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:	Dennis Feldmann	Councilman
	Jeanne Macko	Councilman
	Mary Hosler	Supervisor
ALSO PRESENT:	Lynn R. Stoessel	Deputy Town Clerk
	Jennifer Farrell	Town Attorney
	Mary Holl	Supervisor's Secretary

RESOLUTION 2016 #395 Approve the Minutes

Supervisor Hosler moved and Councilman Macko seconded that the reading of the minutes of the meeting of August 17, 2016 and the Work Session of August 24, 2016, be dispensed with and approved as submitted by the Town Clerk.

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

Communications

Roberta Rappoccio, Evans Minor Subdivision Review Committee regarding Minor Subdivision Review - dividing a 64.78± acre parcel to create a 59.61± acre parcel and a 5.17± acre parcel located at 1967 Eden Evans Center Rd., Eden, NY 14057, SBL# 237.00-4-15. Petitioner: Richard Cerne, 1945 Eden Evans Center Rd., Eden, NY 14057.

RESOLUTION 2016 #396 SEQR Declaration for Cerne Minor Subdivision

Supervisor Hosler moved and Councilman Feldmann seconded,

WHEREAS, minor subdivisions are unlisted SEQR actions, and

WHEREAS, the Town has completed a short Environmental Assessment Form for this action, and

WHEREAS, in a letter dated September 2, 2016, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Richard Cerne Minor Subdivision, and

WHEREAS, it has been determined that the subdivision of this property will not result in any significant impacts regarding the SEQR process.

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Evans adopts the findings of the Town of Evans Minor Subdivision Review Committee and issues a SEQR negative declaration for the Richard Cerne Minor Subdivision.
(Addendum A SEQR Short Environmental Assessment Form),

a division of SBL# 237.00-4-15, dividing a 64.78± acre parcel to create:

1. a 59.61± acre parcel with 445.85± feet of frontage on Eden Evans Center Road, and
2. a 5.17± acre parcel with 250.00± feet of frontage on Eden Evans Center Road.

Petitioner: Richard Cerne, 1945 Eden Evans Center Road, Eden, NY 14057

AND BE IT FURTHER

RESOLVED, that a copy of this resolution be given to the Planning Office.

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

RESOLUTION 2016 #397 Approve Cerne Minor Subdivision

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, in a letter dated September 2, 2016, the Town of Evans Minor Subdivision Review Committee has completed a review and recommended approval, and

WHEREAS, the Evans Town Board, as Lead Agent, issued a negative declaration regarding the SEQR process.

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Evans hereby adopts the findings of the Town of Evans Minor Subdivision Review Committee and approves the Richard Cerne Minor Subdivision,

a division of SBL# 237.00-4-15, dividing a 64.78± acre parcel to create:

1. a 59.61± acre parcel with 445.85± feet of frontage on Eden Evans Center Road, and

2. a 5.17± acre parcel with 250.00± feet of frontage on Eden Evans Center Road.

Petitioner: Richard Cerne, 1945 Eden Evans Center Road, Eden, NY 14057

AND BE IT FURTHER

RESOLVED, that a copy of this resolution be given to the Planning Office, the Assessor's Office and the Code Enforcement Office.

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

PUBLIC HEARING

LEGAL NOTICE
TOWN OF EVANS

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a public hearing on September 7, 2016 at 7:10pm at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 for the consideration of the adoption of Proposed Local Law #4 of the year 2016, which will amend Local Law #6 of the year 1992 commonly referred to as the Solid Waste Law and Local Law #9 of the year 1997 commonly known as the Parks Law and any amendments thereto for proposed miscellaneous revisions to the Town Code Chapter 168: Solid Waste, Section 168-12 - Penalties for Offenses, and Town Code Chapter 142: Parks, for consideration of additional sections. A draft copy of the proposed amendments will be available, at the Town Clerk's Office, to review or pick up during normal business hours, Monday, Tuesday, Thursday, and Friday from 8am-4pm and Wednesday from 9am-5pm or it can be viewed or printed out as www.townofevans.org.

All parties in interest and citizens shall have an opportunity to be heard by the Town Board at the public hearing to be held aforesaid.

