

## 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, May 7, 2014 there were:

PRESENT:	Dennis M. Feldmann	Councilman
	Paul T. Cooper	Councilman
	Keith E. Dash	Supervisor
ALSO PRESENT:	J. Grant Zajas	Town Attorney
	Charles LaBarbera	Building Dept. Head
	Lori Szewczyk	Director of Community Development
	Scott Dill	Director of Finance
	Edward Michalski	Highway Superintendent
	Sandra Brant	Director of Planning
	Ernie Masullo	Police Chief
	Julie Roach	Senior's Department Head
	Rob Klavoon	Wendell Engineers

**RESOLUTION 2014- 153 Approve Minutes**

Councilman Cooper moved and Councilman Feldmann seconded that the reading of the minutes of the Work Session of April 9, 2014 and the Town Board Meeting of April 16, 2014 be dispensed with and approved as submitted by the Town Clerk.

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

**Communications**

Supervisor Dash announced that Officer Joseph LaRosa and Officer Jeffrey DeVinney attended the Twenty Third Annual Erie County STOP-DWI Awards Breakfast and both received a STOP-DWI award.

Supervisor Dash read a letter from Edward Michalski, Highway Superintendent requesting authorization to attend the New York State Association of the State of New York and Cornell Local Roads Program 69<sup>th</sup> Annual Highway School for Superintendents of Highways from June 2, 2014 to June 4, 2014.

**RESOLUTION 2014-154 Authorize Highway Superintendent to attend the New York State Association of the State of New York and Cornell Local Roads Program Highway School**

Councilman Feldmann moved and Councilman Cooper seconded to approve the request of the Highway Superintendent.

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

Committee and Department Head Reports

Councilman Cooper announced that Erie County is holding a Hazardous Waste Drop-Off Day at Erie Community College, South Campus on June 14, 2014 from 9am to 2pm. He also announced that on Saturday, May 10<sup>th</sup> Gugino’s Outdoor Power Equipment will be holding an event with all proceeds going to the Boys and Girls Club of Lake Shore. Lake Erie Beach Cleanup will be held on Saturday from 8am to 12pm. Starting point is the Lake Erie Beach Fire Hall.

Supervisor Dash announced that the DEC has reported that there is a new infestation of the Emerald Ash Borer on the east side of town that borders the Town of Eden. The Supervisor’s office has information what to do if you are affected by this. He congratulated the North Evans Fire Company on the installation of their officers. He also congratulated and thanked Laurie Szewczyk and the rest of the Town of Evans employees for their participation in the United Way fund drive. This year there was a 217% increase in participation by employees. Supervisor Dash presented the Town Clerk with a proclamation recognizing Lynn Krajacic, Town Clerk and her staff during Municipal Clerk’s Week, May 4, 2014 - May 10, 2014.

RESOLUTION 2014-155 Appointment of School Resource Officer

Supervisor Dash moved and Councilman Cooper seconded,

WHEREAS, Douglas Tubinis was appointed to the position of School Resource Officer effective May 5, 2014;

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans approves the request of Chief Masullo for Douglas Tubinis to attend Basic School Resource Officer training from June 16-20, 2014 in Pittsburgh, PA, with lodging to be paid for by the Lake Shore Central School District and all the other necessary and reasonable expenses incurred to be a town charge in accordance with the rules and regulations governing travel and education.

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

**RESOLUTION 2014-156 Approval for Financial Assistance for the Kennedy Avenue Greenway Streetscape**

Councilman Cooper moved and Councilman Feldmann seconded,

**WHEREAS:** The Town Board desires to complete the Kennedy Avenue Greenway Streetscape ( from Ivanhoe to Route 5), which will form the initial spine and building block of a larger multi-modal pedestrian bicycle system that is being planned for the area. The project will also include constructing a sidewalk on Eastwood Avenue from Kennedy to A.J. Schmidt School, providing necessary infrastructure to enable children (grades K-5) to utilize not motorized travel to get to school safely.

