

Evans Town Board

At the regular meeting of the Town Board of the Town of Evans, held at the Evans Town Hall, 8787 Erie Road, Angola, New York on Wednesday, October 16, 2013 there were:

PRESENT:	Dennis M. Feldmann	Councilman
	Paul T. Cooper	Councilman
	Keith E. Dash	Supervisor

ABSENT:

ALSO PRESENT:	Lynn Krajacic	Deputy Town Clerk
	J. Grant Zajac	Town Attorney
	Ernest Masullo	Police Chief
	Lori Szewczyk	Community Development
	Scott Dill	Director of Finance
	Edward Michalski	Dept of Public Works
	Sandra Brant	Planning Dept
	Diana Cafferty	Supervisor's Dept.

RESOLUTION 2013-378 Approve Minutes

Councilman Feldman moved and Supervisor Dash seconded to approve the minutes of the October 2, 2013 Town Board meeting.

VOTE RESULT:	ADOPTED
	AYES: Feldmann, Cooper, Dash
	NAYS: none

Communications

Supervisor Dash read a letter submitted by Ernest Masullo, Police Chief commending the following on bringing a very dangerous situation to a safe and successful conclusion:

Lieutenant Douglas Czora, Patrolman Michael Kauzala, Patrolman Brian Kauzala, Patrolman Matthew Stonitsch, Patrolman Joseph LaRosa, Patrolman Kenneth Kloss, Dispatcher Joseph Gian, Dispatcher Vince Rovnak

Privilege of the Floor on Meeting Agenda Items & Other Issues

There was no one present wishing to speak

Committee and Department Head Reports

There were no Committee and Department Head Reports

RESOLUTION 2013-379 Projects for Community Development Block Grant program

Councilman Feldmann moved and Supervisor Dash

WHEREAS: The Town of Evans is or may be eligible for Community Development Block Grants, and,

WHEREAS: The Town advertised and conducted a public hearing on Wednesday, October 2, 2013 at 7:20 p.m. to receive input for the grant for the 2014-2015 year as to the community development needs and as to projects for which such grant or grants may be sought;

NOW THEREFORE BE IT RESOLVED That the Town Board authorizes Supervisor Dash and/or appropriate Town Officials to sign, submit and execute a contract with Erie County Community Development Block Grant (ECCDBG) program for the following projects upon approval of ECCDBG

1. South Creek/John K. Thompson Pool ADA Improvements
2. Kennedy Avenue Greenway Streetscape Project (Phase II)
3. Rural Transit Services, Inc.

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Feldmann Aye
 Councilman Cooper Aye
 Supervisor Dash Aye

RESOLUTION 2013-380 Celebration of Halloween

Supervisor Dash moved and Councilman Cooper seconded

WHEREAS, the Evans Town Board declares the celebration of Halloween in the Town of Evans for Thursday, October 31, 2013: and

WHEREAS, the citizens of the Town of Evans are hereby requested to leave an outside light on during the hours of 6:00 pm to 8:00 pm to insure the safety of the children in their Trick or Treat travels and show willingness to participate in the celebration of Halloween with the children of our community,

NOW THEREFORE

BE IT RESOLVED, that a copy of this resolution be published by the Town Clerk in the Angola Pennysaver.

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Feldmann Aye
 Councilman Cooper Aye
 Supervisor Dash Aye

RESOLUTION 2013-381 Schedule Public Hearing for Angola Fire Protective District

Councilman Cooper moved and Councilman Feldmann seconded

WHEREAS, the Angola Protective Fire District has been duly established as a Fire Protection District within the Town of Evans; and

WHEREAS, Town Law requires the Town of Evans to provide fire protection within said Fire District;

NOW THEREFORE BE IT RESOLVED, that pursuant to Section 184 of Town Law that a public hearing be held with reference to the furnishing of such fire protection for the Angola Fire Protective District which shall be held on the 6th day of November, 2013 at 7:10 pm and that notice of such hearing shall be published in the official newspaper of the Town of Evans.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Feldmann	Aye
	Councilman Cooper	Aye
	Supervisor Dash	Aye

