the year 2020,

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
RESOLUTION 2020 #313 Negative SEQR Declaration

Councilman Schraft moved and Councilman George seconded,

WHEREAS, the Evans Town Board wishes to 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, and

WHEREAS, the Evans Planning Board unanimously recommended approval of the above-referenced Zoning Amendment at their February 26, 2020 Planning Board meeting as set forth in Proposed Local Law #2 of the year 2020, and

WHEREAS, the Town Board of the Town of Evans has declared Lead Agency for the SEQR process, and

WHEREAS, the Town Board of the Town of Evans has reviewed the Environmental Assessment Form and has determined that the amendment will not result in any significant impacts to the environment.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans issues a negative declaration in accordance with the SEQR requirements to 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, and

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

RESOLUTION 2020 #314 Adopt Local Law #4 of 2020

Councilman George moved and Councilman Schraft seconded,

WHEREAS, the Evans Town Board held a public hearing on August 5, 2020 for consideration of Proposed Local Law #2 of the year 2020, amending Local Law #3 of the year 1998 entitled "Business Districts Law" and any amendments thereto, within Town Code Chapter 200, Article VI, Section 200-22(B)(1) "Permitted Uses," providing for any structure and/or use permitted within the General Business (GB) District to be permitted within the Motor Vehicle Service District (MS), and

WHEREAS, the recommended amendment to the Evans Town Code is not expected to result in any significant adverse impacts; and
WHEREAS, the Town Board of the Town of Evans declares Lead Agency in accordance with the SEQR process and issues a negative declaration for this action; and

WHEREAS, the Town of Evans has submitted a full statement of proposed action to the Erie County Division of Planning pursuant to GMU Section 239-M, and has received response to the same dated February 28, 2020 making no recommendation as the matter is of local concern.

NOW, THEREFORE BE IT RESOLVED, that Proposed Local Law #2 of the year 2020, as amended, be adopted as Local Law #4 of the year 2020.

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

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

LEGAL NOTICE
TOWN OF EVANS

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a Public Hearing on August 5, 2020 at 7:10 P.M. via a Zoom Public Meeting to consider 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. Questions and comments may be forwarded to the Planning Office by USPS or by email to planning@townofevans.org; any written questions or comments forwarded to the Planning Department will be included in the record of the Public Hearing. All parties in interest and citizens shall have an opportunity to be heard by the Town Board at the Zoom Public Hearing to be held aforesaid.

By Order of the Town Board of the Town of Evans
Lynn M. Krajacic
Town Clerk

RESOLUTION 2020 #315 Open the Public Hearing

Supervisor Hosler moved and Councilman Schraft seconded to open the public hearing.

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

There was nobody wishing to speak in favor or opposition
RESOLUTION 2020 #316 Close the Public Hearing

Supervisor Hosler moved and Councilman Schraft seconded to close the public hearing.

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

RESOLUTION 2020 #317 Declare Lead Agency

Supervisor Hosler moved and Councilman George seconded,

WHEREAS, the Evans Planning Board unanimously recommended approval of the Mary Moran 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 Evans Town Board desires to be Lead Agency for the SEQR process regarding Special Use Permits.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans shall be the Lead Agency for the SEQR process for the Mary Moran Special Use Permit.

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

RESOLUTION 2020 #318 Negative SEQR Declaration

Councilman Schraft moved and Councilman George seconded,

WHEREAS, the Evans Planning Board unanimously recommended approval of the Mary Moran 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 Town Board of the Town of Evans has declared Lead Agency for the SEQR process, and

WHEREAS, the Town Board of the Town of Evans has reviewed the Environmental Assessment Form for this property and has determined that the amendment will not result in any significant impacts to the environment.
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans issues a negative declaration in accordance with the SEQR requirements for the Mary Moran 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

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

RESOLUTION 2020 #319 Approval of Special Use Permit

Councilman George moved and Councilman Schraft seconded,

WHEREAS, Mary Moran has requested 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 Town Board of the Town of Evans has held a public hearing on August 5, 2020 for consideration of said Special Use Permit, and

WHEREAS, the Town of Evans Planning Board has recommended the issuance of a Special Use Permit of said property based on the following reasons:

- We have found no apparent significant environmental concerns and recommend a SEQR negative declaration.
- This project is in compliance with the intent of the Town’s Rural Residential District.
- The nature of this business appears to be within the character of the surrounding area.

