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 Krajacic	Town Clerk
	Jennifer Farrell	Town Attorney
	Mary Holl	Supervisor's Department
	Doug Czora	Police Chief
	Roberta Rappoccio	Community Dev & Planning

RESOLUTION 2017 #126 Approve Minutes

Supervisor Hosler moved and Councilman Macko seconded that the reading of the minutes of the Agenda Meeting and the Town Board Meeting of February 15, 2017 and the Work Session of February 22, 2017 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

Committee & Department Head Reports

Councilman Macko announced the Easter Egg Hunt will be held on April 1, 2017 with a rain date of April 8, 2017 at the Evans Town Park and reported on the Association of Towns conference that Supervisor Hosler, Councilman Macko and Town Attorney Farrell attended.

Supervisor Hosler will hold a meeting with Senator Jacobs regarding funding and grant assistance for the Marina.

Public Hearing

LEGAL NOTICE
TOWN OF EVANS

Please take notice that a public hearing will be held by the Town Board of the Town of Evans, Erie County, New York at 7:10 pm on March 1, 2017, at the Evans Town Hall, 8787 Erie Road, Angola, New York to consider renewal of a Special Use Permit for the purpose of continuing a commercial kennel, known as Creature Comfort Pet Resort, LLC, for dog and cat boarding, daycare, training, grooming and bathing, located at 1437 Pontiac Road, Angola, NY, 14006 (SBL# 252.00-1-26.2). Petitioner: Richard Morse, 7901 Three Chopt Road, Richmond, VA 23229.

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

By order of the Town Board of the Town of Evans
Lynn Krajacic
Town Clerk

RESOLUTION 2017 #127 Open Public Hearing

Supervisor Hosler moved and Councilman Fedlmann seconded to open the Public Hearing.

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

There was no one wishing to speak in favor or against the Creature Comforts Special Use Permit renewal

RESOLUTION 2017 #128 Close the Public Hearing

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

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

RESOLUTION 2017 #129 Approve Creature Comforts Special Use Permit Renewal

Councilman Feldmann moved and Supervisor Hosler seconded,

WHEREAS, on February 3, 2017 Richard Morse (Creature Comforts Pet Resort, LLC) requested a Special Use Permit renewal for the purpose of continuing operation of a commercial kennel for dog and cat boarding, daycare, training, grooming and bathing located at 1437 Pontiac Road, Angola, NY. SBL# 252.00-1-26.2, and

WHEREAS, the Town of Evans Planning Office and the Code Enforcement Office have conducted a proper review of the application and the facility and have recommended the Special Use Permit be renewed for a period of two (2) years, and

WHEREAS, the negative SEQRA declaration issued by the Town Board on December 6, 2010, for said facility is still sufficient and valid for this action, and

WHEREAS, the Town Board of the Town of Evans has conducted a public hearing regarding said Special Use Permit renewal on March 1, 2017.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans grants a Special Use Permit renewal to Richard Morse (Creature Comforts Pet Resort, LLC) for the purpose of continuing operation of a commercial kennel for dog and cat boarding, daycare,

training, grooming and bathing to be located at 1437 Pontiac Road, Angola, NY. SBL# 252.00-1-26.2, and

BE IT FURTHER RESOLVED, that the above-said Special Use Permit be granted for a two (2) year period and may be renewed,

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

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 March 1, 2017 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 #2 of the year 2017 which will amend Local Law #3 of the year 2011 commonly known as Crosswalks and any amendments thereto for proposed miscellaneous revisions to the Town Code Chapter 193: Section 193-56 - Crosswalks. 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 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

RESOLUTION 2017 #130 Open Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to open the Public Hearing.

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

Cheryl St. George spoke in favor of Proposed Local Law #2 of 2017

RESOLUTION 2017 #131 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 2017 #132 Adopt Local Law #1 of 2017 Nettlecreek Dr. Cross Walks

Supervisor Hosler moved and Councilman Macko seconded as amended,

WHEREAS, the Town Board of the Town of Evans finds that Proposed Local Law No. 2 of the year 2017 regarding miscellaneous code revisions to Sections 193 will provide necessary revisions and additions to the code; and

WHEREAS, the Evans Town Board held a Public Hearing on the proposed code amendments on March 1, 2017 which was properly advertised by the Town Clerk; and

NOW, THEREFORE, BE IT RESOLVED, that Proposed Local Law No. 2 of the year 2017 be and hereby is adopted as Local Law No. 1 of the year 2017 and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Highway Superintendent is hereby directed to make all arrangements necessary for the installation of crosswalks and proper signage.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #133 Authorization for the Town Clerk to Attend the NYS Town Clerk Association Conference

Councilman Macko moved and Councilman Feldmann seconded,

RESOLVED: that Lynn M. Krajacic, Town Clerk is authorized to attend the 2017 New York State Town Clerks Association Conference to be held on April 23, 2017 - April 26, 2017 in Rochester, NY and be it further,

RESOLVED: all reasonable expenses incurred being a town charge be paid in accordance with the rules and regulations governing travel and education.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #134 Authorize the Director of Finance And Senior Clerk Typist to attend Governmental Accounting Class