By Order of the Town Board
Of the Town of Evans
Lynn M. Krajacic
Town Clerk

Supervisor Hosler opened the public hearing for any person who is signed in or present to speak.

The following person spoke in favor of the Proposed Local Law:
William Henry, 1456 Pontiac Road

There was no one signed in or present wishing to speak in opposition of the Proposed Local Law.

RESOLUTION 2016 # 398 Close the Public Hearing

Supervisor Hosler moved and Councilman Feldmann seconded to close the Public Hearing.

VOTE RESULT: ADOPTED
AYES - Feldmann, Macko, Hosler
NAYS - none

RESOLUTION 2016 # 399 Adopt Proposed Local Law #4 as Local Law #6 of 2016

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, the Town Board of the Town of Evans finds that Proposed Local Law No. 4 of the year 2016 regarding miscellaneous code revisions to Sections 168 and 142 will correct redundancy, typographical errors, clarify interpretations, streamline processes in the codes, and provide necessary revisions and additions to the codes; and

WHEREAS, the Evans Town Board held a Public Hearing on the proposed code amendments on July 27, 2016 and September 7, 2016 which was properly advertised by the Town Clerk; and

WHEREAS, the reference to the Town Clerk's Office should be deleted from the section regarding the issuance of use permits, the word "camp" should be added before "fires prohibited" and "except dog park" should be added to the section Animals prohibited.

NOW, THEREFORE, BE IT RESOLVED, that Proposed Local Law No. 4 of the year 2016 with the above referenced correction, be and hereby is adopted as Local Law No. 6 of the year 2016

AND BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Chief of Police and the Police Department.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	AYE
Councilman Macko	AYE
Supervisor Hosler	AYE

PRIVILEGE OF THE FLOOR

Ed Schneider

-thanked the Town Attorney for meeting with him on August 18th at Lake Erie Beach Park.

-provided the Town Board and Town Attorney with a copy of a letter dated September 7, 2016 pertaining to Lake Erie Beach Park.

-questioned if there was anything in the works for the construction of a hotel in that area.

-he contacted Mr. Freeman pertaining to the Open Meetings Law pertaining to all of the boards as the Town's website says "Confidential" on the Community Development page

-he requested that all boards advertise their agendas

-he asked if a Clear Title would be provided by the property owner for the land that was considered parkland in 1997

-He asked if the Town has any responsibility to notify a potential purchaser if that parcel of land has been a controversial parcel since 1999

-He contacted the Legal Paper, Dunkirk Observer, and was told that there are 13 residents of the Town of Evans who subscribe and he feels that the money should be spent on the Buffalo News if we want Open Government.

COMMITTEE AND DEPARTMENT HEAD REPORTS

Councilman Macko reported that Assessor, Jeneen McSkimming, has requested to attending the NYS Assessors Association Annual Seminar & Assessment Administration and Executive Board Session in Lake George on September 18th thru the 21st, 2016. As a member of the Executive Board all expenses are paid by the NYS Assessor's Association.

-New Flag Dedication Ceremony at the Sturgeon Point Marina on September 12th at 7pm. American Legion Color Guard will be dedicating a new 5ft by 7ft flag and thank you to the Sturgeon Point Advisory Board for setting this up.

Supervisor Hosler reported on the following:
-National Grid was contacted about a deflector for the street light at the corner of Sandy and Patton and Fulton as it is shining into a 2nd floor window. The Chief of Police was also contacted to see about the possibility of having the light moved.
-National Grid and Police Department were contacted about the street light at the corner of Grove and Fulton as a resident was complaining
*RobertaRappoccio, Planning Director has been working on about 10 grants
*Box Culvert on Derby Rd 100%
* Ahler's Bridge for replacement 90% paid project from the Army Corp of Engineers,
*received notification for a grant award for the Town Clerk for fire proofing the basement of Town Hall for $142,000
*received $172,000 for the Town Park for bio-swailes for the rain and gardens for the addition of filtration of the rain for Fernbrook to assist in the prevention of beach closings
*awarded $75,000 with an additional $20,000 Zombie Grant for Zombie Properties
*Applied for a $300,000 Restore NY Grant
-attended a conference today with Governor Cuomo for sustainable development and

one of the breakout sessions was pertaining to Zombie Properties and Land Banking (15 properties are slated to demolished this year to help with the Zombie Property situation.)

