

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, June 4, 2014 there were:

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|---------------|--------------------|-----------------------------------|
| PRESENT: | Dennis M. Feldmann | Councilman |
| | Paul T. Cooper | Councilman |
| | Keith E. Dash | Supervisor |
| ALSO PRESENT: | Lynn Krajacic | Town Clerk |
| | J. Grant Zajas | Town Attorney |
| | Charles LaBarbera | Building Dept. Head |
| | Lori Szewczyk | Director of Community Development |
| | Scott Dill | Director of Finance |
| | Sandra Brant | Director of Planning |
| | Ernie Masullo | Police Chief |
| | Diana Cafferty | Supervisor's Department |

RESOLUTION 2014-183 Approve Minutes

Councilman Cooper moved and Councilman Feldmann seconded that the reading of the minutes of the Town Board Meeting of May 21, 2014 be dispensed with and approved as submitted by the Town Clerk.

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

Communications

Supervisor Dash reported that the Supervisor's Monthly Reported has been made to the Town Board and a copy was filed with the Town Clerk's office.

Supervisor Dash read a communication from Sandra Brant, Director of Planning requesting a Public Hearing regarding miscellaneous revisions to Town Code-Zoning Chapter 200: Section 8.2 Rural Agriculture District (R-A), Section 9 Rural Residential District (R-R), Section 17 Provisions applicable to all residential districts, Section 29, Sign regulations, Section 45 Special use permits

RESOLUTION 2014-184 Set a Public Hearing Regarding a Miscellaneous Revisions to Town Code

Supervisor Dash moved and Councilman Cooper seconded,

WHEREAS, in a letter dated May 29, 2014 the Town's Planning Director has requested that the Evans Town Board set a public hearing to consider the adoption of Proposed Local Law No. 1 of 2014 regarding proposed miscellaneous revisions to the Town Code

Zoning Chapter 200: Section 8.2 R-A District, Section 9 RR District, Section 17 Provisions applicable to all residential districts, Section 29 Sign regulations and Section 45 Special use permits.

NOW THEREFORE BE IT

RESOLVED, that the Town Board authorizes the Town Clerk to advertise for a public hearing to be held on July 2, 2014 at 7:10pm for the consideration of said revisions to the Town Code,

AND BE IT FURTHER

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

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

RESOLUTION 2014-185 Amend Resolution to Correct Public Hearing Date

Supervisor Dash moved and Councilman Cooper seconded to amend resolution 2014-183,

RESOLVED, that the Town Board authorizes the Town Clerk to advertise for a public hearing to be held on July 16, 2014 at 7:10pm for the consideration of said revisions to the Town Code,

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

Committee and Department Head Reports

Councilman Cooper reminded residents that there will be a Hazardous Waste Drop-Off at ECC South on June 14, 2014 from 9am-2pm.

Supervisor Dash congratulated all organizations that served our country and thanked the all that organized events on Memorial Day. A special thanks to the He congratulated the Town of Evans Veteran's Committee on their ceremony and congratulated Cheryl Hagy and Donald Harrison for being named Veterans of the Year.

RESOLUTION 2014-186 Town Clerks Report

Supervisor Dash moved and Councilman Cooper Feldmann to accept the reports of the Town Clerk as presented:

Water Monthly May 2014	\$3,590.59
Water Interest May 2014	.35
Town Clerk Receipts May 2014	\$17,377.85
Town Clerk Interest May 2014	1.53

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

RESOLUTION 2014-187 Appointment of Part-time Laborer/Gateguard

Councilman Cooper moved and Councilman Feldmann seconded,

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

William Ludwig \$8.00 hour

RESOLVED: that the following laborer/gateguard be changed to a new rate of pay effective immediately:

Austin Smartz \$9.00 hour

FURTHER BE IT RESOLVED: that the following be appointed as of May 24, 2014 as part-time laborer/gateguard:

Mackenzie Dillon \$8.00 hour

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

RESOLUTION 2014-188 Authorize Supervisor to Accept Funds from New York State Office of Parks, Recreation and Historic Preservation for South Creek Pool Improvements

Councilman Feldmann moved and Councilman Cooper seconded,

RESOLVED, that Keith E. Dash, as Supervisor of the Town of Evans, or his successor, is hereby authorized to accept funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of (Title 9 of the

Environmental Protection Act of 1993 or the Recreational Trails Program), in an amount not to exceed \$150,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Evans for the South Creek Pool Facility Improvement Project and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

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

RESOLUTION 2014-189 Kennedy Avenue Sidewalk

Supervisor Dash moved and Councilman Cooper seconded,

WHEREAS: The Town Board desires to complete the Kennedy Avenue Sidewalk (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 non-motorized travel to get to school safely, 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 the Strategy recommends creating a “Complete Circulation Network” which includes non-motorized infrastructure. 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 Pedestrian Enhancement Project in the amount not to exceed \$425,000, and

RESOLUTION 2014-192 Suspend the Rules to Consider Two (2) Additional Resolutions

Supervisor Dash moved and Councilman Cooper seconded to suspend the rules in consideration of two (2) resolutions,

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

RESOLUTION 2014-193 Set a Public Hearing to Consider an Amendment of the Code of the Town of Evans, Chapter 200

Supervisor Dash moved and Councilman Feldmann seconded,

WHEREAS, the Town Board of the Town of Evans wishes to consider an amendment of the Code of the Town of Evans (hereinafter termed the "Code"), Chapter 200, so as to provide for and allowing of the raising of chickens on certain residential zoned parcels,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized to post and publish the needed legal notices for a public hearing to be held on July 16, 2014 at 7:10 p.m. in the Evans Town Hall on a proposed local law number 2 of the year 2014, a copy of which will be on file in the office of the Town Clerk, which proposed local law so filed is subject to further amendment in consideration of such public hearing and information received and additional comment on, or consideration thereon by the Town Board.

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

RESOLUTION 2014-194 Approve Years of Service Credits Under Town's Losap Program

Supervisor Dash moved and Councilman Cooper seconded,

WHEREAS, Article 11-A of the New York State General Municipal Law requires that a certified list is provided to the Town of Evans of the volunteer firemen indicating those who earned a year of service credit under the Town's LOSAP Program, and WHEREAS, to comply with Article 11-A this list is required to be reviewed and approved by the Town Board, and

WHEREAS, the Town's Finance Department has reviewed such listing

NOW THEREFORE BE IT RESOLVED, that the Town Board approves the Service Award Program listings for the Evans Center Volunteer Fire Company, Inc and the Lake Erie Beach Volunteer Fire Company, Inc., and

BE IT FURTHER RESOLVED, that the Town return the entire 2013 Data Request Package to the corresponding Fire Departments so that the certified list can be posted for at least thirty (30) days as required by Article 11-A of the New York State General Municipal Law.

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

RESOLUTION 2014-195 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: 05/28/2014
ABSTRACT NO. 10
VOUCHER NO. 865-937
PREPAID:

GENERAL	59,282.20
PART TOWN	24,470.79
HIGHWAY DA	
HIGHWAY	9,368.35
WATER	981.00
CAPITAL PROJECTS	
SPECIAL DISTRICTS	2,249.20
DEBT SERVICE	
COMM DEVELOPMENT	
TOTAL	\$ 96,351.54

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

RESOLUTION 2014-196 Adjournment

Supervisor Dash moved and Councilman Cooper seconded, to adjourn this meeting to Wednesday, June 11, 2014 at 6:15pm for a Work Session and then to Wednesday June 18, 2014 at 6:30pm for an Agenda meeting and 7:00pm for the regular Town Board Meeting. This meeting was adjourned in Memory of Gary A. Johnston, former Dog Control Officer for the Town of Evans.

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
Gary A. Johnston
Retired Town of Evans
Dog Control Officer*