

Evans Town Board

At a Regular Meeting of the Town Board of the Town of Evans, held at the Evans Town Hall, 8787 Erie Road, Angola New York there were:

- | | | |
|---------------|-------------------|------------------------|
| PRESENT: | Jeanne Macko | Councilman |
| | Michael Schraft | Councilman |
| | Mary Hosler | Supervisor |
| ALSO PRESENT: | Lynn Krajacic | Town Clerk |
| | Jennifer Farrell | Town Attorney |
| | Doug Czora | Police Chief |
| | Roberta Rappoccio | Director of Planning |
| | Mary Holl | Supervisor's Secretary |

RESOLUTION 2018 #139 Approve Minutes

Supervisor Hosler moved and Councilman Schraft seconded that the reading of the minutes of the meeting of the March 7, 2018 Meeting be dispensed with and accepted as submitted by the Town Clerk.

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|--------------|----------------------|-----|
| VOTE RESULT: | ADOPTED BY ROLL CALL | |
| | Councilman Macko | Aye |
| | Councilman Schraft | Aye |
| | Supervisor Hosler | Aye |

Communications

Supervisor Hosler reported that the Supervisor's January 2018 and February 2018 Monthly Reports have been made to the Town Board and a copy was filed with the Town Clerk's Office.

Supervisor Hosler read a communication from Roberta Rappoccio, Director of Community Development and Planning regarding a request from Louis Catalano, dba Catalano Motors, for renewal of his special use permit for the purpose of continued operation of a new and used auto sales facility, located at 6777 Erie Road, Derby, NY 14047, SBL# 192.20-6-1

RESOLUTION 2018 #140 Advertise for Public Hearing

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS, in a letter dated March 8, 2018 the Planning Office has requested that the Town Board set a public hearing regarding the petition of Louis Catalano, d/b/a Catalano Motors, for a special use permit renewal for the purpose of continued operation of a new and used auto sales facility located at 6777 Erie Road, Derby, NY 14047, part of SBL# 192.20-6-1;

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize the Town Clerk to advertise for a public hearing to be held on April 18, 2018 at 7:10p.m. for the consideration of said special use permit renewal, and

BE IT FURTHER RESOLVED, that this matter be referred to the Planning Office to determine the need for Planning Board review and recommendation prior to the public hearing, and

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

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Macko Aye
 Councilman Schraft Aye
 Supervisor Hosler Aye

RESOLUTION 2018 #141 Schedule Public Hearing for Water Improvement

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, pursuant to a resolution dated August 15, 2007 (the “2007 Bond Resolution”), this Town Board approved, in accordance with Section 202-b of the Town Law, certain improvements for the joint increase and improvement of the water facilities of the Town for consolidation with the Erie County Water Authority at a maximum estimated cost of \$12,600,000, including (i) upgrades to meet Authority standards to include replacement of approximately 5,200 water meters with remote meter reads, installation of tilesets, replacement of approximately 265 fire hydrants, elimination of duplicate watermains, replacement of approximately 49,000 linear feet of waterlines less than six inches in diameter; and replacement of an additional approximately 3,000 linear feet of water main; (ii) further improvements to include construction of an elevated water storage tank, and (iii) construction of public roadway access improvements to service residences currently located on unimproved right-of-ways, including the construction or reconstruction of curbs, gutters, drainage, landscaping and grading, and including in each case any equipment, furnishings, machinery or apparatus, and any ancillary or related work required in connection therewith, all as is more particularly described in the Map, Plan and Report dated August, 2007 prepared at the direction of the Town Board by Wendell Duchscherer Architects and Engineers (the “Project”), at a maximum estimated cost of \$12,600,000; and

WHEREAS, by resolution dated June 6, 2007, the Town Board determined, in accordance with the regulations of the New York State Department of Environment Conservation promulgated under the State Environmental Quality Review Act (collectively, “SEQRA”) that the Project would not have a significant adverse impact on the environment and adopted a Negative Declaration under SEQRA to such effect; and

WHEREAS, pursuant to a resolution dated May 18, 2011, the Town Board authorized an increase in the maximum cost of undertaking the Project from \$12,600,000 to \$13,235,000, and determined that it was in the public interest to undertake the Project at such increased maximum cost; and

WHEREAS, pursuant to a resolution dated December 27, 2012, the Town Board authorized an increase in the maximum cost of undertaking the Project from \$13,235,000 to \$16,235,000, and determined that it was in the public interest to undertake the Project at such increased maximum cost; and

WHEREAS, as set forth in a Preliminary Engineering Report dated January 2018, prepared by Clark Patterson Lee, the Town has learned that the revised estimated cost of undertaking the portion of Project relating to the construction of the elevated water storage tank including costs associated with the construction of an access road, installation of a waterline, clearing and grubbing, installation of a mixing system, and all ancillary and related costs incidental to the foregoing will be \$5,130,000, which will result in an increase in the overall maximum estimated cost of undertaking the facilities and improvements included in the Project from \$16,325,000 to \$20,290,000; and

WHEREAS, the Town Board now intends to conduct a public hearing in accordance with Section 202-b of the Town Law with respect to such proposed increase in the maximum estimated cost of the Project.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town hereby calls for a public hearing to be held at the public meeting of the Town Board to be held on April 4, 2018 at 7:10 p.m. at the Town of Evans Town Hall, 8787 Erie Road, Angola, New York 14006, to consider such increase in the maximum estimated cost of the Project from \$16,235,000 to \$20,290,000 and to hear all persons interested in the subject thereof; and it is

FURTHER RESOLVED, that the Town Clerk is hereby directed to cause notice of such public hearing in the form attached hereto to be published and posted in the manner prescribed by law.

This resolution shall take effect immediately.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Macko	Aye
	Councilman Schraft	Aye
	Supervisor Hosler	Aye

RESOLUTION 2018 #142 Authorize Supervisor to Enter the Local Waterfront Revitalization Grant Contract

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, the Town of Evans was awarded funding from the New York State Consolidated Funding Application for the Update to the Local Waterfront Revitalization Plan, and

NOW, THEREFORE BE IT RESOLVED, that Supervisor Mary Hosler is hereby authorized to execute the New York State Department of State Local Waterfront Revitalization Program Update grant contract, upon approval of the Town Attorney, to update the Town of Evans Local Waterfront Revitalization Plan.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Schraft - Aye
Councilman Macko - Aye
Supervisor Hosler - Aye

RESOLUTION 2018 #143 Award Local Waterfront Revitalization RFP Contract

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS, the Town of Evans received funding from the New York State Consolidated Funding Application for the Update to the Local Waterfront Revitalization Plan, and

WHEREAS, the Town of Evans Town Board authorized the Town Clerk to advertise for Request for Proposals for the aforementioned Update to the Local Waterfront Revitalization Plan; and

WHEREAS, one proposal was received and opened on March 10, 2017 at 10:00 a.m., in accordance with the Request for Proposals previously authorized; and

WHEREAS, the lowest responsible proposal was submitted by Clark Patterson Lee, 26 Mississippi Street, Buffalo, NY 14203; and

WHEREAS, the bid for proposal submitted by Clark Patterson Lee was in the amount of \$40,000.00;

NOW, THEREFORE BE IT RESOLVED, that the aforementioned proposal by Clark Patterson Lee, 26 Mississippi Street, Buffalo, NY 14203, to update the Local Waterfront Revitalization Plan for the Town of Evans, New York, be and hereby is accepted by the Town of Evans, with a cost not to exceed \$40,000.00; and

AND BE IT FURTHER RESOLVED, that Supervisor Mary Hosler is authorized to execute and enter into a contract, not to exceed \$40,000 regarding such proposal, upon the approval of the Town Attorney.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Macko Aye
Councilman Schraft Aye
Supervisor Hosler Aye

RESOLUTION 2018 #144 Award Pre-Entitlement Total and Permanent Disability Benefit for LOSAP

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, David Scheffer has applied for a Pre-Entitlement Total and Permanent Disability Benefit from the Town of Evans Service Award Program; and

WHEREAS, Penflex, Inc. has reviewed and verified the documentation submitted by the participant and found him eligible;

NOW, THEREFORE, BE IT RESOLVED, the Evans Town Board hereby awards David Scheffer a Pre-Entitlement Total and Permanent Disability Benefit, effective immediately.

FURTHER, BE IT RESOVLED, that Mr. Scheffer will no longer be considered an active member according to the Plan Document on file with Penflex, Inc.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #145 Declare Surplus Equipment

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, there is no revenue associated with the following declaration of surplus, as the equipment is outdated and/or beyond repair as parts are no longer available;

NOW, THEREFORE, BE IT RESOLVED, that the following equipment is hereby declared surplus equipment and will be destroyed/recycled in the proper manner;

COMPAQ Laptop Computer Series PP2150 - Serial Number 9X37LDLZ4153

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #146 Support for State Funding for School Resource Officer

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, the security of schools and the students within is of the utmost importance; and

WHEREAS, a disturbing and growing trend in the US has seen a rise in school based violence; and

WHEREAS, our municipalities and school districts often lack the available resources to retain School Resource Officers within all of our buildings; and

WHEREAS, School resource officers serve many roles for schools including but not limited to: providing law enforcement and investigation, developing crime prevention programs, training and securing school personnel, establishing a working relationship with school and students, assisting students in conflict resolution, and being a positive role model; and

WHEREAS, the New York State Senate has already adopted its School Safety Package of legislation which includes Gallivan S.7810-A, S.7811, S.1144-A, and S.7791, which would create funding opportunities for school districts to provide resource officers, as well as adjust earning limitations and peace officer status for retired police officer;

NOW, BE IT RESOLVED, that the association of Erie County Governments does support the School Safety Package, specifically Gallivan S.7810-A, S.7811, S.1144-A, and S.7791 and asks the honorable members of the New York State Assembly, New York State Senate (Not sure we need to include them since they already passed it), and the Governor of the State of New York to follow in the New York State Senates example and include funding for these necessary programs in this year's budget, and provide our schools this valuable resource and security; and

FURTHER, BE IT RESOLVED, that these programs should be funded through a resource other than sacrificing an already existing educational funding source.

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Macko Aye
 Councilman Schraft Aye
 Supervisor Hosler Aye

RESOLUTION 2018 #147 Suspend the Rules

Supervisor Hosler moved and Councilman Macko seconded to suspend the rules of order for consideration of an additional resolutions,

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Macko Aye
 Councilman Schraft Aye
 Supervisor Hosler Aye

RESOLUTION 2018 #148 Award Bid Regarding Highway Garage Roof

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, bids were solicited for the Highway Garage Reroof Project the Town of Evans; and

WHEREAS, bids were received and opened on March 20, 2018 at 10:00 a.m., in accordance with the Notice to Bidders previously authorized and the extension thereof; and

WHEREAS, the lowest responsible bid was submitted by Grove Roofing Services, Inc., 131 Reading Street, Buffalo, New York 14220; and

WHEREAS, Clark Patterson Lee has reviewed the proposal from Grove Roofing Services, Inc. and held a conference call with the project manager, and confirmed his understanding of the requirements of this project; and

WHEREAS, the bid for the Base Bid submitted by Grove Roofing Services, Inc., including Alternate 1 Deduct, was \$352,206.00;

NOW, THEREFORE, BE IT RESOLVED, that the Evans Town Board authorizes the award of the contract for the Highway Garage Reroof Project in the Town of Evans, New York to Grove Roofing Services, Inc., 131 Reading Street, Buffalo, New York 14220, contingent upon the Town Attorney’s review of the Contractor’s Bonds and Insurance.

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Macko Aye
 Councilman Schraft Aye
 Supervisor Hosler Aye

RESOLUTION 2018 #149 Amend Resolution 2018-129 and Advertise Public Hearing Regarding Proposed Local Law #1 of 2018

Councilman Schraft moved and Supervisor Hosler seconded,

BE IT RESOLVED, that Resolution #2018-129 be amended to reflect that the public hearing regarding Proposed Local Law #1 of the calendar year 2018 be scheduled for April 18, 2018 at 7:10 p.m.

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Macko Aye
 Councilman Schraft Aye
 Supervisor Hosler Aye

RESOLUTION 2018 #150 Audit of Bills

Councilman Macko moved and Supervisor Hosler seconded that all properly audited bills be paid out of the respective accounts per abstract :

AUDIT OF BILLS

DATE	03/22/2018
ABSTRACT NO.	6
VOUCHER NO.	2250-2327
CHECK NUMBERS	77573 - 77635
APPROVED AT	Board Meeting
DATE	03/21/2018
GENERAL	\$110,020.88
PART TOWN	\$6,574.39
HIGHWAY DB	\$17,775.28
WATER	
CAPITAL PROJECTS	
SPECIAL DISTRICTS	\$530,025.00

DEBT SERVICE	
TA FUND	
TOTAL	\$664,395.55

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #151Adjournment

Supervisor Hosler moved and Councilman Schraft seconded to adjourn the Town Board meeting to Wednesday, March 28, 2018 for a March 21, 2018 at 6pm for an Agenda meeting and 7pm for the Town Board Meeting.

VOTE RESULT: ADOPTED

AYES:	Schraft, Macko, Hosler
NAYS:	None

Open Meetings Law, Public Officers Law, Article 7, §106. Minutes. Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.

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, RMC
Town Clerk