RESOLUTION 2013-382 Tentative Budget as amended to become the Preliminary Budget

Councilman Feldmann moved and Councilman Cooper seconded

WHEREAS, on September 27, 2013 the Supervisor of the Town of Evans duly filed the tentative budget for the fiscal year beginning January 1, 2014 and ending December 31, 2014 with the Town Clerk; and

WHEREAS, the Town Clerk of the Town of Evans duly presented said tentative budget to the Town Board on or before October 5, 2013;

NOW THEREFORE BE IT RESOLVED that in accordance with Section 106 of Town Law, the tentative budget as revised, amended or modified by the Town Board shall constitute the Preliminary Budget of the Town of Evans for the fiscal year beginning January 1, 2014 and ending December 31, 2014; and

BE IT FURTHER RESOLVED that the Preliminary Budget shall be filed in the Office of the Town Clerk of the Town of Evans and said Town Clerk is hereby authorized and directed, on or after October 22, 2013, to reproduce copies for public distribution at a cost of \$15.00 per copy and to also place the budget on the Town of Evans Website where there will be no cost to the public.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Feldmann	Aye
	Councilman Cooper	Aye
	Supervisor Dash	Aye

RESOLUTION 2013-383 Schedule Public Hearing for the Preliminary Budget.

Supervisor Dash moved and Councilman Cooper seconded

RESOLVED, that in accordance with Article 8, Section 108 of Town Law, that a public hearing be held to hear those people wanting to discuss the Preliminary Budget on November 6, 2013 at 7:10 pm at the Evans Town Hall; and

BE IT FURTHER RESOLVED, THAT THE Town Clerk advertise said Public Hearing in accordance with Town Law.

VOTE RESULT:	ADOPTED	
AYES:		Feldmann, Cooper, Dash
NAYS:		None

RESOLUTION 2013-384 Authorize Supervisor to execute and deliver Penflex Service Fee Agreement

Councilman Cooper moved and Councilman Feldmann seconded

WHEREAS the Town Board of the Town of Evans adopted a resolution regarding participation of certain volunteer firefighters in Service Award Program; and
WHEREAS a Plan Document regarding such Service Award Program was adopted in 1997; and

WHEREAS continued investigation into the terms and provisions of such a service award program has been undertaken by the Town; and

WHEREAS in light of such investigation and review it is deemed appropriate that such Plan Document governing such Service Award Program be updated and revised; and

WHEREAS in consequence of the above the Town of Evans has engaged the services of Penflex, Inc. to review and prepare such Plan Document and the same has been presented to the Town Board, being dated September 2013; and WHEREAS in consideration of the same it is deemed prudent reasonable and advisable to adopt such Plan Document so prepared and dated as well as a Summary of Program Provisions to be made available to those who participate or may precipitate in such Service award program governed and described in the afore said plan document; and

WHEREAS in connection with the foregoing Penflex, Inc., has submitted a Service Fee Agreement covering the services by them to be provided for the period of November 1, 2013 and continuing through October 31, 2014; and

WHEREAS the proposal for such services to be provided and which have been provided by Penflex, Inc., is hereby deemed reasonable and the provision of such proposed serviced prudent

Now Therefore Be It Resolved that the aforesaid Plan Document dated September 2013 and the said Summary of Program Provisions above, a copy of which shall be retained by the Town Clerk are hereby adopted for the governance of such Service Award Program, and be it further

Resolved that the Town Board of the Town of Evans hereby authorizes and directs the Supervisor of the Town of Evans, Keith E. Dash or his designate to execute and deliver such Service Fee Agreement, a copy of which is to be held on file with the Town Clerk and to

deliver an executed copy of the same, in as many counterparts and deemed by the supervisor to be appropriate to Penflex, Inc. and to direct and facilitate the payment of such sums as may become due to Penflex, pursuant to the terms of such Agreement.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann Aye
Councilman Cooper Aye
Supervisor Dash Aye

RESOLUTION 2013-385 Waive signage fee for American Legion Post #928 and Boys & Girls club to advertise for a Halloween fundraising event.

