

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, December 2, 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 Inspector
	Lori Szewczyk	Community Development
	Edward Michalski	Highway Superintendent
	Patrick Conrad	Parks Crew Chief
	James Guarino	Water Department
	Sandra Brant	Planning Department
	Ernie Masullo	Chief of Police
	Julie Roach	Senior Center
	Diana Cafferty	Supervisor's Office

RESOLUTION 2015 #347 Approve Minutes

Councilman Cooper moved and Councilman Feldmann seconded that the reading of the minutes of the meeting of November 16, 2015, November 18, 2015 and November 25, 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 the month of October to the Town Board and filed a copy with the Town Clerk in accordance with Town Law.

Committee and Department Head Reports

Paul Cooper mentioned the benefit for Billy Hamm Jr. on Sunday from 2pm to 8pm at Lake Erie Beach Fire Hall.

Supervisor Dash announced there will be a Citizen Preparedness Corps Training Program on December 5, 2015 at 11am to be held at Cradle Beach Camp sponsored by Governor Andrew M. Cuomo.

RESOLUTION 2015 #348 Authorize Supervisor to Enter into Agreement with BENLIC for Land Banking

Supervisor Dash moved and Councilman Feldmann seconded,

WHEREAS, in July 2011 in recognition of the growing problem of distressed, vacant, abandoned, and tax-delinquent properties, New York State passed the Land Bank Act, as Article 16 of the New York State Not-for-Profit Corporation Law, which authorizes any Foreclosing Governmental Unit (FGU) to create a land bank to strategically acquire, improve, assemble, and sell these properties; and

WHEREAS, under this law, the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) was formed in May 2012 via an inter-municipal agreement among the county's four FGUs: Erie County and the Cities of Buffalo, Lackawanna, and Tonawanda; and

WHEREAS, county-wide land banks have proven highly successful in Michigan, Ohio, and other regions experiencing growing numbers of problem properties by supporting municipal and regional revitalization efforts by strategically acquiring, improving, assembling, and selling these properties; and

WHEREAS, BENLIC (the land bank) seeks to work collaboratively with the cities, towns, and villages within Erie County to address the growing problem of distressed, vacant, abandoned, and tax-delinquent properties; and

WHEREAS, the **Town of Evans**, Erie County, has recognized the need to address the growing issues of distressed, vacant, abandoned, and tax-delinquent properties and is desirous of partnering with BENLIC to address this problem.

NOW, THEREFORE, BE IT

RESOLVED, that **Town of Evans** hereby officially requests that BENLIC acquire the following propert(y)ies:

0 Peach Street (<i>residential vacant land</i>)	SBL# 250.08-5-31
9389 Orange Street (<i>seasonal residential</i>)	SBL# 250.07-2-37

AND BE IT FURTHER RESOLVED, that the **Town of Evans** has completed the required Standardized Inspector's Reports and Maintenance, Disposition and Reuse Plans (SIR/MDR plans) each property listed above and has attached the SIR/MDR plans to this resolution; and be it further

RESOLVED, that the **Town of Evans** agrees to reimburse Erie County for the costs associated with foreclosure of this property; and be it further

RESOLVED, that the **Town of Evans** agrees to maintain each property selected by BENLIC during the time in which BENLIC holds title to the property; and be it further

RESOLVED, that the **Evans Town Board** hereby agrees to the terms and conditions of the BENLIC Pay it Forward Policy, *to be adopted October 23, 2015** and that pursuant to section 1610 of the New York Not-for-Profit Corporation Law will remit to BENLIC 50% of the real property taxes collected for a period of five years on all of the parcels identified herein for which, upon disposition of the parcel, net proceeds are negative

0 Peach Street (Residential vacant land) **SBL# 250.080-5-31**
9389 Orange Street (seasonal residential) **SBL# 250.070-2-37**

AND BE IT FURTHER RESOLVED, that certified copies of this resolution will be sent to the Executive Director of the Buffalo Erie Niagara Land Improvement Corporation; the Commissioner of the Erie County Department of Environment and Planning; the Director of the City of Buffalo's Office of Strategic Planning; and the Mayors of the cities of Lackawanna and Tonawanda.

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

RESOLUTION 2015 #349 Amend Budget to Correct Backflow Prevention Charges

Councilman Feldmann moved and Supervisor Dash seconded,

WHEREAS, the Town of Evans issued debt for the purpose of Backflow Prevention and such debt repayments are charged to taxpayers receiving the direct benefit of the debt.

WHEREAS, the Town of Evans has historically included the aforementioned requirements within its annual Letter of Authorization.

WHEREAS, the County of Erie have advised that such charges should be removed from the Letter of Authorization and included within the Town's Annual Budget.

BE IT RESOLVED, that the Town will remove such charges from its letter of authorization and amend the 2016 adopted budget to include Backflow Prevention charges of \$4,640.97 to parcel 193.09-1-1.111 and \$9,613.43 to parcel 193.09-1-1.112.

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

RESOLUTION 2015 #350 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: 11/25/2015
ABSTRACT NO. 23
VOUCHER NO. 2028 - 2101

GENERAL	133,324.69
PART TOWN	28,756.37
HIGHWAY DA	
HIGHWAY	107,298.79
WATER	9,010.44
CAPITAL PROJECTS	13,416.03
SPECIAL DISTRICTS	112,765.07
DEBT SERVICE	
COMM DEVELOPMENT	
TOTAL	\$404,571.39

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

RESOLUTION 2015 #351 Adjournment

Supervisor Dash moved and Councilman Cooper seconded to adjourn to be to Wednesday, December 9, 2015 at 6:15pm for a Work Session and then to Wednesday, December 16, 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