WHEREAS, the Planning Board would also like to recommend that the following condition be placed on the approval of this action:

1. Dog grooming services shall be provided to no more than one customer at a time and no more than three customers per day, and

WHEREAS, the Town Board of the Town of Evans has issued a SEQR negative declaration for this action.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans grants a Special Use Permit to Mary Moran for the operation of a private dog grooming facility to be located at 7030 Sweetland Road, Derby, NY 14047, SBL# 207.00-4-66, with the above noted condition.
AND BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Office, the Assessor’s Office and the Code Enforcement Office.

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

LEGAL NOTICE
TOWN OF EVANS

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a Public Hearing on August 5, 2020 at 7:10 P.M. via a Zoom Public Meeting to consider the adoption of Proposed Local Law #5 of the year 2020 pertaining to Small Cell Wireless Facilities which will amend Town Code Chapter 200 Zoning to include Article XIV, Small Cell Wireless Facilities. Copies of the Proposed Local Law will be available for inspection by any interested person in the Office of the Town Clerk during normal business hours Monday, Tuesday, Thursday, Friday from 8am - 4pm, Wednesday from 9am - 5pm and the Town’s website www.townofevans.org on or after July 9, 2020. Questions and comments may be forwarded to the Planning Office by USPS or by email to planning@townofevans.org; any written questions or comments forwarded to the Planning Department will be included in the record of the Public Hearing. All parties in interest and citizens shall have an opportunity to be heard by the Town Board at the Zoom Public Hearing to be held aforesaid.

By Order of the Town Board of the Town of Evans
Lynn M. Krajacic
Town Clerk

RESOLUTION 2020 #320 Open the Public Hearing

Supervisor Hosler moved and Councilman Schraft seconded to open the public hearing.

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

Carol Czora spoke in favor of Proposed Local Law #5

RESOLUTION 2020 #321 Close the Public Hearing

Supervisor Hosler moved and Councilman Schraft seconded to close the public hearing.

WHEREAS, the Evans Town Board wishes to amend Section 200 Zoning to include Article XIV, Small Cell Wireless Facilities; and
WHEREAS, the Evans Planning Board unanimously recommended approval of the above-referenced Zoning Amendment at their March 25, 2020 Planning Board meeting as set forth in Proposed Local Law #5 of the year 2020, and

WHEREAS, the Town Board of the Town of Evans desires to be the Lead Agency for the SEQR process regarding said amendment.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans shall be the Lead Agency for the SEQR process for proposed Local Law #5 of the year 2020,

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

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

RESOLUTION 2020 #322 Declare Lead Agency

Supervisor Hosler moved and Councilman George seconded,

WHEREAS, the Evans Town Board wishes to amend Section 200 Zoning to include Article XIV, Small Cell Wireless Facilities; and

WHEREAS, the Evans Planning Board unanimously recommended approval of the above-referenced Zoning Amendment at their March 25, 2020 Planning Board meeting as set forth in Proposed Local Law #5 of the year 2020, and

WHEREAS, the Town Board of the Town of Evans desires to be the Lead Agency for the SEQR process regarding said amendment.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans shall be the Lead Agency for the SEQR process for proposed Local Law #5 of the year 2020,

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

RESOLUTION 2020 #323 Negative SEQR Declaration

Councilman Schraft moved and Supervisor Hosler seconded,
WHEREAS, the Evans Town Board wishes to amend Section 200 Zoning to include Article XIV, Small Cell Wireless Facilities, and

WHEREAS, the Evans Planning Board unanimously recommended approval of the above-referenced Zoning Amendment at their March 25, 2020 Planning Board meeting as set forth in Proposed Local Law #5 of the year 2020, and

WHEREAS, the Town Board of the Town of Evans has declared Lead Agency for the SEQR process, and

WHEREAS, the Town Board of the Town of Evans has reviewed the Environmental Assessment Form and has determined that the amendment will not result in any significant impacts to the environment.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans issues a negative declaration in accordance with the SEQR requirements to amend Section 200 Zoning to include Article XIV, Small Cell Wireless Facilities, and

