

Evans Town Board

At a 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 17, 2015 there were:

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 Department Head
	Lori Szewczyk	Director of Community Development
	Sandra Brant	Director of Planning
	Ernie Masullo	Chief of Police
	Diana Cafferty	Supervisor Department
	Rob Klavoon	Wendell Engineers

RESOLUTION 2015 #209 Approve Minutes

Councilman Cooper moved and Councilman Feldmann seconded that the reading of the minutes of the meeting of June 3, 2015 and the Work Session of June 10, 2015 be dispensed with and approved as submitted by the Town Clerk.

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

Communications

Supervisor Dash has submitted the Supervisor's Monthly report for April to the Town Board and filed a copy with the Town Clerk in accordance with Town Law.

Privilege of the Floor on Agenda Items and Other Issues

Ben Little, 388 Lakeside Road, Angola New York thanked the Town of Evans, especially Ed Michalski, Nick Mecca and the Highway Department and Chuck LaBarbera and his staff on behalf of the Grandview Bay Homeowners Association for assisting with the project to install stairs for access to the beach. He also thanked Mickey Rats for hosting a fundraiser to pay for the stairs.

Richard Ziolo, 9039 Lake Shore Road, Angola New York read a letter from the Grandview Bay Homeowners Association Board encouraging the Town to purchase the South Shore Beach Club.

Committee and Department Head Reports

Councilman Cooper urged residents to attend the Fredrick Garrasi III 5K Memorial Run to be held on Sunday, June 21st.

Supervisor Dash thanked everyone for attending the Dog Park ribbon cutting ceremony and thanked Megan Scritchfield for her work and Ron Smith from Lads Pet Supply for donating the fence. He also announced the Hot Dog and Sausage sale at the Angola Public Library on Friday from 11am-1pm sponsored by Legislator John Mills. He also reported that a committee has been formed and a survey was created for contractors and developers to see if they could be better served by the Town of Evans. A copy of the results is available in the Supervisors office.

Lori Szewczyk reported that on June 2, 2015 she and Sandy Brant participated in a tour sponsored by the Southtowns Coalition and Erie County Legislator John Mills along with other Legislators and County leaders in a tour of the Southtowns which included Goya Foods and a visit to sites such as the former Angola Airport, Bennett Beach and Wendt Beach.

RESOLUTION 2015 #210 Road Closure for the 4th of July Celebration

Councilman Feldmann moved and Councilman Cooper seconded,

WHEREAS, the July 4th celebration in the Lake Erie Beach/Point Breeze area brings several thousand plus people to this community to honor our nation's birth; and

WHEREAS, the public safety responsibility for those people enjoying the celebration, those people residing in this celebration area, and the people who will transverse this area, are a responsibility that is best served through the following road closures; therefore be it

RESOLVED, that the Town Board of the Town of Evans hereby authorizes the closing of Kennedy Avenue and Eisenhower Road from Lake Shore Road to Quebec Street for the purpose of providing public safety to all participants, residents, and traffic beginning at 7 p.m. on the 3rd of July (rain date 4th of July), in addition to all other public safety measures as set forth under the Code of the Town of Evans; and be it further

RESOLVED, that there will be no vehicles allowed in Lake Erie Beach Park beginning at 4 a.m. July 3rd through 4 a.m. July 5th; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to publish this resolution in the June 28, 2015 edition of the Angola Pennysaver and the June 25, 2015 edition of the The Sun, the official paper of the Town of Evans.

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

RESOLUTION 2015 #211 Authorize Supervisor in Enter into Agreement with Eileen P. Flaherty to Rent Kayaks, Paddle Boards and Related Equipment at Sturgeon Point Marina

Councilman Cooper moved and Councilman Feldmann seconded,

WHEREAS, EILEEN P. FLAHERTY has proposed the operation of a business for the rental of kayaks, paddleboards and related equipment at the Sturgeon Point Marina and the beach thereat; and

WHEREAS, the Town Board is of the opinion that the operation of such business will afford the opportunity for residents of, and visitors to, the Town to enjoy the natural beauty of Lake Erie and the Town of Evans;

NOW THEREFORE BE IT RESOLVED, that the said EILEEN P. FLAHERTY, upon the execution of an agreement subject to the approval of the Town Attorney be and the same is hereby authorized, upon the terms, conditions and provisions of such agreement, to operate a business for the rental of kayaks, paddle boards and related equipment at the Sturgeon Point Marina and the beach area related to the same in consideration of the payment of a fee of \$100 to the Town, for a term commencing after the date hereof and to terminate on September 15, 2015; and

BE IT FURTHER RESOLVED, that the Supervisor or his designee is hereby authorized and directed to execute such Agreement for the operation of such business in as many counterparts as may be deemed appropriate and subject to the approval of the Town Attorney.

