

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
- Mary Hosler Supervisor

- ALSO PRESENT: Lynn Krajacic Town Clerk
- Jennifer Farrell Town Attorney
- Brittany Gloss Director of Finance
- Mary Holl Supervisors Department

- ABSENT: Dennis Feldmann Councilman

RESOLUTION 2017 #363 Approve Minutes

Supervisor Hosler moved and Councilman Macko seconded that the reading of the minutes of the Town Board Meeting of August 2, 2017, and the Work Session of August 9, 2017 be dispensed with and accepted as submitted by the Town Clerk.

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

Privilege of the Floor

Lynn Wyland spoke about an ongoing drainage issue.

Bill Henry spoke about adaptations for climate change, the LWRP, possible Grant money, an energy audit and the above mentioned ongoing drainage issue.

Guy Canonico spoke in favor of the resolution for the Town Board composition

Ed Conboy spoke against the resolution for the Town Board composition

Dave Beers questioned the health benefits for the Police Department and other Town employees

Ed Schneider spoke against the resolution for the Town Board composition, Councilman health insurance benefits, asked about the possibility of shared services with health insurance, spoke about the attendance of the absent Councilman, submitted comments regarding Proposed Local Law #8 and requested his FOIL be filled before the next Board meeting

David Sippel spoke about concerns with the next scheduled Public Hearing for Proposed Local Law #8

Mike Spence commended Councilman Macko and Supervisor Hosler on the efforts on Proposed Local Law #8 and requested the proposal go back to the Planning Board for further review and questioned how a property gets rezoned and spoke about the resolution for the Town Board composition and spoke about health insurance and co pays

Richard Ziolo had several questions about the LWRP and read a resolution passed by the Grandview Bay Association

Cheryl St George spoke against the resolution for the Town Board composition and the water surcharge

Charlotte Acksel spoke about the public hearing for Proposed Local Law #8 - building height and also said that a few neighbors did not receive their notice in the mail

John Calleri had a question regarding day to day operating funds

Committee & Department Head Reports

Councilman Macko announced the Movie in the Park will be held on Thursday, August 24, 2017

Supervisor Hosler reported on meetings about the LWRP and Comprehensive Plan meeting tentatively scheduled for August 29th at the Middle School

RESOLUTION 2017 #364 Town Clerk's Reports

Supervisor Hosler moved and Councilman Macko seconded to accept the reports of the Town Clerk as presented for the month of July 2017:

Town Clerk Report for July	\$43,968.13
Interest for July	\$4.27
Greenspace Fees transferred to Trust & Agency Account	\$2100.00

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Absent
Councilman Macko	Aye
Supervisor Hosler	Aye

Old Business

- Solar Opt Out
- Tower Permit - Dennis Road
- Tower Permit - Eden Evans Center Road
- Proposed Local Law #8

RESOLUTION 2017 #365 Evans Agency Insurance Policy Renewal

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, the Town of Evans public entity insurance policy is up for renewal September 2017 for the 2017/2018 year; and

WHEREAS, the Town of Evans desires enter into a premium finance agreement with Forest Financial Incorporated through the Evans Agency;

NOW THEREFORE BE IT RESOLVED, that the Supervisor of the Town of Evans is authorized to execute a premium finance agreement and any other related documents for the insurance policy renewal upon the approval of the Town attorney.

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

RESOLUTION 2017 #366 Town Board Composition

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, the proposition to increase the number of Town Council Members from two (2) to four (4) in the Town of Evans, Erie County, New York, pursuant to New York State Town Law §81(2)(d) shall be submitted to be voted on in the Town of Evans at the next Biennial Town Election to be held on November 7, 2017; and

WHEREAS, the Town Clerk shall cause the Notice of such Proposition to be published at least once in the Dunkirk Observer, a newspaper having a general circulation in the Town and designated as the official newspaper of the Town, and to be posted on the sign board of the Town maintained pursuant to New York State Town Law §30(6), and to be posted on the Town’s website at www.townofevans.org, said publication and postings to be at least ten (10) days before such Biennial Town Election; and

WHEREAS, the Town Clerk is hereby authorized and directed to include in the Notice of Proposition, notice that the Town Board will submit at the said Biennial Town Election, a proposition to increase the number of Town Council Members from two (2) to four (4) in the Town of Evans, Erie County, New York pursuant to New York State Town Law §81(2)(d) for approval or disapproval of the Proposition hereinafter referred to in such Notice; and