-if the these grants are awarded the financial burden with not fall on the back of Erie County Taxpayers which is us.

-the Town has spent close to a $1,000,000 on property maintenance last year as 107 properties were maintained last year. For this year it has been cut down to 32 propeties and only $8,000 has been spent so far. We a Code Enforcement Officer who is just handling Property Maintenance Law violations from violation to citation to appearance ticket to fine to potentially 15 days in jail. This Town Board is taking it seriously so that there isn't any blight but improvements.

-read a thank you letter from Michelle Munro for allowing her to Ride Along with Officer Joe LaRosa on Saturday, August 20th.

-Police Department report for the month of August 2016

-September 10th at 11am there will be a Tree Dedication and placque in memory of Rose Trask for her dedication to the Town through Conservation Board and Recycling Committee and 65 year membership with the Grange

-September 11th a Dedication will take place at the Angola Gazebo at 5:30pm

-She and a representative of Chris Collins will be present at the Flex-O-Vit Grand Opening and tour on October 5th

-Great Lakes Beach Sweep will be held on September 17th from 10-Noon. Contact Coordinator Sharon Trembath at 549-4330 with any questions or if you would like to volunteer you can contact or go to www.greatlakesbeachsweep .

-She has been working with the Army Corp of Engineers, Chris Collins's Office and Councilman Feldmann was present to look at technical support and the Town is in contract with the Army Corp of Engineers since the construction of the Marina and the Army Corp is supposed to pay a % of the maintenance and dredging costs and there has not been a payment since 2005. There is a hole in the wall which is causing a great influx of sand coming into the marina. Chris Collin's Office has been very instrumental in the technical assistance as to how the marina could be enlarged and/or fixing it. According to Chris Collin's Office Evans is the only municipality to have a contract that commits to financial assistance.

RESOLUTION 2016 #400 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 August 2016:

Town Clerk Report for August	$51,628.87
Interest for August	$5.40
Greenspace Fees transferred to Trust & Agency Account	$0.00

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

RESOLUTION 2016 #401 Dispatching Contract with Town of Brant

Councilman Feldmann moved and Councilman Macko 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 from January 1, 2016 to and including December 31, 2016 at a cost of $2,750.00 upon the approval of the Town Attorney, and

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

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

RESOLUTION 2016 #402 Appt of Part Time Clerk

Councilman Macko moved and Supervisor Hosler seconded,

BE IT RESOLVED: that Lauren Hamm is appointed as part-time clerk at the rate of $9.25 per hour effective September 7, 2016 for the 2016-2017 school tax season.

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

RESOLUTION 2016 # 403 Suspend the Rules of Order

Supervisor Hosler moved and Councilman Feldmann seconded to suspend the rules of order for the conduct of business for Evans Town Board meetings for the consideration of adoption of additional resolutions.

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

RESOLUTION 2016 #404 Premium Finance Agreement

Councilman Macko moved and Councilman Feldmann seconded,

WHEREAS, the Town of Evans public entity insurance policy is up for renewal September 2016 for the 2016/2017 year; and

WHEREAS, the Town of Evans desires to 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 for the above referenced insurance policy and as per the provisions of the premium finance agreement and upon the approval of the Town attorney.

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

RESOLUTION 2016 # 405 Appt of Part Time Police Officer

Councilman Feldmann moved and Councilman Macko seconded,

RESOLVED, that Joel Raisor is hereby appointed part-time police officer with the Evans Police Department to be called as needed at the rate of $15.25/while in training and $17.25 after successful completion of training, subject to pre-employment testing and background investigation.

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

RESOLUTION 2016 #406 Advertise for Public Hearing for PPL #6 of the year 2016 (Miscellaneous Code Revisions)

Supervisor Hosler moved and Councilman Macko 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 Wednesday, September 21, 2016 at

7:10 p.m. in the Evans Town Hall for consideration of Proposed Local Law #6 regarding miscellaneous Code Revisions.