Councilman Feldmann moved and Supervisor Dash seconded

RESOLVED, that per Town of Evans code 200.29, Sign Regulations, Fee Schedule, the Town Board does hereby grant a waiver of the signage fee to the American Legion Post #928 and the Boys & Girls Club of Lake Shore to advertise for a Halloween fund raising event to be held on October 26, 2013.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann Aye
Councilman Cooper Aye
Supervisor Dash Aye

RESOLUTION 2013-386 Appointments to the Parks and Recreation Board

Supervisor Dash moved and Councilman Cooper seconded

RESOLVED, that the following be appointed to the Parks and Recreation Advisory Board effective October 16, 2013 to December 31, 2013:

Jill Barrett
334 North Main Street
Angola NY 14006

Stanley Kwilos
60 Commercial Street
Angola NY 14006

Carolyn Mazur
1591 Burns Road
Angola NY 14006

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann Aye
Councilman Cooper Aye

Supervisor Dash Aye

RESOLUTION 2013-387 NYSDEC agreement for new vendor services

Councilman Cooper moved and Councilman Feldmann seconded

WHEREAS, the Town of Evans has sold conservation licenses on behalf of the NYSDFEC for many years; and

WHEREAS, the NYSDEC DECALS system will be starting a new contract commencing on December 1,2013 with a new vendor for services; and

WHEREAS, the NYSDEC is requiring all towns in New York State to renew their previous contract to enable them to continue selling conservation licenses on behalf of the DEC;

NOW THEREFORE BE IT RESOLVED that the Town Board does hereby approve the agreement between the Town of Evans and the NYSDEC commencing on December 1, 2013 and;

BE IT FURTHER ESOLVED that the Town Clerk is hereby authorized to execute such agreement on behalf of the Town of Evans.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Feldmann	Aye
	Councilman Cooper	Aye
	Supervisor Dash	Aye

RESOLUTION 2013-388 Revenue Anticipation Note

Supervisor Dash moved and Councilman Cooper seconded to withdraw item #10 the Revenue Anticipation Note for a future date.

VOTE RESULT:	ADOPTED	
	AYES:	Feldmann, Cooper, Dash
	NAYS:	None

RESOLUTION 2013-389 Audit of Bills

Councilman Cooper moved and Councilman Feldmann seconded that all properly audited bills be paid out of their respective accounts.

**DATE: 10/02/2013
ABSTRACT NO. 19
VOUCHER NO.1745-1904**

**PREPAID: 47,48, 49
For October 16 Board Meeting**

GENERAL	53,511.45
PART TOWN	22,500.00
HIGHWAY DA	
HIGHWAY	35,929.83
WATER	2,418.65
CAPITAL PROJECTS	29,363.40
SPECIAL DISTRICTS	21,845.56
DEBT SERVICE	
COMMUNITY DEVELOPMENT	
TOTAL	165,568.89

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Feldmann Aye
 Councilman Cooper Aye
 Supervisor Dash Aye

RESOLUTION 2013-390 Adjournment

Supervisor Dash moved and Councilman Feldmann seconded to adjourn to Monday October 21, 2013 at 6:30 pm for the purpose of the consideration of a Revenue Anticipation Note and to Wednesday, October 30, 2013 at 6:15pm for a Work Session then to Wednesday, November 6, 2013 for an Agenda meeting at 6:30pm and 7:00pm for the Town Board meeting.

VOTE RESULT: ADOPTED
 AYES: Feldmann, Dash
 NAYS: none

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 Krajacic
Deputy Town Clerk

Jonica B. DiMartino, RMC
Town Clerk