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

RESOLUTION 2020 #324 Adopt Local Law #5 of 2020

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, the Evans Town Board held a public hearing on August 5, 2020 for consideration of Proposed Local Law #5 of the year 2020, amending Local Law #8 of the year 1987 entitled “Zoning Law” and any amendments thereto, within Town Code Chapter 200, to include Article XIV, Small Cell Wireless Facilities, and

WHEREAS, the recommended amendment to the Evans Town Code is not expected to result in any significant adverse impacts; and

WHEREAS, the Town Board of the Town of Evans declares Lead Agency in accordance with the SEQR process and issues a negative declaration for this action; and

WHEREAS, the Town of Evans has submitted a full statement of proposed action to the Erie County Division of Planning pursuant to GMU Section 239-M, and has received response to the same dated February 18, 2020 and offered the following comment:
   - The Town of Evans should ensure that proposed and/or existing small wireless facilities located within public rights of way, or other assets owned or maintained by Erie County,
are coordinated with the Erie County Department of Public Works. This coordination should begin as early as possible in the application process and continue throughout the application and construction phases.

NOW, THEREFORE BE IT RESOLVED, that Proposed Local Law #5 of the year 2020, as amended, be adopted as Local Law #5 of the year 2020.

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

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

RESOLUTION 2020 #325 Town Clerk’s Reports

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

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<tr>
<td>Town Clerk Report</td>
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<td>Interest for</td>
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<td>Greenspace Fee</td>
<td>$0</td>
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<td>Petty Cash</td>
<td>$650.00</td>
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VOTE RESULT: ADOPTED BY ROLL CALL
Councilman George Aye
Councilman Schraft Aye
Supervisor Hosler Aye

RESOLUTION 2020 #326 Clerk Typist Reassignment to the Assessor’s Office

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, due to a vacancy existing in the position of clerk in the Town of Evans Assessor’s Office by reason of retirement of Kathy Karyczak effective July 31, 2020;

THEREFORE, BE IT RESOLVED, effective August 17, 2020, Laurie Wojcik will be reassigned, in her current position, as the clerk typist for the Town of Evans Assessor’s Office with additional job responsibilities assisting with clerical duties in the Building Department; and

FURTHER, BE IT RESOLVED, effective August 5, 2020 through and including August 31, 2020, Ms. Wojcik will assist, on an as needed basis, the Finance Department, more specifically, Payroll Department for a maximum of 20 hours per week;
FURTHER, BE IT RESOLVED, all other relative issues, rules and regulations will be understood to all parties subject to Civil Service law and the International Brotherhood of Electrical Workers (IBEW) Local 41.

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

RESOLUTION 2020 #327 Appointment of Part Time Dispatcher

Councilman Schraft moved and Councilman George seconded,

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

WHEREAS, Benjamin Tessmer is currently employed full time with AMR, and part time as a dispatcher for Springville; and

WHEREAS, limited training would be required to assume the duties of a part-time Dispatcher position with the Town of Evans; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Benjamin Tessmer, effective immediately, to the position of part time 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 #328 2020 Budget Transfers

Councilman George moved and Councilman Schraft seconded,

WHEREAS, the Town is obligated by general municipal law to maintain a balanced budget;

NOW, THEREFORE BE IS RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Supervising Accountant to make the following budget transfers to reclassify previously budgeted amounts:
Town Board Meeting #16  August 5, 2020

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

RESOLUTION 2020 #329 Approval of New Members - Evans Center Fire Dept.

Supervisor Hosler moved and Councilman George seconded,

WHEREAS, Evans Center Volunteer Fire Company Membership Committee has accepted applications for new candidates for membership; and

WHEREAS, each candidate was interviewed thoroughly by the Membership Committee and found to meet or exceed the qualifications set forth in the Evans Center Volunteer Fire Company Bylaws; and

WHEREAS, the following candidates were elected into membership of the Evans Center Volunteer Fire Company during the July 7, 2020 General Membership Meeting;

NOW, THEREFORE, BE IT RESOLVED, based on the above, the Evans Town Board hereby approves the following four (4) members elected into membership to Evans Center Volunteer Fire Company;

Adam Buczkowski
Sara Gelster
Hunter Herlan
Alexander Neumeister

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

RESOLUTION 2020 #330 Marina Boat Slip Fees

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, Sturgeon Point Marina in the Town of Evans is open from approximately May 15th to October 15th each year; and

WHEREAS, the Town Board set rates for various items at the Sturgeon Point Marina for 2020; and