Councilman Feldmann moved and Councilman Macko seconded,
WHEREAS; the Director of Finance and the Finance Department Senior Clerk Typist request permission to attend the 2017 Governmental Accounting Class; and

WHEREAS; said training will be held in Batavia, New York, April 11-13, 2017; and

NOW THEREFORE BE IT RESOLVED, the Board of the Town of Evans shall grant permission to Director of Finance Brittany Gloss and Finance Department Senior Clerk Typist Tricia Buergin, 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 Feldmann	Aye
	Councilman Macko	Aye
	Supervisor Hosler	Aye

RESOLUTION 2017 #135 Suspend the Rules

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

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

RESOLUTION 2017 #136 Authorize Director of Planning and Community Development to attend New York Planning Federation Conference

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS; the Director of Planning and Community Development request permission to attend the 29th Annual New York Planning Federation Conference; and

WHEREAS; said training will be held in Saratoga Springs, New York, March 26-28, 2017; and

NOW THEREFORE BE IT RESOLVED, the Board of the Town of Evans shall grant permission to the Director of Planning and Community Development Roberta Rappoccio, 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 Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #137 Audit of Bills

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

AUDIT OF BILLS

DATE	3/2/2017
ABSTRACT NO.	28
VOUCHER NO.	2176 - 2178
CHECK NUMBERS	75958 - 75960
APPROVED AT	Board Meeting
DATE	3/1/2017
GENERAL	$6,820.50
PART TOWN	
HIGHWAY DA	
HIGHWAY DB	
WATER	
CAPITAL PROJECTS	
SPECIAL DISTRICTS	
DEBT SERVICE	
TA FUND	
SUBTOTAL	**$6,820.50**

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #138 Audit of Bills

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

AUDIT OF BILLS

DATE	3/2/2017
ABSTRACT NO.	5
VOUCHER NO.	129 - 175
CHECK NUMBERS	75961 - 76000
APPROVED AT	Board Meeting
DATE	3/1/2017
GENERAL	$42,684.79
PART TOWN	$1,379.00
HIGHWAY DA	
HIGHWAY DB	$1,824.00
WATER	$20.00
CAPITAL PROJECTS	
SPECIAL DISTRICTS	$162,133.01
DEBT SERVICE	
TA FUND	
SUBTOTAL	**$208,040.80**

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #139 Audit of Bills

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

AUDIT OF BILLS

DATE	3/2/2017
ABSTRACT NO.	
VOUCHER NO.	

CHECK NUMBERS	75956
APPROVED AT	Board Meeting
DATE	3/1/2017
GENERAL	
PART TOWN	
HIGHWAY DA	
HIGHWAY DB	
WATER	
CAPITAL PROJECTS	
SPECIAL DISTRICTS	$722,920.00
DEBT SERVICE	
TA FUND	
SUBTOTAL	**$722,920.00**

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #140 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn to Wednesday, March 8, 2017 at 6 pm for a Work Session and then to March 15, 2017 at 6pm for an Agenda Meeting, and the 7pm for the Town Board Meeting to follow.

VOTE RESULT: ADOPTED

AYES:	Feldman, 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 M Krajacic

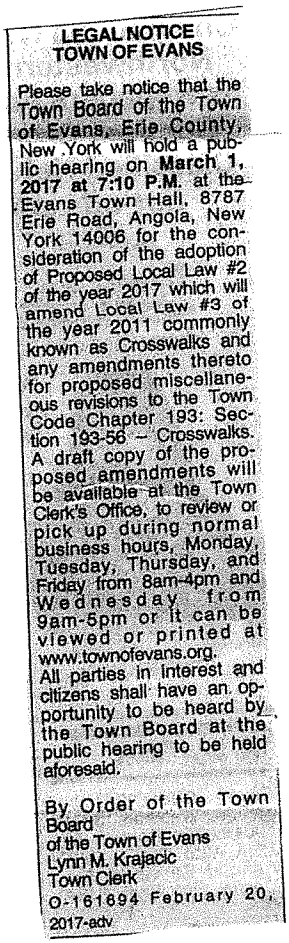
Lynn M. Krajacic
Town Clerk

AFFIDAVIT OF PUBLICATION

State of New York

County of Chautauqua

City of Dunkirk



LEGAL NOTICE
TOWN OF EVANS

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By Order of the Town Board
of the Town of Evans
Lynn M. Krajacic
Town Clerk
O-161694 February 20, 2017-adv

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

Feb. 20, 2017

Signed: Sheila McWillson
Sheila McWillson

Signed before me this 20th day of February 2017

Barbara J. Musso
Notary Public

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







AFFIDAVIT OF PUBLICATION

State of New York

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Feb. 20, 2017

Signed Sheila McWillson

Sheila McWillson

Signed before me this 20th day of February 2017

Barbara J Musso

Notary Public

BARBARA J. MUSSO
Notary Public, State of New York
Qualified in Chautauqua County
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By order of the Town Board of the Town of Evans
Lynn Krajacic
Town Clerk
O-161693 February 20, 2017-adv