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:	Michael Schraft	Councilman
	Jeanne Macko	Councilman
	Mary Hosler	Supervisor
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Jennifer Farrell	Town Attorney
	Jeneen Hill	Assessor
	Roberta Rappoccio	Director of Planning
	Doug Czora	Police Chief
	Brittany Gloss	Director of Finance
	Ed Michalski	Highway Superintendent
	Mary Holl	Supervisor's Secretary

RESOLUTION 2018 #326 Approve Minutes

Supervisor Hosler moved and Councilman Schraft seconded that the reading of the minutes of the meeting of the June 20, 2018, June 13, 2018 and June 27, 2018 meeting be dispensed with and accepted as submitted by the Town Clerk.

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

Communications

Supervisor Hosler read a communication from Roberta Rappoccio, Director of Community Development and Planning regarding Minor Subdivision Review - dividing a 7.40± acre parcel at 9667 South Main Street, known as SBL# 251.00-2-23, to create an 3.05± acre parcel on South Main Street, and a 4.35± acre portion to be annexed to an adjacent vacant parcel known as SBL#251.00-2-26, to form a 6.44± acre parcel. Petitioner: Phillip Pratt, 9667 South Main Street, Angola, NY 14006

RESOLUTION 2018 #327 Declare Lead Agency Pratt Minor Subdivision

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, minor subdivisions are unlisted SEQR actions, and

WHEREAS, the Town Board of the Town of Evans desires the Town of Evans to be the Lead Agency for the SEQR process:

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

WHEREAS, in a letter dated July 13, 2018, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Phillip Pratt 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 of Evans shall be the Lead Agency for the SEQR process for the above mentioned minor subdivision; and

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 Phillip Pratt Minor Subdivision.
(Addendum A SEQR Short Environmental Assessment Form),

a division of SBL# 251.00-2-23, dividing a 7.40± acre parcel to create:

1. a 3.05± acre parcel with 810.57± feet of frontage on South Main Street, and
2. a 4.35± acre portion to be annexed to an adjacent vacant parcel know as SBL# 251.00-2-26 with 244.8± feet of frontage on Pontiac Road and 175.0± feet of frontage on South Main Street to form a 6.44± acre parcel.

Petitioner: Phillip Pratt, 9667 South Main Street, Angola, NY 14006.

AND BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Office.

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

RESOLUTION 2018 #328 Approve Pratt Minor Subdivision

Councilman Macko moved and Councilman Schraft seconded,

WHEREAS, 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 Phillip Pratt Minor Subdivision, a division of SBL# 251.00-2-23, dividing a 7.64± acre parcel to create:

1. a 3.05± acre parcel with 810.57± feet of frontage on South Main Street, and
2. a 4.35± acre portion to be annexed to an adjacent vacant parcel know as SBL# 251.00-2-26 with 244.8± feet of frontage on Pontiac Road and 175.0± feet of frontage on South Main Street to form a 6.44± acre parcel.

Petitioner: Phillip Pratt, 9667 South Main Street, Angola, NY 14006.

AND BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Office.

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

Supervisor Hosler reported that the Supervisor's May 2018 Monthly Report has been made to the Town Board and a copy was filed with the Town Clerk's Office.

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 July 18, 2018 at 7:10 P.M. at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 to consider the adoption of Proposed Local Law #5 of the year 2018, which will amend Local Law #13 of the year 1993, commonly known as Entertainment, Public; Refreshment Businesses, and any amendments thereto, specifically Town Code Section 95.