WHEREAS, from time to time boat slips are available for rental after the season commences;

NOW, THEREFORE, BE IT RESOLVED, so long as full payment of the appropriate fee is paid at the time of application along with submission of all required documents, that rental fees for 22’ , 24’ , 28’ , 30’ and 40’ boat slips after July 15th shall be as follows:
22ft - July 15th – October 15th - $602.28
24ft - July 15th – October 15th - $661.20
28ft - July 15th – October 15th - $858.00
30ft - July 15th – October 15th – 960.00
40ft - July 15th – October 15th – 1,300.20

FURTHER, BE IT RESOLVED, this resolution shall be voted and approved nunc pro tunc, based on the July 15th date.

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

RESOLUTION 2020 #331 Highway Dept. Machine Equipment Operator Appointment

Councilman George moved and Supervisor Hosler seconded,

BE IT RESOLVED, effective August 15, 2020, based on the current collective bargaining agreement and the recommendation of Town of Evans Highway Superintendent Edward Michalski, the Evans Town Board accepts the promotion of Karl VonSchweiger from Machine Equipment Operator (MEO) Light to Machine Equipment Operator (MEO) Heavy; and

FURTHER, BE IT RESOLVED, effective August 15, 2020, the payroll department is directed to increase Mr. VonSchweiger’s hourly rate of pay from $24.11 per hour to $24.81 per hour, in accordance with the currently collective bargaining agreement; and

FURTHER, BE IT RESOLVED, a PO-8 form will be submitted to Erie County Civil Service documenting the above referenced changes, in accordance with Civil Service rules and regulations.

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

RESOLUTION 2020 #332 Adopt Records Retention Schedule

Supervisor Hosler moved and Councilman Schraft seconded,

RESOLVED, by the Town Board of the Town of Evans that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law and containing legal minimum retention periods for local government
records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:
   a) Only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;

   b) Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

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

RESOLUTION 2020 #333 Lead Agency for Evans Water System Improvements

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, the Town of Evans is undertaking a major Water System Improvements Project to address the current lack of adequate water capacity to meet peak demands and provide sufficient fire protection throughout the Town; and

WHEREAS, the Water System Improvements will involve the construction of a new Elevated Water Tank on a portion of the site of the former Angola Airport and proposed Erie County Agri-Business Park at 1526 Eden-Evans Center, new Water Mains to Eden-Evans Center Road, and Pump Station to be constructed at 1348 Eden-Evans Center Road; and

WHEREAS, the new Elevated Water Tank, Pump Station and Water Mains will provide the Town of Evans with the necessary water storage and firefighting capabilities; and

WHEREAS, the Town is currently working with the Erie County Industrial Development Agency (ECIDA) and the Buffalo and Erie County Industrial Land Development Corporation (ILDC) on acquiring a portion of the property for construction of the Elevated Water Tank and obtaining the necessary easements at 1526 Eden-Evans Center Road; and

WHEREAS, the Town Board has reviewed the Full Environmental Assessment Form Part 1, prepared by the Evans Planning Department for the Water System Improvements Project; and

WHEREAS, the Town Board determines that the Project is classified as an Unlisted Action under the New York State Environmental Quality Review ("SEQR") regulations; and

WHEREAS, the Town Board has also determined that the Project is subject to review and approval by other Involved and Interested Agencies under SEQR; and
WHEREAS, the Town Board has determined that it is the most appropriate agency to oversee the Coordinated Review of the Project.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans does hereby declare its intent to be designated as SEQR Lead Agency for this Project; and

BE IT FURTHER RESOLVED, that the Town of Evans Planning Department is directed to provide notice hereof to the Involved and Interested Agencies, seeking their agreement (or objection thereto) in writing on or before 4:00 PM on Friday, September 4th, 2020; and

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

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

RESOLUTION 2020 #334 Table Resolution
Councilman Schraft moved and Councilman George seconded to Table resolution to Rescind Term Limits for Members of the Town Board and Form Advisory Committee to Study and Make Recommendations.