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

RESOLUTION 2016 #407 Audit of Bills

Councilman Macko moved and Councilman Feldmann seconded that all properly audited bills be paid out of their respective accounts per abstract #15 A dated August 18, 2016 brought forth in the amount of $116,333.26.

DATE: 8/30/2016
ABSTRACT NO. 15 A
VOUCHER NO. 1529-1531
CHECK NUMBERS 75265 - 75267

Approved as per resolution 2016-236 audit of bills

GENERAL		5,987.57
PART TOWN		
HIGHWAY DA		
HIGHWAY		
WATER		1,480.27
CAPITAL PROJECTS		
SPECIAL DISTRICTS		
DEBT SERVICE		
COMM DEVELOPMENT		
TOTAL	**$**	**7,467.84**

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

RESOLUTION 2016 # 408 Audit of Bills

Councilman Macko moved and Councilman Feldmann seconded,

DATE: 9/08/2016
ABSTRACT NO. 16
VOUCHER NO. 1465-1528, 1532-1573
CHECK NUMBERS 75268-75346

Approved as per Board meeting 9/8/16 audit of bills

GENERAL		192,619.79
PART TOWN		21,279.17
HIGHWAY DA		
HIGHWAY		128,551.04
WATER		16,706.37
CAPITAL PROJECTS		165,101.47
SPECIAL DISTRICTS		19,925.15
DEBT SERVICE		
COMM DEVELOPMENT		
TOTAL	**$**	**544,182.99**

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

RESOLUTION 2016 #409 Adjourn Board Meeting

Supervisor Hosler moved and seconded to adjourn to Wednesday, September 14, 2016 at 6pm for a Work Session then to a Regular Meeting Wednesday, September 21, 2016 at 7pm.

Lost for a lack of a seconded

RESOLUTION 2016 #410 Executive Session

Councilman Macko moved and Councilman Feldmann 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: the employment history of a particular employee

NOW THEREFORE BE IT RESOLVED: Jennifer Farrell, Town Attorney and Lynn Stoessel, Deputy Town Clerk are invited to attend the Evans Town Board Executive Session.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	AYE
Councilman Macko	AYE
Supervisor Hosler	AYE

RESOLUTION 2016 #414 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn to a Work Session on Wednesday, August 10, 2016 at 6pm then to Wednesday, August 17, 2016 at 6pm for an Agenda Meeting and Town Board meeting at 7pm.

VOTE RESULT: ADOPTED
AYES - Feldmann, Macko, Hosler
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 R. Stoessel
Deputy Town Clerk

Lynn M. Krajacic
Town Clerk

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information

Richard Cerne

Name of Action or Project:
Minor Subdivision

Project Location (describe, and attach a location map):
1967 Eden-Evans Center Road, Angola, NY 14006

Brief Description of Proposed Action:
Minor Subdivision of Parcel - dividing a 64.78+/- acre parcel to create a 59.61+/- acre parcel and a 5.17+/- acre parcel located at 1967 Eden Evans Center Rd., Eden, NY 14057, SBL#237.00-4-15

Name of Applicant or Sponsor:	Telephone: 716-439-5510
Richard Cerne	E-Mail: RICHARD.CERNE@GM.COM

Address:
1945 Eden Evans Center Road

City/PO:	State:	Zip Code:
Angola	New York	14006

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	☑	☐

3.a. Total acreage of the site of the proposed action? 64.78± acres
b. Total acreage to be physically disturbed? 0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 64.78± acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☑ Residential (suburban)
☐ Forest ☑ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☑	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☑	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☑	☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	☐	☑	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☑	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: Septic	☑	☐	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☑	☐	
b. Is the proposed action located in an archeological sensitive area?	☑	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☐	☑	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☑	☐	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☑ Agricultural/grasslands ☐ Early mid-successional ☑ Wetland ☐ Urban ☑ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☑	☐	
16. Is the project site located in the 100 year flood plain?	☑	☐	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES	☑	☐	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES _____			

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	☑	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	☑	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	☑	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