**WHEREAS,** the Town of Evans recently completed a comprehensive neighborhood revitalization strategy for the Lake Erie Beach residential area, and

**WHEREAS,** the Town engaged in a public input program to build support and understanding for the plan and to incorporate the visions of the community's stakeholders in the strategy and its development process; and

**WHEREAS,** this project involves the fulfillment of recommendations of the 2010 Lake Erie Beach Neighborhood Revitalization Strategy, which identified a series of transportation and infrastructure improvements to enhance community mobility as well as pedestrian and bicycle amenities throughout Lake Erie Beach. Kennedy Avenue is identified as the most important east-west connector street in the neighborhood and recommended to be transformed into a "Greenway Streetscape" which includes non-motorized amenities as well as lighting to improve visibility and safety. This project serves as a centerpiece for the future local pedestrian and bicycle system, which is designed to provide connectivity throughout the community between residents, businesses and the area's greatest asset, Lake Erie, and

**WHEREAS,** the Town Board desires to provide these surface transportation improvements to residents at the lowest possible cost to the Town taxpayers, and

**WHEREAS,** the Town Board desires to apply for financial assistance from the 2014 Transportation Alternatives Program (TAP), and

**WHEREAS,** the Town Board commits to providing the required local matching funds to insure the timely implementation of the proposed project.

**NOW THEREFORE BE IT RESOLVED** That the Town Board authorizes the Office of Community Development to prepare and submit an application for Transportation Alternatives Program (TAP) funds for the Kennedy Avenue Greenway Phase III in the amount of \$400,000, and

**BE IT FURTHER RESOLVED,** that upon approval of the application for financial assistance that the Town make available \$100,000 in matching funds to satisfy the requirements of the funding program, and

**BE IT FURTHER RESOLVED**, that the Town Board authorizes Supervisor Dash and/or appropriate Town Officials to sign all documents and agreements related to the Transportation Alternatives Program.

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

**RESOLUTION 2014-157 Appointment of Part-time Laborer/Gateguard**

Councilman Feldmann moved and Supervisor Dash seconded,

**BE IT RESOLVED:** that the following be appointed as part-time laborer/gateguard at the Following rate effective immediately:

**PARK**

Dan Carriero	\$9.00
Clark Brueckl	8.00
Anthony Zolnowski	8.00
Ryan Joslyn	8.00
Brandon Joslyn	8.00
Connor Govenettio	8.00

**MARINA**

Sharlene Fowler (gate)	8.00
Nick Ferrino (gas)	7.50
Dillon DiChristopher (gas)	7.50
Donald Battaglia (labor/gateguard)	8.00
Kyle Eastmen (gas/laborer)	7.50
Wade Bergum (gas/laborer)	7.50

**TOWNPARK GATEGUARD**

Kevin Pawlak	8.00
Carol Barton	8.00

**POOL ATTENDENTS**

Jacob Majuk	8.00
Summer Weinheimer	8.00
Bethany Ferrino	7.50

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

**RESOLUTION 2014-158 Support and Proclaim North American Safe Boating Campaign and Safe Boating Week**

Supervisor Dash moved and Councilman Feldmann seconded,

WHEREAS, Recreational Boating is fun and enjoyable and we are fortunate that we have sufficient resources to accommodate the wide variety of pleasure boating demands, and

WHEREAS, our waterways may become crowded at times and be a place of chaos and confusion, and

WHEREAS, while being a marvelous source of recreation, boating to the unprepared can be a risky sport and not knowing or obeying the Navigation Rules or the nautical "Rules of the Road", drinking alcohol or taking drugs while operating a boat or choosing not to wear your life jacket when doing so is clearly NOT the smart thing to do, and

WHEREAS, on average 700 people die each year in boating related accidents in the U.S. with approximately 70% of these fatalities caused by drowning, and

WHEREAS, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors, and

WHEREAS, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jacket, and

WHEREAS, today's life jackets are more comfortable, more attractive and more wearable than styles of years past and deserve a fresh look by today's boating public,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans, does hereby support the goals of the North American Safe Boating Campaign and proclaim May 17-May 23, 2014 as National Safe Boating Week and the start of the year-round effort to promote safe boating.