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

RESOLUTION 2020 #335 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 #336 Proposition to Increase the Number of Council Members from Two (2) to Four (4)
Supervisor Hosler moved and Councilman George seconded,
WHEREAS, a petition for the submission of a proposition to the voters of the Town of Evans was filed with the Town Clerk of the Town of Evans on July 17, 2020, proposing to increase the number of council members from two (2) to four (4), such that the Evans Town Board shall be comprised of the Town Supervisor and four (4) council members beginning on January 1, 2022, and

WHEREAS, the Town Board of the Town of Evans currently is comprised of three (3) members, who must manage the entire workload of business for which the town board is responsible, and

WHEREAS, the preservation of institutional knowledge helps to conduct the operations of town government in the Town of Evans in an efficient manner, and avoids burdening taxpayers with the additional expense of inefficient operations, and

WHEREAS, the Town Board of the Town of Evans believes that increasing the number of council members from two (2) to four (4) will lead to better town government by providing town residents with a greater level of representation in their town government, and a greater voice in the conduct of town business, and more council members to manage the workload of town business, address residents’ concerns, and preserve institutional knowledge, thus leading to more efficient operations,

NOW, THEREFORE, BE IT RESOLVED, that a proposition to increase the number of council members from two (2) to four (4) shall be submitted to the electors of the Town of Evans at the biennial town election held on November 3, 2020, for the purpose of voting by ballot on such proposition, and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be immediately filed with the Erie County Board of Elections.

PROPOSITION

Shall the number of council members on the Evans Town Board be increased from two (2) to four (4), such that the Evans Town Board shall be comprised of the Town Supervisor and four (4) council members beginning on January 1, 2022.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman George Aye
Councilman Schraft Aye
Supervisor Hosler Aye
RESOLUTION 2020 #337 Appointment of Supervising Code Enforcement Officer

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, the Town of Evans, establishes the position of Supervising Code Enforcement Officer within the Building Department for the Town of Evans pursuant to the Rules for the Classified Civil Service of the County of Erie and the Towns, Villages, Special Districts and School Districts with the County; and

WHEREAS, the Town of Evans adheres to the Rules for the Classified Civil Service as amended and approved by State Civil Service Commission to September 29, 2008; and

WHEREAS, upon completion of interviews for the open positions in the Code Enforcement Office, a recommendation has been made by William Smith, Director of Planning and Community Development and Jeneen Hill, Assessor and Zoning Board Liaison to provisionally hire Corey Baskerville for the position of Supervising Code Enforcement Officer; and

NOW THEREFORE, BE IT RESOLVED, effective August 19, 2020, the Town of Evans hereby provisionally appoints Corey Baskerville as Supervising Code Enforcement Officer with the salary of $61,500 and benefits to follow the IBEW #41 collective bargaining agreement; and

FURTHER BE IT RESOLVED, in conjunction with the above referenced appointment, the Evans Town Board hereby appoints Corey Baskerville as the Town's MS4 Officer, as required, with a yearly stipend of $3,000.

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

RESOLUTION 2020 #338 Appointment of Court Clerk

Councilman George moved and Supervisor Hosler seconded,

RESOLVED, effective August 19, 2020, the Town Board of the Town of Evans does hereby accepts Town Justice Glascott's appointment of Elaine Yingling as Clerk to Town Justice Glascott, for the remainder of the 2020 year, with an adjusted yearly salary reflective of the current IBEW #41 collective bargaining agreement and benefits as set forth in the IBEW #41 collective bargaining agreement; and

FURTHER, BE IT RESOLVED, there is an understanding with Town Justice Glascott that Ms. Yingling, on an as needed basis, will assist in the transition and help to train her replacement.

FURTHER, BE IT RESOLVED, a copy of this resolution be given to the Finance Department.
VOTE RESULT: ADOPTED BY ROLL CALL
Councilman George        Aye
Councilman Schraft       Nay
Supervisor Hosler        Aye

**RESOLUTION 2020 #339 Table Resolution**

Supervisor Hosler moved and Councilman Schraft seconded to Table resolution for the Milling and Repaving of Patriot Court.