Copies of the Proposed Local will be available for inspection by any interested person after July 9, 2018 in the Office of the Town Clerk during normal business hours Monday, Tuesday, Thursday, Friday from 8am - 4pm, Wednesday from 9am - 5pm and the Town's website 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

RESOLTUION 2018 #329 Open the Public Hearing

Supervisor Hosler moved and Councilman Schraft seconded to open the public hearing.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

There was nobody wishing to speak at the Public Hearing

RESOLUTION 2018 #330 Close the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to close the public hearing.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #331 Adopt Local Law #5 of 2018 - Refreshment & Entertainment

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, the Town Board of the Town of Evans finds that Proposed Local Law Number 5 of the year 2018 regarding miscellaneous code revisions to Section 95: Entertainment, Public; Refreshment Businesses, will streamline processes in the code and provide necessary revisions and additions to the code; and

WHEREAS, the Evans Town Board held a Public Hearing on the proposed code amendments on July 18, 2018, which was properly advertised by the Town Clerk; and

NOW, THEREFORE, BE IT RESOLVED, that Proposed Local Law Number 5 of the year 2018 be and hereby is adopted as Local Law Number 4 of the year 2018; and

BE IT FURTHER RESOLVED, that a copy of this resolution be provided to the Town Clerk's Office and Code Enforcement Office.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

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 July 18, 2018, at the Evans Town Hall, 8787 Erie Road, Angola, New York to consider the petition of Susan Schmitt, d/b/a Furry Kids BB&T, for a Special Use Permit renewal for the purpose of continued operation of a Dog Boarding, Daycare

& Training Facility located at 8061 Southwestern Boulevard, Angola, NY 14006, SBL# 222.00-3-14.

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 M. Krajacic
Town Clerk

RESOLTUION 2018 #332 Open the Public Hearing

Supervisor Hosler moved and Councilman Schraft seconded to open the public hearing.

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

There was nobody wishing to speak in favor or opposition

RESOLUTION 2018 #333 Close the Public Hearing

Supervisor Hosler moved and Councilman Schraft seconded to close the public hearing.

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

RESOLUTION 2018 #334 Approve Special Use Permit for Furry Friends

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, a renewal application dated May 31, 2018 was submitted by Susan Schmitt, d/b/a Furry Kids BB&T, petitioning for a special use permit renewal for the purpose of continued operation of a Dog Boarding, Daycare & Training Facility located at 8061 Southwestern Boulevard, Angola, NY 14006, SBL# 222.00-3-14;

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 with the following condition, for a period of two (2) years:

1. The Special Use Permit shall be for the overnight boarding of up to 5 dogs and a maximum total of 8 dogs at the facility including training and daycare; and

WHEREAS, the negative SEQRA declaration issued by the Town Board on June 5, 2013 for the original Special Use Permit for said facility is still sufficient and valid for this action; and

WHEREAS, the Town Board of the Town of Evans conducted a public hearing on July 18, 2018 regarding said special use permit renewal;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans grants a Special Use Permit renewal to Susan Schmitt, d/b/a Furry Kids BB&T for the purpose of continued operation of a Dog Boarding, Daycare & Training Facility located at 8061 Southwestern Boulevard, Angola, NY 14006, SBL# 222.00-3-14; 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 Macko	Aye
	Councilman Schraft	Aye
	Supervisor Hosler	Aye

RESOLUTION 2018 #335 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 June 2018:

Town Clerk Report June	$47,495.23
Interest for June	$4.15
Greenspace Fees transferred to Trust & Agency Account	$0

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

Old Business

RESOLUTION 2018 #336 Approve Special Use Permit Buffalo Auto Auction

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS, a renewal application dated May 21, 2018 was submitted by Roy Emerling, d/b/a Buffalo Auto Auction (formerly known as Southtowns Auto Auction, Inc.), petitioning for a special use permit renewal for the purpose of continued operation of a Auto Vehicle Auction Facility located at 8418 Southwestern Blvd., Angola, NY 14006, SBL# 221.00-3-22.1; 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 with the original conditions as follows:

1. The site must be developed in accordance with the site plan as approved by the Town of Evans Planning Board on April 3, 2001 and revised on October 19, 2010.
2. No vehicles shall be stored on the site in excess of 30 days.
3. The 30.57± acre parcel that is zoned rural Agriculture (RA) be dedicated 'Forever Wild' through deed restrictions, a conservation easement or some other means as deemed acceptable to the Town Attorney.
4. The natural vegetation that exists along the southwestern property line shall remain fully intact to provide a visual buffer.