WHEREAS, at said Biennial Town Election, the vote upon the said Proposition shall be on the ballot and the only persons qualified to vote upon said Proposition shall be those voters registered by the Erie County Board of Elections to vote in the Town of Evans, New York; and

WHEREAS, said Notice shall be in substantially the following form:

**TOWN OF EVANS, NEW YORK
NOTICE OF A BIENNIAL ELECTION**

NOTICE IS HEREBY GIVEN that a Biennial Election of the residents and taxpayers of the Town of Evans, Erie County, New York (the "Town"), will be held in the Town on the 7th day of November, 2017, at which time the polls will be kept open between the hours of 6:00 o'clock A.M. and 9:00 o'clock P.M. for the purpose of voting by ballot upon the following Proposition:

PROPOSITION

Shall the representation on the Town Board be increased from two (2) Town Council Members to four (4) Town Council Members in the Town of Evans, New York, such that the Evans Town Board shall be comprised of the Town Supervisor and four (4) Town Council Members beginning on January 1, 2020.

All electors of the Town of Evans as shown by the roll of the same established by the Erie County Board of Elections for the purposes thereof shall be qualified to vote in such Biennial Election and upon such Proposition.

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

RESOLUTION 2017 #367 Suspend the Rules of Order

Supervisor Hosler moved and Councilman Macko seconded to suspend the rules of order for consideration of a resolution

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

Resolution 2017 #368 Schedule Public Hearing for Proposed Local Law #8 of 2017 Mixed Use Waterfront

Councilman Macko and Supervisor Hosler seconded,

WHEREAS, the Evans Town Board has previously advertised and held two public hearings regarding Proposed Local Law #8 of the year 2017 to establish a new zoning designation: Waterfront Mixed Use (WMU); and to rezone the following properties currently zoned Neighborhood Business (NB) or Residential in the Local Waterfront Revitalization Program area to Waterfront Mixed Use (WMU):

188 Kennedy	250.09-1-46
183 Kennedy	250.09-1-48.1
9544 Lake Shore Road	250.09-1-44.1
9542 Lake Shore Road	250.09-1-43.2
9566 Lake Shore Road	250.09-1-50.1
9536 Lake Shore Road	250.09-1-43.111
9569 Lake Shore Road	250.09-2-43
9553 Lake Shore Road	250.09-2-42
9579 Lake Shore Road	250.09-3-1.11
6892 Lake Shore Road	206.00-1-10
8934 Lake Shore Road	234.16-2-25.1
8921 Lake Shore Road	234.16-4-16.11
8966 Lake Shore Road	234.16-2-31.1
8905 Lake Shore Road	234.16-4-16.151
0 Lake Shore Road	234.16-4-18
8926 Lake Shore Road	234.16-2-24
8861 Lake Shore Road	234.16-4-19

WHEREAS, subsequent to the aforementioned public hearings, the Town of Evans has further amended Proposed Local Law #8;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans authorizes the Town Clerk to advertise for a public hearing to consider Proposed Local Law #8 of the year 2017, as further amended, to be held on September 20, 2017 at 7:10 p.m. to consider the establishment of the new aforesaid zoning designation and rezoning of the aforementioned properties; 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 Feldmann	Absent
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #369 Audit of Bills

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

	<u>AUDIT OF BILLS</u>
DATE	8/17/2017
ABSTRACT NO.	15
VOUCHER NO.	1099 - 1187
CHECK NUMBERS	76687 - 76751

APPROVED AT	Board Meeting
DATE	8/16/2017
GENERAL	\$43,570.06
PART TOWN	\$9,054.11
HIGHWAY DB	\$22,687.21
WATER	\$2,141.17
CAPITAL PROJECTS	
SPECIAL DISTRICTS	\$6,360.72
DEBT SERVICE	
TA FUND	
TOTAL	\$83,813.27

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

RESOLUTION 2017 #370 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn to Wednesday, September 6, 2017 at 6pm for an Agenda Meeting, and then 7pm for the Town Board Meeting to follow and then to Wednesday, September 13, 2017 for a Work Session.

VOTE RESULT: ADOPTED
 AYES: 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
Town Clerk