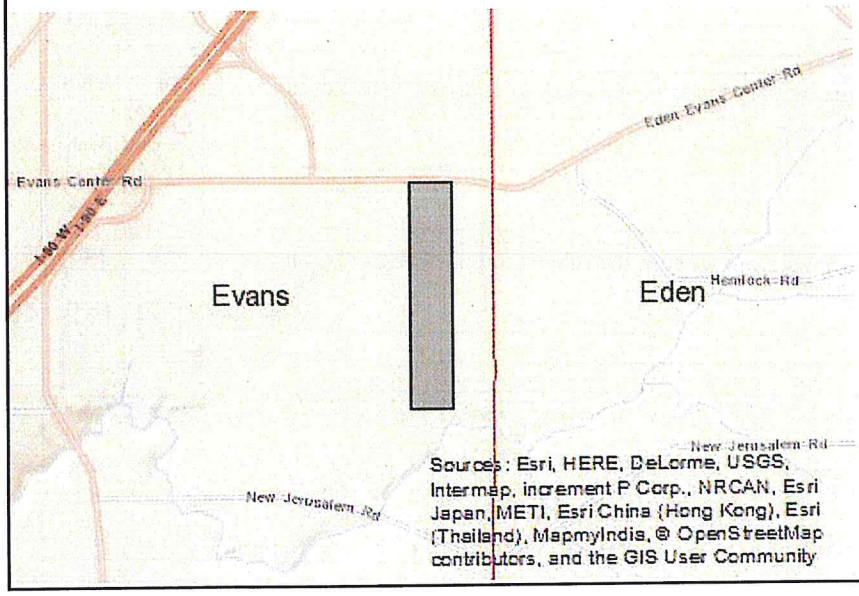
Applicant/sponsor name: Richard J. Cerne Date: 9/19/16

Signature: Richard J Cerne

PRINT FORM

EAF Mapper Summary Report

Thursday, April 14, 2016 1:51 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Agency Use Only [If applicable]

Project:	
Date:	

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☑	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☑	☐
3. Will the proposed action impair the character or quality of the existing community?	☑	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☑	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☑	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☑	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☑	☐
b. public / private wastewater treatment utilities?	☑	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☑	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☑	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☑	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☑	☐

PRINT FORM

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Evans Town Board	September 7, 2016
Name of Lead Agency	Date
Mary K. Hosler	Supervisor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Mary K Hosler	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

AFFIDAVIT OF PUBLICATION

State of New York

County of Chautauqua

City of Dunkirk

Sheila McWillson , being duly sworn, deposes and says that she is the Principal Clerk, for Ogden Newspapers of New York Inc. the publisher of The OBSERVER, a daily newspaper published in the City of Dunkirk, Chautauqua County, State of New York, and that a notice of which the annexed is a printed copy, was inserted and published in said newspaper on the following dates

Aug 26, 2016

Signed: Sheila McWillson
Sheila McWillson

Signed before me this 29th day of August 2016

Barbara J. Musso
Notary Public

BARBARA J. MUSSO
Notary Public, State of New York
Qualified in Chautauqua County
My Commission Expires 5/4/19

LEGAL NOTICE
TOWN OF EVANS
PLEASE TAKE NOTICE
that the Town Board of the Town of Evans, Erie County, New York will hold a public hearing on September 7, 2016 at 7:10 P.M. at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 for the consideration of the adoption of Proposed Local Law #4 of the year 2016, which will amend Local Law #6 of the year 1992 commonly referred to as the Solid Waste Law and Local Law #9 of the year 1997 commonly known as the Parks Law and any amendments thereto for proposed miscellaneous revisions to the Town Code Chapter 168: Solid Waste, Section 168-12 – Penalties for Offenses, and Town Code Chapter 142: Parks, for consideration of additional sections. A draft copy of the proposed amendments will be available, at the Town Clerk's Office, to review or pick up during normal business hours, Monday, Tuesday, Thursday, and Friday from 8am-4pm and Wednesday from 9am-5pm or it can be viewed or printed out at www.townofevans.org. All parties in interest and citizens shall have an opportunity to be heard by the Town Board at the public hearing to be held aforesaid.
By Order of the Town Board of the Town of Evans
Lynn M. Krajacic
Town Clerk
O-160932 August 26, 2016-adv