WHEREAS, the negative SEQRA declaration issued by the Town Board on September 22, 2010 for the original Special Use Permit for said facility is still sufficient and valid for this action; and

WHEREAS, the Town Board of the Town of Evans conducted a public hearing on June 20, 2018 regarding said special use permit renewal;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans grants a Special Use Permit renewal to Buffalo Auto Auction, for the purpose of continued operation of a Auto Vehicle Auction Facility located at 8418 Southwestern Blvd., Angola NY 14006, SBL# 221.00-3-22.1; 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 Schraft	Aye
	Councilman Macko	Aye
	Supervisor Hosler	Aye

RESOLUTION 2018 #337 Air Monitoring for Demolition of 1560 Pontiac Road

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, 1560 Pontiac Road in the Town of Evans, New York was deemed to be unsafe and an endangerment to the public at large which required demolition; and

WHEREAS, 1560 Pontiac Road in the Town of Evans, New York contains asbestos that requires air monitoring to be conducted during the demolition process;

NOW, THEREFORE, BE IT RESOLVED, that that the Supervisor is authorized to execute a contract for air monitoring services with 56 Services, Inc., 143 Bidwell Parkway, Suites 5 and 6, Buffalo, NY 14222, at a rate of $650.00 per day, not to exceed $1,300.00, upon approval of the

Town Attorney, with the costs to be submitted to the Town Assessor to be included in the recovery of costs incurred by the Town in connection with these proceedings as provided by Town Code Section 74-8.

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

RESOLUTION 2018 #338 Amend #309 Correction of Pay Rate

Supervisor Hosler moved and Councilman Schraft seconded,

BE IT RESOLVED, that Resolution #2018-309 be amended to reflect the corrected hourly pay rate for the following part-time lifeguards:

Erika DeAngelis	$11.50
Douglas Coleman	$12.00

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

RESOLUTION 2018 #339 Authorize Court Clerk to Attend Annual Conference

Councilman Macko moved and Councilman Schraft seconded,

WHEREAS; the Court Clerk Jeannette Rodriguez requests permission to attend the New York State Association of Magistrates 38th Annual Conference; and

WHEREAS; said annual conference will be held in Lake Placid, New York from Sunday, September 16, 2018 to Wednesday, September 19, 2018; and

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

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

RESOLUTION 2018 #340 Authorize Court Clerk to Attend Annual Conference

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS; the Court Clerk Amanda Ciccarella requests permission to attend the New York State Magistrates Association Annual Conference; and

WHEREAS; said annual conference will be held in Niagara Falls, New York from Sunday, September 23, 2018 to Wednesday, September 26, 2018; and

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

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

RESOLUTION 2018 #341 Highway Garage Solar Panel Removal/Re-Installation

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, bids were solicited and a contract was awarded for the Town of Evans Highway Garage roof replacement project in the Town of Evans, New York; and

WHEREAS, in order to remove and replace the Highway Garage Roof, the solar panels, racking, ballast, and conduit installed on the roof of the Highway Garage must be removed;

NOW, THEREFORE, BE IT RESOLVED, that the Evans Town Board authorizes and directs Supervisor Mary Hosler to execute any necessary documents with Solar Liberty, 6500 Sheridan Drive, Suite 120, Buffalo, New York for the removal and re-installation of the solar panels, including racking, ballast, and conduit, installed on the roof of the Evans Highway Garage, on a time and material basis, with a cost not to exceed $31,525.00, contingent upon approval of the Town Attorney.

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

RESOLUTION 2018 #342 Appointment of Part Time Clerk

Councilman Schraft moved and Supervisor Hosler seconded,

BE IT RESOLVED, that the following individuals be appointed as part-time clerical the rate of $12.00 per hour, effective immediately.

