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
	Ed Michalski	Highway Superintendent
	Doug Czora	Police Chief
	Brittany Gloss	Director of Finance
	Roberta Rappoccio	Director of Planning
	Mary Holl	Supervisor's Secretary

RESOLUTION 2018 #496 Approve Minutes

Supervisor Hosler moved and Councilman Schraft seconded that the reading of the minutes of the meeting of October 17, 2018 and October 24, 2018 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 Minor Subdivision Review – dividing a 12.67± acre parcel at 7220A Lake Shore Road, known as SBL# 205.00-1-1.2, to create an 12.21± acre parcel on Lake Shore Road, and a 0.46± acre portion to be annexed to an adjacent parcel at 7220D Lake Shore Road, known as SBL# 205.00-1-1.1, to create a 37.77± acre parcel. Petitioner: Stephen Kellogg, Lake Shore Road, Derby, NY 14047

RESOLUTION 2018 #497 Negative SEQR Declaration – 7220A Lake Shore Road

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 October 29, 2018, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Stephen Kellogg 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 proposed 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 Stephen Kellogg Minor Subdivision.
(Addendum A SEQR Short Environmental Assessment Form),

a division of SBL# 205.00-1-1.2, dividing a 12.67± acre parcel to create:

1. a 12.21± acre parcel with 200± foot of frontage on Lake Shore Road, and
2. 0.46± acre portion to be annexed to an adjacent parcel, known as SBL# 205.00-1-1.1 to create a 37.77± acre parcel with 400± foot of frontage on Lake Shore Road.

Petitioner: Stephen Kellogg, 7220A Lake Shore Road, Derby, NY 14047.

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 #498 Approve Minor Subdivision – 7220A Lake Shore Road

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 Stephen Kellogg Minor Subdivision, a division of SBL# 205.00-1-1.2, dividing a 12.67± acre parcel to create:

1. a 12.21± acre parcel with 200± foot of frontage on Lake Shore Road, and

2. a 0.46± acre portion to be annexed to an adjacent parcel, known as SBL# 205.00-1-1.1 to create a 37.77± acre parcel with 400± foot of frontage on Lake Shore Road.

Petitioner: Steven Kellogg, 7220A Lake Shore Road, Derby, NY 14047.

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 read a communication from Roberta Rappoccio, Director of Community Development and Planning Minor Subdivision Review – dividing an 17.36± acre parcel at 7755 Keene Road, known as SBL# 221.00-2-1.2, to create a 5.275± acre parcel on Keene Rd. and a 12.085± acre parcel on Keene Road. Petitioner: Lynne M. Tarnowski, 7755 Keene Road, Derby NY 14047

RESOLUTION 2018 #499 Negative SEQR Declaration – 7755 Keene Road

Councilman Schraft moved and Supervisor Hosler 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 October 29, 2018, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Lynne M. Tarnowski 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 Lynne M. Tarnowski Minor Subdivision.
(Addendum B SEQR Short Environmental Assessment Form),

a division of SBL# 221.00-2-1.2, dividing a 17.36± acre parcel to create:

1. a 5.275± acre parcel with 200± feet of frontage on Keene Road, and
2. a 12.085± acre parcel with 547.09± feet of frontage on Keene Road.

Petitioner: Lynne M. Tarnowski, 7755 Keene Road, Derby, NY 14047

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 #500 Approve Minor Subdivision – 7755 Keene Rd

Supervisor Hosler moved and Councilman Macko 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 Lynne M. Tarnwoski Minor Subdivision, a division of SBL# 221.00-2-1.2, dividing a 17.36± acre parcel to create:

1. a 5.275± acre parcel with 200± feet of frontage on Keene Road, and
2. a 12.085± acre parcel with 547.09± feet of frontage on Keene Road.

Petitioner: Lynne M. Tarnowski, Keene Road, Derby, NY 14047

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

PUBLIC HEARING

Town of Evans
Notice of Public Hearing on
Preliminary Budget
Year 2019

Notice is hereby given that the Preliminary Budget of the Town of Evans, Erie County, New York for the fiscal year beginning January 1, 2019 has been completed and filed in the office of the Town Clerk at 8787 Erie Road, Angola, New York where it is available for inspection by any interested person during regular business hours Monday, Tuesday, Thursday, Friday 8:00 a.m. to 4:00 p.m. and Wednesday from 9:00 a.m. to 5:00 p.m. Paper copies will be available at the Town Clerk's Office at a cost of $15.00 per Town Board resolution or can be viewed and printed out at no cost at www.townofevans.org.

Further notice is hereby given, that the Town Board of the Town of Evans, pursuant to all applicable statutes, will meet and review the Preliminary Budget at the Evans Town Hall, 8787 Erie Road, Angola, New York and hold a public hearing at 7:10 pm on Wednesday, November 7, 2018, and that at such hearing any person may be heard in favor or against the preliminary budget as compiled and for or against any item or items therein contained.