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

**RESOLUTION 2014-159 Declare Surplus Vehicle**

Councilman Cooper moved and Supervisor Dash seconded,

BE IT RESOLVED, that the following vehicle is hereby declared surplus equipment and will be sold at auction with proceeds to be deposited in the Police Department's Expendable Trust Account - TA996:

2003 Crown Vic VIN # 2FAHP71W13X178439

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

**RESOLUTION 2014-160 Authorize the Payment for 2 Additional Hydrants on Black Road**

Councilman Feldmann moved and Councilman Cooper seconded,

WHEREAS, in the interest of public safety, the Town of Evans will install two (2) additional fire hydrants on Black Road, and

WHEREAS, Black Road is located within Town of Evans Water District # 1, and

WHEREAS, pursuant to the terms of the Lease Management Agreement, the Town is required pursuant to Section 3, Paragraph 3.5 entitled "Charges for the Supply of Water" of the draft Agreement to pay the Authority charges for Public Fire Protection as set forth in the Authority's Tariff;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town of Evans does hereby agree to pay the Erie County Water Authority charges for Public Fire Protection as set forth in the Authority's Tariff for the two (2) additional fire hydrants to be installed
2. This resolution shall take effect immediately.

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

**RESOLUTION 2014-161 Authorize Change Order #1 for Contract 13-1 (Backflow Prevention Improvements)**

Supervisor Dash moved and Councilman Cooper seconded,

WHEREAS, Fairway Contracting was retained by the Town of Evans to complete Contract No. 13-01, Backflow Prevention Improvements, and

WHEREAS, due to unforeseen field conditions, additional materials and labor were needed in order to facilitate installation of the Bluffs backflow preventer,

NOW THEREFORE BE IT RESOLVED, THAT THE Evans Town Board authorizes Change Order No.1 as outlined in Attachment A.

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

**RESOLUTION 2014-162 Approve Town Licenses**

Supervisor Dash moved and Councilman Cooper seconded,

Licenses:

Eugene Joseph Wachala D/B/A Pasquales-Refreshment  
Darin Heppner D/B/A Subway-Refreshment  
Robert Charles Beardlsey D/B/A Grandview Golf Course-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  
AYES- Feldmann, Cooper, Dash  
NAYS- none

**RESOLUTION 2014-163 Town Clerks Report**

Supervisor Dash moved and Councilman Cooper seconded to accept the reports of the Town Clerk as presented for the month January:

Water Monthly April 2014	\$2,850.80
Water Interest April 2014	.13
Town Clerk Receipts April 2014	\$18,730.03
Town Clerk Interest April	1.22

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

**RESOLUTION 2014-164 Audit of Bills**

Councilman Cooper moved and Councilman Feldmann seconded,

BE IT RESOLVED, that all properly audited bills be paid out of their respective accounts per abstract brought forth:

**DATE: 04/30/2014**  
**ABSTRACT NO. 8**  
**VOUCHER NO. 652-765**  
**PREPAID:**

GENERAL	128,519.12
PART TOWN	29,121.98
HIGHWAY DA	
HIGHWAY	50,969.96
WATER	10,908.17
CAPITAL PROJECTS	
SPECIAL DISTRICTS	174.65
DEBT SERVICE	
COMM DEVELOPMENT	
<b>TOTAL</b>	<b>\$ 219,693.88</b>

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

**RESOLUTION 2014-165 Adjournment**

Supervisor Dash moved and Councilman Feldmann seconded, to adjourn this meeting to Wednesday, May 14, 2014 at 6:15pm for a Work Session and then to Wednesday May 21, 2014 at 6:30pm for an Agenda meeting and 7:00pm for the regular Town Board Meeting. Meeting adjourned in Memory of Retired Town of Evans Patrolman, David Burke Sr.

VOTE RESULT:            ADOPTED  
                                  AYES- Feldmann, Cooper, 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 M. Krajacic  
 Town Clerk



*In Memory of  
David Burke Sr.  
Retired Town of Evans Patrolman*