Colden Vogl

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

RESOLUTION 2018 #343 Set Refreshment License Fees

Supervisor Hosler moved and Councilman Macko seconded,

BE IT RESOLVED, that pursuant to Chapter 106 of the Town Code, fees regarding Section 95: Entertainment, Public, Refreshment Businesses shall be set forth as follows:

Type of Permit	Fee
License Fee	$50
Late Fee	$50

BE IT FURTHER RESOLVED, that there shall be no refunds for any application or license pursuant hereto.

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

RESOLUTION 2018 #344 Budget Transfer - Highway

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, the Town is obligated by general municipal law to maintain a balanced budget;

NOW, THEREFORE BE IS RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Director of Finance to make the following budget transfers to reappropriate funds for costs associated with overtime:

Transfer To:		
DB.5110.120.00	Highway Overtime	10,000
Transfer From:		
DB.5142.120.00	Snow Removal Overtime	10,000

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

RESOLUTION 2018 #345 Budget Transfer - Police

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS, the Town is obligated by general municipal law to maintain a balanced budget;

NOW, THEREFORE BE IS RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Director of Finance to make the following budget transfers to reappropriate funds for van changeover:

Transfer To:		
A.3510.220.02	DCO Van Changeover	12,000.00
Transfer From:		
A.3510.220.01	DCO Van	7,000.00
A.3120.220.01	Police Cruisers	5,000.00

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

RESOLUTION 2018 #346 Budget Transfer - General Fund

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, the Town is obligated by general municipal law to maintain a balanced budget;

NOW, THEREFORE BE IS RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Director of Finance to make the following budget transfers to reappropriate funds for vehicle purchase:

Transfer To:		
B.3620.220.00	Safety Inspection Machinery & Motor Vehicles	1,828
Transfer From:		
B.9901.901.00	Transfer to General Fund	

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

RESOLUTION 2018 #347 Budget Transfer - Senior Center

Councilman Macko moved and Councilman Schraft seconded,

WHEREAS, the Town is obligated by general municipal law to maintain a balanced budget;

NOW, THEREFORE BE IS RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Director of Finance to make the following budget transfers to reappropriate funds for the purchase of computer equipment:

Transfer To:

A.7610.210.00	Seniors Information Tech	483.36

Transfer From:

A.7610.400.03	Rural Transit Senior Transportation	483.36

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #348 Sturgeon Point Marina Grant

Councilman Schraft moved and Councilman Macko 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 NYS Local Waterfront Revitalization Program to secure the resources needed to undertake necessary repairs at Sturgeon Point 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 New York State Local Waterfront Revitalization Program funding in an amount

not to exceed $1,161,225, and will provide the required 25% match of $387,075 with Town funds to allow the Town to undertake necessary repairs at Sturgeon Point Marina; and
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 Local Waterfront Revitalization Program, for a total project amount of $1,548,300 and upon approval of said request shall enter into and execute a project agreement, and sign all other related documentation, with the Department of State 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 2018 #349 PBA Fundraiser Donation

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, the Town of Evans Police Benevolent Association ("PBA") holds an annual fundraising event; and

WHEREAS, the Town of Evans PBA has requested a donation for its annual fundraiser event;

BE IT RESOLVED, that the Town Board of the Town of Evans hereby authorizes the donation of one (1) 2018 seasonal boat launch pass.

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

RESOLUTION 2018 #350 Authorize Town Clerk to Advertise a Public Hearing for the Comprehensive Plan

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, the Town of Evans originally adopted a Comprehensive Plan in January 1999; and has recently undertaken an update to the Comprehensive Plan in conjunction with the Village of Angola; and

WHEREAS, the Updated Comprehensive Plan Draft review has been conducted under the guidance of the Village of Angola and the Town of Evans combined Comprehensive Plan Steering Committee, with consulting planning services provided by Clark Patterson Lee; and

