

Evans Town Board

At a meeting of the Town Board of the Town of Evans held by conference call 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 #233 Accept Minutes

Supervisor Hosler moved and Councilman George seconded that the reading of the minutes of meeting of May 6, 2020 and May 13, 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

RESOLUTION 2020 #234 Re-Instate Furloughed Employee

Supervisor Hosler moved and Councilman Schraft seconded,
BE IT RESOLVED, effective Thursday, May 21, 2020, regular part-time (RPT) Town of Evans employee Jon Driscoll will be brought back from furlough with current established salary and benefits.

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

RESOLUTION 2020 #235 Appointment of Seasonal Part Time Laborers

Councilman Schraft moved and Councilman George seconded as amended,
WHEREAS, the Town of Evans is facing significant financial challenges resulting from the COVID-19 pandemic; and

WHEREAS, the Town of Evans must consider all possible needs to contain expenses and preserve loss of revenues, in order to address an expected budget deficit, resulting from the aforementioned COVID-19 pandemic; and

WHEREAS, the Town Supervisor previously instated a hiring freeze pursuant to an Executive Order;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Evans shall not hire any additional laborers until further resolution of the Town Board, with the exception of the following seasonal part time laborers listed below, commencing work on Thursday, May 21, 2020 through Saturday, September 8, 2020.

Colin Eastman	\$12.80
William Ericson	\$12.80
Josh Geiser	\$12.80
Matthew Timm	\$12.80

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

RESOLUTION 2020 #236 Suspend the Rules of Order

Supervisor Hosler moved and Councilman Schraft seconded to suspend the rules of order for the consideration of an additional resolution

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

RESOLUTION 2020 #237 Inter Municipal Agreement for Code Enforcement Officer

Supervisor Hosler moved and Councilman George seconded,

WHERE AS, the Town of Evans from time to time, needs the assistance of other municipality to perform the necessary volume of Code Enforcement work required by State and Local laws; and

WHERE AS, the Town of Evans desires to enter into an inter-municipal mutual aid agreement with the Town of Eden for Code Enforcement services;

NOW THEREFORE BE IT RESOLVED, that the Town Board approves the attached inter-municipal agreement with the Town of Eden for the provision of Code enforcement services effective May 19, 2020, and authorizes the Town Supervisor to sign said agreement, upon approval of the Town Attorney.

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

RESOLUTION 2020 #238 Donated Dredging Services

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, the Town operates the Sturgeon Point Marina (“Marina”), which supports a strong recreational boating and fishing industry,

WHEREAS, a significant increase in the accumulation of sediment in and around the Marina has occurred due to storm events and the resulting damages sustained to the breakwall; and

WHEREAS, the U.S. Army Corps of Engineers prepared a study that details the critical need for immediate repair to the marina breakwall to ensure its structural integrity, to sustain operation and to protect public health, welfare and safety, and that the potential failure of this breakwall could result in the loss of marina operations; and

WHEREAS, the Town of Evans previously applied to the Federal Emergency Management Agency (“FEMA”) for financial assistance to address damage caused by storm events, including repairs to the breakwall, as the town cannot bear the costs to repair the break wall and assure the long-term viability of the marina for public use on its own; and

WHEREAS, the Town of Evans previously solicited bids for dredging of the Marina in order to prepare for operation of the Marina during the 2020 season; and

WHEREAS, a resolution awarding the contract for dredging to the lowest responsible bidder at a price of \$90,000.00 was included on the agenda for the town board’s meeting on May 13, 2020, but in light of the cost and the additional stress placed on the town’s financial situation by the covid-19 pandemic, said resolution was not adopted, and therefore the town decided not to proceed with the dredging of the Marina and rejected all bids; and

WHEREAS, the loss of the use and operation of Sturgeon Point Marina would have devastating impacts on regional boating and fishing, adversely affect local tourism and eliminate essential access to Lake Erie waters for State and Federal agencies; and

WHEREAS, the Town of Evans has received an offer for a donation of services from Union Concrete, Inc. to provide the necessary equipment and an offer for a donation of services from Operating Engineers Local 17 to provide the necessary labor to dredge the Marina; and

WHEREAS, the New York State Department of Environmental Conservation and the U.S. Army Corps of Engineers have granted approval to the Town of Evans for these entities to dredge the Marina pursuant to the permits previously issued by said agencies; and

WHEREAS, based upon discussions held between the town of Evans and FEMA, the Town of Evans believes that accepting the offer of donated services to dredge the Marina, at no cost to the town, will not jeopardize the town’s application to FEMA for financial assistance to repair the breakwall;

NOW, THEREFORE, BE IT RESOLVED, that the Evans Town Board authorizes Union Concrete, Inc. to provide the necessary equipment and Operating Engineers Local 17 to provide the necessary labor to complete the dredging of the Marina, all as donated services for which the Town shall pay no cost, contingent on the execution of contract documents between the Town of Evans, Union Concrete, Inc. and Operating Engineers Local 17, and any other vendors/contractors necessary to complete said project, and such contract shall include loss transfer provisions and require delivery of insurance certificates to the Town, and contingent upon any other necessary approvals from federal and New York State agencies required for said project

BE IT FURTHER RESOLVED, that the Evans Town Board authorizes Supervisor Mary Hosler to execute all necessary documents regarding same, contingent upon approval of the Town Attorney, the Town’s Insurance Consultant and the Town Engineer.

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

RESOLUTION 2020 #239 Audit of Bills

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

	<u>AUDIT OF BILLS</u>
DATE	5/7/2020
ABSTRACT NO.	8
VOUCHER NO.	6733 - 6783
CHECK NUMBERS	80994 - 81034

APPROVED AT	Board Meeting
DATE	5/6/2020
GENERAL	\$109,918.44
PART TOWN	\$9,212.96
HIGHWAY DB	\$26,585.75
WATER	\$5,069.86
CAPITAL PROJECTS	\$0.00
SPECIAL DISTRICTS	\$69,345.16
DEBT SERVICE	
TOTAL	\$220,132.17

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

RESOLUTION 2020 #240 Adjournment

Supervisor Hosler moved and Councilman Schraft seconded to adjourn to May 27, 2020 at 10am for a Work Session then to June 3, 2020 for a Work Session at 10am and a Town Board meeting to follow. This meeting was adjourned in Memory of Angelo Rizzuto, Evans Center Fireman and Town of Evans employee.

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