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

RESOLUTION 2015 #212 Award Proposal for the Kennedy Avenue Greenway Path, Phase 2

Supervisor Dash moved and Councilman Cooper seconded,

Whereas, Bids on the Town of Evans Kennedy Greenway, Phase 2 (Contract 15-1) were received and opened on June 11, 2015 at 11:00 AM, in accordance with the Notice to Bidders previously authorized, and

Whereas, the low bid was submitted by M.E.R Services of WNY, LLC., and

Whereas, Wendel has reviewed the proposal from M.E.R. Services of WNY, LLC. and held a conference call on June 12, 2015 with the project manager, and confirmed his understanding of the requirements of this project, and

Whereas, the bid for the Base Bid submitted by M.E.R. Services of WNY, LLC. was \$81,900.00.

Now, therefore be it resolved, that the Evans Town Board authorizes the award of the Kennedy Greenway, Phase 2 Contract (Contract 15-1) to M.E.R. Service of WNY, LLC., 4010 East Hillside Road, Bliss, NY 14024 contingent upon the Town Attorney's review of the Contractor's Bonds and Insurances.

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

RESOLUTION 2015 #213 Support the Application of the Graycliff Conservancy, Inc. for the Award of a Grant

Councilman Feldmann moved and Supervisor Dash seconded,

WHEREAS, America's most esteemed architect, Frank Lloyd Wright, designed the Graycliff Estate in the Town of Evans, and

WHEREAS, the Graycliff Estate is an architectural masterpiece and a New York State Landmark listed on the National Register of Historic Places, and

WHEREAS, the Graycliff Estate is an integral part of a region-wide initiative to develop heritage and cultural tourism, and

WHEREAS, heritage and cultural tourism is an important component in the economic development of the Town of Evans and the region generally, and

WHEREAS, both tourism and economic development will lead to job growth in Western New York and in the Town of Evans, in particular.

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Evans, New York supports the application of the Graycliff Conservancy, Inc. for the award of a grant through the Environmental Protection Fund (EPF) Municipal Grant Program, through the Regional Economic Development Councils, Empire State Development, and the New York State Office of Parks, Recreation and Historic Preservation for the restoration of the historic interiors of the Graycliff Estate,

AND BE IT FURTHER

RESOLVED. that the Graycliff Estate, a masterwork by Frank Lloyd Wright and a New York State Landmark is, for these and other reasons, an important part of the architectural heritage of the Town of Evans and the United States, and should be restored, preserved and made accessible to the public,

AND BE IT FURTHER

RESOLVED, that a restored Graycliff Estate will enhance economic development and job creation through heritage and cultural tourism both in the Town of Evans and throughout the region,

AND BE IT FURTHER

RESOLVED, that the Town of Evans and the region will benefit, if restoration of the Isabelle R. Martin House, also known as the Graycliff Estate, is granted this funding through the Environmental Protection Fund (EPF) Municipal Grant Program, through the Regional Economic Development Council, Empire State Development, and the New York State Office of Parks, Recreation and Historic Preservation.

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

RESOLUTION 2015 #214 Suspend the Rules for Consideration of Additional Resolutions

Councilman Feldmann moved and Councilman Cooper seconded to suspend the rules to consider 2 additional resolutions,

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

RESOLUTION 2015 #215 Appointment of Part-time Clerk

Supervisor Dash moved and Councilman Feldmann seconded,

BE IT RESOLVED: that the Sara Ruffles be appointed as part-time clerk at the rate of \$8.75 per hour effective June 23, 2015:

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

RESOLUTION 2015 #216 Authorize Supervisor to Execute a Permanent Easement to Richard and Marjorie Maurer

Supervisor Dash moved and Councilman Cooper seconded,

WHEREAS, the Town and Richard and Marjorie Mauer have entered into an agreement for the remediation by the Mauers of certain property owned by the Town; and

WHEREAS, in consideration thereof the Town agreed to grant to the Mauers a permanent easement for use in the provision of utilities and access to the Mauer property; and

WHEREAS, it appears to the satisfaction of the Town Engineer that the Mauers have completed such work and remediation and now seek the execution by the Town of said permanent easement

NOW THEREFORE BE IT RESOLVED, that the Supervisor of the Town of Evans or his designee is hereby authorized and directed to execute such permanent easement, subject to the approval of the Town Attorney, in as many counterparts as may be deemed appropriate and to deliver the same to the Mauers for recordation.

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

RESOLUTION 2015 #217 Town Licenses

Supervisor Dash moved and Councilman Feldmann seconded,
License

Richard A. Fontana D/B/A Fontana's Catering/Jimmy's Ice Cream- Refreshment

RESOLVED, that the aforesaid license be granted pending the report of the Chief of Police and the Department of Health where appropriate.

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

RESOLUTION 2015 #218 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: 6/10/2015
 ABSTRACT NO. 12
 VOUCHER NO. 977-1078**

GENERAL	145,528.28
PART TOWN	20,232.54
HIGHWAY DA	
HIGHWAY	27,064.22
WATER	9,060.64
CAPITAL PROJECTS	
SPECIAL DISTRICTS	22,095.69
DEBT SERVICE	
COMM DEVELOPMENT	
TOTAL	\$ 223,981.37

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

RESOLUTION 2015 #219 Adjournment

Supervisor Dash moved and Councilman Cooper seconded to adjourn Wednesday, July 8, 2015 @ 6:15pm for a Work Session and then to Wednesday, July 15, 2015 at 6:30pm for an Agenda Meeting and 7:00pm for the Town Board Meeting.

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