WHEREAS, in a letter dated July 16, 2018, the Combined Village of Angola and Town of Evans Comprehensive Plan Update Steering Committee has requested that the Evans Town Board set

a public hearing for public comment on the Combined Village of Angola/Town of Evans Updated Comprehensive Plan; and

NOW, THEREFORE BE IT RESOLVED, that the Evans Town Board authorize the Town Clerk to advertise for a public hearing to be held on August 15, 2018 at 7:10 pm for the consideration of such updates; and

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

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

RESOLUTION 2018 #351 Approve Town Licenses

Supervisor Hosler moved and Councilman Macko seconded,

David Skoczylas D/B/A Refreshment & Amusement

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

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

RESOLUTION 2018 #352 Audit of Bills

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

AUDIT OF BILLS

DATE	7/19/2018
ABSTRACT NO.	13
VOUCHER NO.	2955-3041/3044-3064
CHECK NUMBERS	78107 - 78193
APPROVED AT	Board Meeting
DATE	7/18/2018
GENERAL	$213,806.81
PART TOWN	$8,085.34
HIGHWAY DB	$48,940.85
WATER	$5,639.21
CAPITAL PROJECTS	

SPECIAL DISTRICTS	$8,140.56
DEBT SERVICE	
TA FUND	
TOTAL	$284,612.77

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #353 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn to Wednesday, July 25, 2018 for a Work Session and then to Wednesday, August 1, 2018 at 6pm for an Agenda Meeting then to 7pm for the Regular Meeting.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	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

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

July 7, 2018

Signed: Sheila McWillson

Sheila McWillson

Signed before me this 9th day of July 2018

Barbara J Musso

Notary Public

BARBARA J MUSSO
Notary Public, State of New York
Qualified in Chautauqua County
My Commission Expires 5/29/19

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 **July 18, 2018 at 7:10 P.M.** at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 to consider the adoption of Proposed Local Law #5 of the year 2018, which will amend Local Law #13 of the year 1993, commonly known as Entertainment, Public; Refreshment Businesses, and any amendments thereto, specifically Town Code Section 95.

Copies of the Proposed Local will be available for inspection by any interested person after July 9, 2018 in the Office of the Town Clerk during normal business hours Monday, Tuesday, Thursday, Friday from 8am – 4pm, Wednesday from 9am – 5pm and the Town's website 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-164006 July 7, 2018-adv

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

,July 3, 2018

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 July 18, 2018**, at the Evans Town Hall, 8787 Erie Road, Angola, New York to consider the petition of Susan Schmitt, d/b/a Furry Kids BB&T, for a Special Use Permit renewal for the purpose of continued operation of a Dog Boarding, Daycare & Training Facility located at 8061 Southwestern Boulevard, Angola, NY 14006, SBL# 222.00-3-14. 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 M. Krajacic
Town Clerk
O-163998 July 3, 2018 -Adv.

Signed: Sheila McWillson

Sheila McWillson

Signed before me this 3rd day of July 2018

Barbara J Musser

Notary Public

7/4/18

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

Phillip Pratt

Name of Action or Project:
Phillip Pratt Minor Subdivison with Annexation

Project Location (describe, and attach a location map):
9667 South Main Street, SBL# 251.00-2-23

Brief Description of Proposed Action:
Dividing a 7.40+/- acre parcel at 9667 South Main St., known as SBL#251.00-2-23, to create an 3.05+/- acre parcel (with 810.57+/- ft. of frontage) on South Main St. and a 4.35+/- acre portion to be annexed to an adjacent parcel known as SBL# 251.00-2-26 (with 244.8+/- ft. of frontage on Pontiac Road and 175.0+/- ft. of frontage on South Main St.) to form a 6.44+/- acre parcel

Name of Applicant or Sponsor:	Telephone: 716-783-6074
Phillip Pratt	E-Mail:

Address:
9667 South Main Street

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: Evans Town Board	☑	☐

3.a. Total acreage of the site of the proposed action? 7.40+/- 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? 7.40+/- 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?	NO	YES	
	☐	☑	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	☑	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☑	☐	
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: _____	NO	YES	
	☐	☑	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	☐	☑	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	☐	☑	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	☑	☐	
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?	NO	YES	
	☐	☑	
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

	NO	YES
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

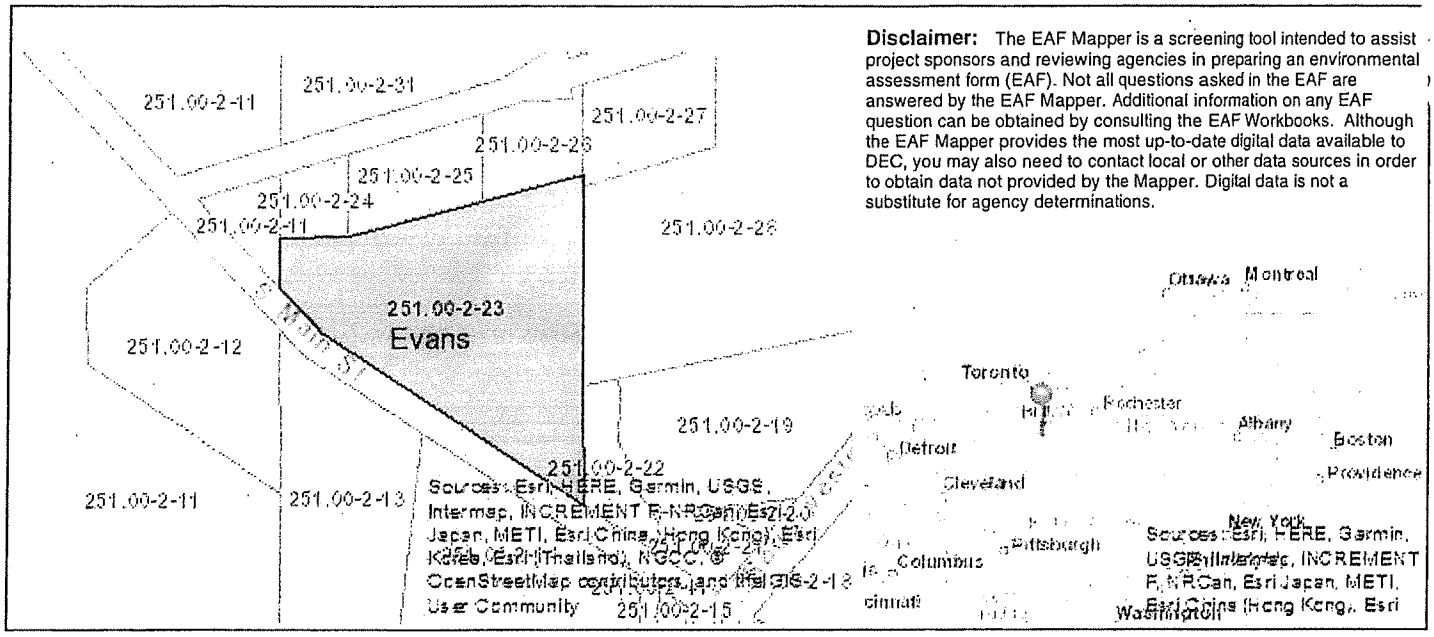
Applicant/sponsor name: Phillip Ratt Date: 6/1/18

Signature: _____

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EAF Mapper Summary Report

Thursday, June 21, 2018 11:57 AM



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: Pratt Minor Subdivision

Date: July 13, 2018

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?	☑	☐

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Agency Use Only [If applicable]

Project: Pratt Minor Subdivision

Date: July 13, 2018

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.

Proposed minor subdivision will not result in a significant adverse environmental impact. This is action is a required administrative regulation per Town Code.

☐ 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.

Town of Evans Town Board	7-19-18
Name of Lead Agency	Date
Mary K. Hosler	Town Supervisor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

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