And further notice is given pursuant to Section 108, of the Town Law that the proposed salaries of the following Town Officers are hereby specified as follows, to wit:

Supervisor	$40,000
Budget Officer	$15,000
Councilmen (2) each	$15,300
Town Clerk	$56,365
Registrar of Vital Statistics	$ 8,935
Superintendent of Highways	$69,838
DPW Superintendent	$10,000
Drainage Officer	$ 5,000
Town Justices (2) each	$22,819

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

RESOLTUION 2018 #501Open the Public Hearing

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

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

The following spoke in favor of the 2019 Budget:
Cheri Hahn Barbara McGowan Norman Gzyl

RESOLUTION 2018 #502 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

Communications con't

Supervisor Hosler read a communication from Roberta Rappoccio, Director of Community Development and Planning Minor Subdivision Review – dividing an 27.65± acre parcel at 8126 Dennis Road, known as SBL# 220.00-1-6, to create a 26.21± acre parcel on Dennis Road and a 1.44± acre parcel on Dennis Road. Petitioner: Barbara A. McGowan, 8132 Dennis Road, Angola NY 14006

RESOLUTION 2018 #503 Negative SEQR Declaration – 8132 Dennis Road

Councilman Macko moved and Councilman Schraft 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 October 29, 2018, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Barbara A. McGowan 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 Barbara A. McGowan Minor Subdivision.
(Addendum C SEQR Short Environmental Assessment Form),

a division of SBL# 220.00-1-6, dividing a 27.65± acre parcel to create:

1. a 26.21± acre parcel with 883.81± feet of frontage on Dennis Road, and
2. a 1.44± acre parcel with 250± feet of frontage on Dennis Road.

Petitioner: Barbara A. McGowan, 8132 Dennis Road, 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 #504 Approve Minor Subdivision – 8132 Dennis Road

Councilman Schraft moved and Supervisor Hosler 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 Barbara A. McGowan Minor Subdivision, a division of SBL# 220.00-1-6, dividing a 27.65± acre parcel to create:

1. a 26.21± acre parcel with 883.81± feet of frontage on Dennis Road, and
2. a 1.44± acre parcel with 250± feet of frontage on Dennis Road.

Petitioner: Barbara A. McGowan, 8132 Dennis Road, 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 #505 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 October 2018:

Town Clerk Report October	$18,470.32
Interest for October	$2.32

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

RESOLUTION 2018 #506 Remove item #4 (Fire Protection) from Old Business

Supervisor Hosler moved and Councilman Schraft seconded,

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

RESOLUTION 2018 #507 Enter into Agreement with Angola Fire Protection District

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, the Town Clerk of the Town of Evans advertised for a public hearing to be held on October 17, 2018 at 7:10 p.m. in accordance with Section 184 of the Town Law for the purpose of considering proposed contracts with the Village of Angola and the Village of Angola Fire Company, Evans Center Fire Company, Lake Erie Beach Fire Company and Highland Hose Fire Company for fire protection and/or emergency ambulance service to be furnished by said fire departments to the Angola Fire Protection District; and

WHEREAS, said public hearing was held on October 17, 2018,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Evans enter into an agreement with the Village of Angola and the Village of Angola Fire Company, Evans Center Fire Company, Lake Erie Beach Fire Company and Highland Hose Fire Company for fire protection and/or emergency services for the calendar year 2019 pursuant to the advertised amounts.

FURTHER, BE IT RESOLVED, that by this approved resolution the matter shall be removed from Old Business on the Town Board agenda.

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

RESOLUTION 2018 #508 Schedule Public Hearing for the Comprehensive Plan

Councilman Schraft moved and Councilman Macko 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, the Combined Village of Angola and Town of Evans Comprehensive Plan Update Steering Committee held a public hearing for public comment on the Combined Village of Angola/Town of Evans Updated Comprehensive Plan on August 15, 2018; and

WHEREAS, the Combined Village of Angola and Town of Evans Comprehensive Plan Update has been amended;

NOW, THEREFORE, BE IT RESOLVED, that the Evans Town Board authorize the Town Clerk to advertise for a public hearing to be held on December 5, 2018 at 7:10 p.m. for the consideration of such updates as amended; and

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

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

RESOLUTION 2018 #509 Approve Town Licenses

Supervisor Hosler moved and Councilman Macko seconded,

David Skoczylas D/B/A VFW Post 5798 – Live Band Special Event

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 #510 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	11/8/2018
ABSTRACT NO.	20
VOUCHER NO.	3657 - 3768
CHECK NUMBERS	78625 - 78705
APPROVED AT	Board Meeting
DATE	11/7/2018

GENERAL	$119,748.36
PART TOWN	$26,276.68
HIGHWAY DB	$21,861.86
WATER	$0.00
CAPITAL PROJECTS	$168,350.40
SPECIAL DISTRICTS	$42,955.60
DEBT SERVICE	
TA FUND	
TOTAL	**$379,192.90**

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #511 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn to Wednesday, November 14, 2018 at 5pm for a work session, 6pm for an agenda meeting then to 7pm for the regular meeting, then to November 28, 2018 at 6pm for a work session.

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