

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:

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|---------------|------------------|---------------------------------------|
| PRESENT: | Jeanne Macko | Councilman |
| | Michael Schraft | Councilman |
| | Mary Hosler | Supervisor |
| ALSO PRESENT: | Lynn M. Krajacic | Town Clerk |
| | Kim Johnson | Deputy Town Clerk |
| | Thomas Farley | Town Attorney |
| | Bill Smith | Director of Planning & Community Dev. |

RESOLUTION 2019 #281 Approve Minutes

Supervisor Hosler moved and Councilman Schraft seconded that the reading of the minutes of the meeting of June 19, 2019 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 |

RESOLUTION 2019 #282 Remove Item #4 from Old Business - Beach Cleanup

Supervisor Hosler moved and Councilman Schraft seconded to remove Item #4 - Award Contract for Beach Cleanup from Old Business.

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

RESOLUTION 2019 #283 Advertise for a Public Hearing for PLL #6 of 2019 - Zoning

Councilman Macko moved and Councilman Schraft seconded,

BE IT RESOLVED, that the Town Clerk is hereby authorized to post and publish the needed legal notice for a public hearing to be held July 17, 2019 at 7:10 p.m. in the Evans Town Hall for consideration of Proposed Local Law #6 of 2019 regarding code revisions to Evans Town Code Chapter 200: Zoning.

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

RESOLUTION 2019 #284 Advertise for a Public Hearing for PLL #7 of 2019 - Zoning

Councilman Schraft moved and Supervisor Hosler seconded,

BE IT RESOLVED, that the Town Clerk is hereby authorized to post and publish the needed legal notice for a public hearing to be held July 17, 2019 at 7:10 p.m. in the Evans Town Hall for consideration of Proposed Local Law #7 of 2019 regarding code revisions to Evans Town Code Chapter 200: Zoning.

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

RESOLUTION 2019 #285 Appointment of Seasonal Lifeguards

Supervisor Hosler moved and Councilman Macko seconded,

BE IT RESOLVED, that the following individuals be appointed to the PT Seasonal Lifeguard position effective June 29, 2019:

<u>Name</u>	<u>Salary</u>	<u>Notes</u>
Alexander Bauer	\$11.50	
Devin Bauer	\$12.00	Captain
Douglas Coleman	\$11.50	
Jillian DeMaria	\$12.00	Captain
Sophia Dudziak	\$11.50	
Gabriella Dynas	\$11.50	
Emily Ignaczak	\$12.00	Captain
Kirsten Lehnen	\$11.50	
Noah Lepsch	\$11.50	
Chelsea Schiedel	\$11.50	
Paris Smith	\$11.50	
Deanne Wilson	\$11.50	
Talia Wright	\$11.50	

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

RESOLUTION 2019 #286 Appointment of Seasonal Laborers

Councilman Macko moved and Councilman Schraft seconded,

BE IT RESOLVED, that the following individuals be appointed to the PT Seasonal Laborer position effective June 29, 2019:

<u>Name</u>	<u>Salary</u>	<u>Location</u>
Jacob DeAngelis	\$11.10	Pool (Gate)
Alyssa Diamond	\$11.10	Pool (Gate)
Nicole Logan	\$11.10	Pool (Gate)

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

RESOLUTION 2019 #287 Appointment of Planning Board Member

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, there is a vacancy on the Evans Planning Board due to William Smith accepting the position of Director of Planning and Community Development; and

WHEREAS, Andrew Lloyd meets the requirements needed to be a member of the Evans Planning Board being a professional engineer and long-time resident of the Town; and

WHEREAS, the Planning Director William Smith has recommended the appointment of Andrew Lloyd to fill the vacant seat; and

WHEREAS, Andrew Lloyd has agreed to serve as a member of the Planning Board; and

NOW THEREFORE BE IT RESOLVED, that the Evans Town Board hereby appoints Andrew Lloyd as a member of the Evans Planning Board.

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

RESOLUTION 2019 #288 Authorize Acceptance of Funds for NYS DEC Sustainable Shoreline Management

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, the Town Board desires to pursue funding opportunities to enhance coastal resilience, reduce erosion, improve water and beach quality, and provide better public access

while protecting the aquatic ecosystems at Lake Erie Beach Park and the mouth of Muddy Creek;

WHEREAS, the Town Board desires to create a plan to identify projects that embody best practices in shoreline and beach management, and that are ready for construction and future implementation funding through the NYS Department of Environmental Conservation’s Water Quality Improvement Project grant program or other funding opportunities;

WHEREAS, the Town Board desires to apply for financial assistance from New York State Department of Environmental Conservation’s Non-Agricultural Nonpoint Source Planning Grant Program through the CFA (Consolidated Funding Application); and

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

NOW, THEREFORE BE IT RESOLVED, that Mary Hosler, as Supervisor of the Town of Evans, is hereby authorized and directed to accept funds from the New York State Department of Environmental Conservation in an amount not to exceed \$30,000 and enter into and execute a project agreement with the State for such financial assistance to the Town of Evans; and

RESOLVED, that upon approval of the application for financial assistance that the Town make available \$15,000 in matching funds to satisfy the requirements of the funding program, and be it further

RESOLVED, that the Town Board authorizes the Supervisor to sign all documents and agreements related to the New York State Department of Environmental Conservation’s Non-Agricultural Nonpoint Source Planning Grant application.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #289 Authorize the Acceptance of Funds from NYS Empire State Development Grand Funds Program for Sturgeon Point Marina

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, the Town of Evans desires to provide access to a safe and attractive public waterfront to support recreational boating and tourism; and

WHEREAS, the Town operates the Sturgeon Point Marina, which supports a strong recreational boating and fishing industry, but needs significant repairs to sustain operation and protect public health, welfare and safety; and

WHEREAS, the U.S. Army Corps of Engineers prepared a study that details the critical need for immediate repair to the marina breakwall to ensure its structural integrity and that the potential failure of this breakwall could result in the loss of marina operations; and

WHEREAS, loss of the use and operation of Sturgeon Point Marina would have devastating impacts on regional boating and fishing industries, adversely affect local tourism and eliminate essential access to Lake Erie waters for State and Federal agencies; and

WHEREAS, the Town Board desires to apply for financial assistance through the filing of a Consolidated Funding Application through the Empire State Development to secure the resources needed to undertake necessary repairs at Sturgeon Marina; and

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

NOW, THEREFORE BE IT RESOLVED, that the Evans Town Board authorizes the submittal of an application for Empire State Development Grant Funds program funding in an amount not to exceed \$323,775, and will provide the required \$250 application fee, a 1% commitment fee, and reimbursement for the expense of a public hearing (typically less than \$500).

BE IT FURTHER RESOLVED, that the Evans Town Board authorizes and directs Mary K. Hosler, as Supervisor of the Town of Evans, to file an application to the New York State through the Empire State Development Grant Funds, for a total project amount of \$1,650,000 and upon approval of said request shall enter into and execute a project agreement, and sign all other related documentation, with the Empire State Development for such financial assistance to the Town of Evans for the proposed improvements to Sturgeon Point Marina.

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

RESOLUTION 2019 #290 Suspend the Rules of Order for Consideration of an Additional Resolution

Councilman Schraft moved and Supervisor Hosler seconded to Suspend the Rules of Order for consideration of an additional resolution

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

RESOLUTION 2019 #290 Authorize the Acceptance of Funds from NYS Office of Parks Recreation & Historic Preservation

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, the Town Board desires to pursue funding opportunities to complete South Creek Pool Rehabilitation Phase Two: Pool House Demo/Reconstruction Project. This is a demolition and construction project of the South Creek Pool House.

WHEREAS, the Town Board desires to provide this type of facility to residents at the lowest possible cost to the Town and Town taxpayers, and

WHEREAS, the Town Board desires to apply for financial assistance from New York State Office of Parks, Recreation and Historic Preservation: Environmental Protection Fund Grant through the CFA (Consolidated Funding Application), 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 Mary Hosler, as Supervisor of the Town of Evans, is hereby authorized and directed 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, in an amount not to exceed \$651,797.25 (75% of the total project cost of \$869,063), and enter into and execute a project agreement with the State for such financial assistance to the Town of Evans for the South Creek Pool Rehabilitation Phase Two: Pool House Demo/Reconstruction Project and,

RESOLVED, that upon approval of the application for financial assistance that the Town make available \$217,265.75 (25%) in matching funds to satisfy the requirements of the funding program, and be it further

RESOLVED, that the Town Board authorizes the Supervisor to sign all documents and agreements related to the New York State Office of Parks, Recreation and Historic Preservation: Environmental Protection Fund Grant Program application.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #292 Town Licenses

Supervisor Hosler moved and Councilman Macko seconded,

RESOLVED, that the aforesaid licenses be granted pertaining to the report of the Chief of Police and the Department of Health where appropriate.

Anthony J. Annunziato - Live Band Special Event for September 7, 2019

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

RESOLUTION 2019 #293 Audit of Bills

Councilman Macko moved and seconded Supervisor Hosler seconded that all properly audited bills be paid out of their respective accounts.

<u>AUDIT OF BILLS</u>	
DATE	7/8/2019
ABSTRACT NO.	12A
VOUCHER NO.	5057 - 5067
CHECK NUMBERS	79700 - 79708
APPROVED AT	Board Meeting
DATE	7/5/2019
GENERAL	\$7,229.12
PART TOWN	\$198.53
HIGHWAY DB	\$0.00
WATER	\$1,951.27
CAPITAL PROJECTS	\$0.00
SPECIAL DISTRICTS	\$18,725.91
DEBT SERVICE	\$0.00
TOTAL	\$28,104.83

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

RESOLUTION 2019 #294 Enter Executive Session

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS: the Evans Town Board wishes to enter Executive Session, and;

BE IT RESOLVED: that the public shall be excluded from discussion of and action upon hereinafter specified subject matter.

The general nature of the subject matter to be discussed as follows: employment history of a particular person and collective negotiations under the Taylor Law

NOW THEREFORE BE IT RESOLVED: Tom Farley, Town Attorney is invited to attend the Evans Town Board Executive Session.

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

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