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

**RESOLUTION 2020 #340 Approve Town Licenses**

Supervisor Hosler moved and Councilman Schraft seconded,

Maghen Boyer & Russel Manguso Jr. - Live Band Special Event
Judy Trusiak D/B/A Scallywags Grub & Spirits - Refreshment

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

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

**RESOLUTION 2020 #341 Audit of Bills**

Councilman George moved and Supervisor Hosler seconded that all properly audited bills be paid out of their respective accounts as follows:

<table>
<thead>
<tr>
<th>DATE</th>
<th>8/6/2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABSTRACT NO.</td>
<td></td>
</tr>
<tr>
<td>VOUCHER NO.</td>
<td>7308 - 7369</td>
</tr>
<tr>
<td>CHECK NUMBERS</td>
<td>81472 - 81536</td>
</tr>
<tr>
<td>APPROVED AT</td>
<td>Board Meeting</td>
</tr>
<tr>
<td>DATE</td>
<td>7/15/2020</td>
</tr>
<tr>
<td>GENERAL</td>
<td>$168,274.76</td>
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</tbody>
</table>
PART TOWN $9,056.68
HIGHWAY DB $154,258.04
WATER $5,067.23
CAPITAL PROJECTS $92,433.64
SPECIAL DISTRICTS $131,782.72
DEBT SERVICE

TOTAL $560,873.07

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

RESOLUTION 2020 #342 Adjournment

Supervisor Hosler moved and Councilman Schraft seconded to adjourn to August 19, 2020 at 6:00pm for a Work Session and a Town Board Meeting to follow, then to Wednesday, September 2, 2020 at 6:00pm for a Work Session & Town Board meeting immediately following,

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
Old Business

1.) Standard Work Day
2.) Rescind Term Limits & Form Advisory Committee
3.) Milling & Repaving - Patriot Court
RESOLUTION – AUTHORIZATION TO ENTER OFF TOWN RIGHT-OF-WAY

WHEREAS, drainage improvements are necessary at 6940 Versailles Plank Road; and

WHEREAS, the Town Attorney has secured a signed and notarized temporary easement from the property owner;

BE IT RESOLVED, the Evans Town Board hereby approves and authorizes Town of Evans Highway Superintendent Ed Michalski to instruct the necessary Town of Evans Highway Department personnel that they may enter upon lands of the Town right-of-way to make drainage improvements at 6940 Versailles Plank Road.
RESOLUTION – TOWN OF EVANS HIGHWAY DEPARTMENT MACHINE EQUIPMENT OPERATOR (MEO) LIGHT APPOINTMENT

BE IT RESOLVED, effective August 29, 2020, based on the current collective bargaining agreement and the recommendation of Town of Evans Highway Superintendent Edward Michalski, the Evans Town Board accepts the promotion of Robert Strickler from Truck Driver to Machine Equipment Operator (MEO) Light; and

FURTHER, BE IT RESOLVED, effective August 29, 2020, the payroll department is directed to increase Mr. Strickler’s hourly rate of pay from $23.72 per hour to $24.11 per hour, in accordance with the currently collective bargaining agreement; and

FURTHER, BE IT RESOLVED, a PO-8 form will be submitted to Erie County Civil Service documenting the above referenced changes, in accordance with Civil Service rules and regulations.
RESOLUTION – TOWN OF EVANS HIGHWAY DEPARTMENT WORKING CREW CHIEF APPOINTMENT

BE IT RESOLVED, effective August 29, 2020, based on the current collective bargaining agreement and the recommendation of Town of Evans Highway Superintendent Edward Michalski, the Evans Town Board accepts the promotion of Jack Hazard from Truck Driver to Working Crew Chief; and

FURTHER, BE IT RESOLVED, effective August 29, 2020, the payroll department is directed to increase Mr. Hazard’s hourly rate of pay from $23.72 per hour to $25.87 per hour, in accordance with the currently collective bargaining agreement; and

FURTHER, BE IT RESOLVED, a PO-8 form will be submitted to Erie County Civil Service documenting the above referenced changes, in accordance with Civil Service rules and regulations.
BE IT RESOLVED, absent of resolution and pursuant to CSEA correspondence notifying of the Intent to Arbitrate, the Evans Town Board hereby moves the grievance filed by CSEA, on behalf of one its members, (Healthcare) to arbitration per the next step of the current collective bargaining agreement.

ROLL CALL VOTE:
RESOLUTION – APPOINTMENT OF SEASONAL PART TIME EMPLOYEE

BE IT RESOLVED, effective immediately, the following individual be appointed to the title and salary listed below:

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brennen Hering</td>
<td>Part Time Seasonal Laborer B</td>
<td>$11.80 per hour</td>
</tr>
</tbody>
</table>

ROLL CALL VOTE: