

Evans Town Board

At a Meeting of the Town Board of the Town of Evans, held at 8am on December 27, 2020 at the Evans Town Hall, 8787 Erie Road, Angola New York there were:

PRESENT:	Mary Hosler	Supervisor
	Thomas George	Councilman
	Michael Schraft	Councilman

ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Kenneth Farrell	Counsel to the Town of Evans
	Doug Czora	Chief of Police
	Jeneen Hill	Assessor
	Ed Michalski	Highway Superintendent
	Bill Smith	Director of Planning & Community Dev
	Veronica Sullivan	Senior Center
	Mary Holl	Supervisor’s Office

RESOLUTION 2020 #73 Town Clerk’s Reports

Supervisor Hosler moved and Councilman Schraft seconded to accept the reports of the Town Clerk as presented for the month of December 2019:

Town Clerk Report	\$9,198.77
Interest for	\$.85
Greenspace Fee	\$ 0

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

RESOLUTION 2020 #74 Authorization of Newly Elected Officials Training

Councilman George moved and Councilman Schraft seconded,

WHEREAS, Councilman Thomas George requests permission to attend the Newly Elected Officials 2020 Training School; and

WHEREAS, said training will be held in Albany, New York from January 15-17, 2020;

NOW, THEREFORE, BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Councilman Thomas George to attend said seminar and all appropriate and reasonable expenses shall be paid by the Town, per Town policy.

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

RESOLUTION 2020 #75 Authorization to Attend 2020 Outlook Power Breakfast

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS; the Director of Planning & Community Development requests permission to attend the 82nd Annual New York Planning Federation Conference; and

WHEREAS; said training will be held in Bolton Landing, NY on April 19 – April 21, 2020; and

WHEREAS; conference registration and hotel reservations are required well in advance to secure attendance; and

WHEREAS; all appropriate and reasonable expenses shall be paid per Town policy and budget transfer.

NOW THEREFORE BE IT RESOLVED; the Town Board of the Town of Evans grants permission to William B. Smith, Director of Planning & Community Development, to attend said training and all appropriate and reasonable expenses shall be paid by the Town.

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

RESOLUTION 2020 #76 Authorization for NYS Association of Towns Training

Supervisor Hosler moved and Councilman George seconded,

WHEREAS, the Town Supervisor and Councilmen request permission to attend the annual Association of Towns training; and

WHEREAS, said training will be held in New York City on February 16-19, 2020;

NOW, THEREFORE, BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Councilman George, Councilman Schraft and Supervisor Mary Hosler to attend said training and all appropriate and reasonable expenses shall be paid by the Town, per Town policy.

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

RESOLUTION 2020 #77 Authorize Supervisor to Sign Rotella Management Retainer

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, the Town of Evans applies for numerous grants on a yearly basis; and

WHEREAS, successful grant applications are beneficial to the Town of Evans; and

WHEREAS, the Town of Evans desires to extend the contract between the Town of Evans and Rotella Grant Management;

BE IT RESOLVED, that Supervisor Mary Hosler is hereby authorized to execute any all documents pursuant to Rotella Grant Management, 3322 Upper Mountain Road, Sanborn, NY 14132, for grant writing and administration services for 2020, at a rate of \$1,300.00 per month plus any actual postage costs, when applicable.

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

RESOLUTION 2020 #78 Appointment of Labor Relations Consultant

Councilman George moved and Supervisor Hosler seconded,

BE IT RESOLVED, Thomas Dziedzic is hereby retained as the Labor Relations Consultant for the Town of Evans from January 8, 2020 to and including December 31, 2023, at a rate of \$2,000 per month, payable on a monthly basis.

No vote was called

RESOLUTION 2020 #79 Amend Resolution - Appointment of Labor Relations Consultant

Supervisor Hosler moved and Councilman George seconded to amend the resolution,

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

RESOLUTION 2020 #80 Table Resolution - Appointment of Labor Relations Consultant

Councilman Schraft moved Table the resolution

Failed for lack of a second

RESOLUTION 2020 #81 Appointment of Labor Relations Consultant

Supervisor Hosler moved and Councilman George seconded,

BE IT RESOLVED, Thomas Dziejdzic is hereby retained as the Labor Relations Consultant for the Town of Evans from January 8, 2020 to and including December 31, 2023, at a rate of \$2,000 per month, payable on a monthly basis to be reviewed by Counsel for the Town of Evans.

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

RESOLUTION 2020 #82 Authorization to Attend NYS Planning Federation Conference

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS; the Director of Planning & Community Development requests permission to attend the 82nd Annual New York Planning Federation Conference; and

WHEREAS; said training will be held in Bolton Landing, NY on April 19 – April 21, 2020; and

WHEREAS; conference registration and hotel reservations are required well in advance to secure attendance; and

WHEREAS; all appropriate and reasonable expenses shall be paid per Town policy and budget transfer.

NOW THEREFORE BE IT RESOLVED; the Town Board of the Town of Evans grants permission to William B. Smith, Director of Planning & Community Development, to attend said training and all appropriate and reasonable expenses shall be paid by the Town.

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

RESOLUTION 2020 #83 Change of Broker

Supervisor Hosler moved and Councilman George seconded,

BE IT RESOLVED, that Supervisor Mary K. Hosler is hereby authorized to change the designation of the broker of record for our Group Medical, Prescription Drug and Dental programs from M&T Insurance Agency, Inc. to Vanner Insurance, effective immediately and upon the review of the Counsel to the Town of Evans.

FURTHER, BE IT RESOLVED, that Vanner Insurance is authorized to work with Supervisor Mary Hosler to review and update the Town of Evans Employee Handbook as part of their service at no additional charge.

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

RESOLUTION 2020 #84 Rescind Resolutions 2019 #486 and 2019 #489

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, the December 27, 2019 Town Board Meeting was not authorized and/or properly noticed; and

WHEREAS, the meeting was not conducted pursuant to proper authorization and/or notification;

BE IT RESOLVED, that resolution #2019-486 and resolution #2019-489 are hereby rescinded to allow for adequate notice and an appropriate review by Counsel for the Town.

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

RESOLUTION 2020 #85 NYS Association of Towns Delegate & Alternate Designation

Supervisor Hosler moved and Councilman George seconded,

WHEREAS, the Town of Evans is a member of the NYS Association of Towns; and

WHEREAS, the Association of Towns will hold its' 2020 Training School and Annual Meeting from February 16-19, 2020; and

WHEREAS, the Annual Business Session will be held on February 19; and

WHEREAS, pursuant to Section 6 of Article III of the Constitution and Bylaws of the NYS Association of Towns;

NOW, THEREFORE BE IT RESOLVED, that Town of Evans Supervisor Mary Hosler has been designed Delegate and Thomas George as designed at Alternate for voting purposes.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman George	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2020 #86 Town of Brant Dispatching Contract for 2020-2022

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, the Town of Brant wishes to continue the dispatching contract with the Town of Evans Police Department;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Evans enter into an agreement with the Town of Brant for dispatching services for a period of three (3) years (January 1, 2020 through December 31, 2022), with the Town of Brant to pay to the Town of Evans the sum of \$6,000 for 2020, \$6,000 for 2021 and \$7,000 for 2022 for said services; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign the contract on behalf of the Town of Evans, upon the approval of the Town Attorney.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman George	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2020 #87 Authorize Assessor to Attend NYS Assessor Association Executive Board Sessions

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, the Town of Evans Assessor Jeneen Hill serves are the Second Vice president of the New York State Assessors’ Association requests permission to attend the New York State Assessor’s Association Executive Board Session; and

WHEREAS, said 2020 sessions will be held as follows:

January 10th- 11th, 2020 in Liverpool, New York
 April 1st -3rd, 2020 in Liverpool, New York

WHEREAS, Assessor Jeneen Hill, has been elected as the Second Vice president of the New York State Assessors’ Association and been selected to represent the NYSAA at RPTAC (Real Property Tax Administration Committee, serve as the chairwoman of the Ethics and Award committee, active member of the legislation, employee, and public relation committees and NYSAA STAR Exemption Task Force as well as the liaison to the Allegany, Cattaraugus, Chautauqua, Erie, Steuben, Genesee, Schulyer, and Wyoming Counties; and

WHEREAS, Assessor Jeneen Hill request permission to attend meetings pertaining to her position on the New York State Assessors' Association.

NOW, THEREFORE BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Town of Evans' Assessor Jeneen Hill, to attend the above referenced 2020 sessions with all expenses being paid for by the New York State Assessor's Association.

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

RESOLUTION 2020 #88 Memorialize Real Property Tax Law

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, the current STAR real property tax savings may be less than the amount of the STAR real property tax savings from the prior year and has no floor value, and

WHEREAS, the state legislature is considering legislation amending Subparagraph (i) of paragraph (a) of subdivision 2 of section 1306-a of the Real Property Tax Law, as amended by section 1 of part LL of chapter 59 of the laws of 2019 to add language in relation to providing that the amount of a STAR real property tax savings may not be less than the amount of the STAR real property tax savings from the previous year, which will create a floor for the STAR program, and

WHEREAS, the establishment of such legislation would create a floor that protects low income individuals and those on fixed incomes to ensure they receive, at a minimum, the same STAR real property tax savings in the following year, and

WHEREAS, the New York State Assessor's Association supports this Bill,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Evans that the Real Property Tax Law be amended to provide that the amount of a STAR real property tax savings not be less than the amount of the STAR real property tax savings from the prior year and hereby supports New York State Bill A08836, and

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized to forward a copy of said resolution to the following persons:

- Governor Andrew Cuomo
- Assemblyman Zebrowski
- Assemblywoman Sandy Galef
- Assemblyman DiPietro
- New York State Assessors' Association

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

RESOLUTION 2020 #89 Approve Town Licenses

Councilman Schraft moved and Supervisor Hosler seconded,

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

- 1.)Gary Ballowe D/B/A Turtle Joe’s Sand Bar - Refreshment, Amusement & Live Band
- 2.)David Jacobson D/B/A Pat’s Pizzeria - 2019 Refreshment
- 3.)David Jacobson D/B/A Pat’s Pizzeria - 2020 Refreshment
- 4.)Lake Erie Beach Volunteer Fire Company - Refreshment, Amusement & Live Band
- 5.)Lawrence P. Mascio D/B/A Overseas Veterans of Evans - Refreshment, Amusement & Live Band
- 6.)David N. Johnson D/B/A Suncliff on the Lake - Refreshment, Amusement & Live Band
- 7.)Vincent J. Cala, Jr. D/B/A Cala’s Kitchen & Catering - Refreshment

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

RESOLUTION 2020 #90 Audit of Bills

Councilman George moved and Councilman Schraft seconded that all properly audited bills be paid out of their respective accounts as follows:

<u>AUDIT OF BILLS</u>	
DATE	2019 bills -dated 12/31/19
ABSTRACT NO.	25
VOUCHER NO.	6092 - 6159
CHECK NUMBERS	80477 - 80535
APPROVED AT	Board Meeting
DATE	1/8/2020
GENERAL	\$52,251.27
PART TOWN	\$3,154.51

HIGHWAY DB	\$69,401.16
WATER	\$1,879.03
CAPITAL PROJECTS	\$0.00
SPECIAL DISTRICTS	\$24,913.03
DEBT SERVICE	\$0.00
TOTAL	\$151,599.00

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

RESOLUTION 2020 #91 Adjournment

Supervisor Hosler moved and Councilman Schraft seconded to adjourn to January 22, 2020 at 6pm for a Work Session. This meeting was adjourned in Memory of Adelle Cook, former Town of Evans Supervisor

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman George Aye
 Councilman Schraft 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