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 #466 Approve Minutes

Supervisor Hosler moved and Councilman Schraft seconded that the reading of the minutes of the meeting of October 3, 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 regarding a Special Use Permit renewal for the purpose of continuing the operation of a Towing/Recovery business located at 1526 Eden-Evans Center Rd., Angola, NY 14006, part of SBL# 221.00-4-20.11

RESOLUTION 2018 #467 Approve Special Use Permit - Tick Tock

Councilman Macko moved and Councilman Schraft seconded,

WHEREAS, Tick Tock Towing/Recovery requested a Special Use Permit renewal for the purpose of continuing the operation of a Towing/Recovery business located at 1526 Eden-Evans Center Rd., Angola, NY 14006, part of SBL# 221.00-4-20.11, and

WHEREAS, the original Special Use Permit granted on August 18, 2010 was issued with the following conditions:

1. The site must be developed in accordance with the site plan reviewed and recommended by the Evans Planning Board on July 28, 2010 and approved

by the Evans Town Board.

2. There shall be no storage of vehicles, vehicle parts, accessories or scrap parts outside of the building.
3. Only minor car and truck repairs will be conducted on site.
4. There shall be no use of the airport runway.
5. If a future need for a dumpster arises, it shall be screened in accordance with Town code.
6. All vegetation situated along the northwestern property boundary shall Remain intact to provide a buffer for the adjoining residential property.

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 that the Special Use Permit be renewed for a two-year period, and

WHEREAS, the negative SEQR declaration issued by the Evans Town Board on August 18, 2010 for the original Special Use Permit for said facility is still sufficient and valid for this action.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans grants a Special Use Permit renewal to Tick Tock Towing/Recovery for the operation of a towing/recovery service located at 1526 Eden-Evans Center Rd., Angola, NY 14006, part of SBL# 221.00-4-20.11, and

BE IT FURTHER RESOLVED, that the six (6) above-said conditions be placed upon the above-said Special Use Permit renewal, and

BE IT FURTHER RESOLVED, that the above-said Special Use Permit renewal be granted for a two (2) year period, after which the applicant may request renewal. Town is not responsible for renewal notifications.

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

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

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

Supervisor Hosler reported that the Supervisor's September 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 a public hearing will be held by the Town Board of the Town of Evans, Erie County, New York at 7:10 p.m. on October 17, 2018, at the Evans Town Hall, 8787 Erie Road, Angola, New York regarding the use of Federal Community Development funds in the Town of Evans.
The Town of Evans is eligible for a Federal Community Development Grant under Title 1 of the Housing and Community Development Act of 1974, as amended.
The purpose of the Hearing is to provide an opportunity for citizens to express community development and housing needs and o discuss possible projects which would benefit low and moderate income persons in the Town of Evans.
Citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Evans' selection of potential projects to be submitted for possible funding by the Federal Community Development Grant program.
The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities. The meeting room is wheelchair accessible. Those needing special arrangements should call the Town of Evans by October 12, 2018.
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 #468 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

A letter was submitted to the Board by Ed Schneider
Nobody spoke in favor or opposition

RESOLUTION 2018 #469 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 #470 Execute a contract with Erie County for the CDBG Grant

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, the Town of Evans held a public hearing on October 17, 2018 for the purpose of eliciting citizen input regarding the Town's Community Development Block Grant application; and

WHEREAS, at such public hearing, input was received regarding such application; and

WHEREAS, such input has been duly considered;

NOW THERFORE BE IT RESOLVED that the Supervisor of the Town of Evans, or her designee, is hereby authorized and directed to sign, submit and execute a contract with Erie County Community Development Block Grant (ECCDBG) program for the following projects upon approval of ECCDBG: 1) Evans Senior Center Renovations; and 2) Rural Transit Program

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 the Town Board of the Town of Evans, Erie County, New York will hold a public hearing on October 17, 2018 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 #9 of the year 2018, as amended, which will amend Local Law #8 of the year 1987, commonly known as the Zoning Law, and any amendments thereto, for proposed revisions to Town Code Chapter 200: Zoning, Section 200-42: Site Plan Submittal and Review.

A draft copy of the proposed local law will be available for inspection by any interested person after October 4, 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 #471 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

Nobody spoke in favor or opposition

RESOLUTION 2018 #472 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 #473 Adopt Local Law #10

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, the Evans Town Board held a public hearing on September 5, 2018 for consideration of Proposed Local Law #9 of the year 2018, as amended, which will amend Evans Town Code Sections 200-42(A): Site plan submittal, and 200-42(D): Site plan waiver; and

WHEREAS, the recommended amendments to the Evans Town Code are consistent with the Town of Evans Comprehensive Plan and are not expected to result in any significant adverse impacts; and

WHEREAS, the Town Board of the Town of Evans declared Lead Agency in accordance with the SEQR process; and

WHEREAS, the Town Board of the Town of Evans has issued a SEQR negative declaration for this action; and

WHEREAS, the Town of Evans has submitted a full statement of proposed action to the Erie County Division of Planning pursuant to GMU Section 239-M, and has received response to the same dated September 4, 2018 making no recommendation as the matter is of local concern;

NOW, THEREFORE, BE IT RESOLVED, that Proposed Local Law #9 of the year 2018, as amended, be and hereby is adopted as Local Law #10 of the year 2018; and

BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Office, Code Enforcement Office, and the Town Clerk's 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 October 17, 2018, at the Evans Town Hall, 8787 Erie Road, Angola, New York, to consider the petition of Copart of Connecticut, Inc., for a Special Use Permit for the purpose of continued operation of a short-term auto storage facility, with the addition of non-operative vehicles, with ancillary receiving/shipping and administrative activities onsite, located at 8418 Southwestern Boulevard (a.k.a. US Route 20), Angola, NY, 14006.

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 #474 Open 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

Carolyn Mazur - Opposition
David Sippel - Neither in Favor or Opposition
Cheri Hahn - Favor
Patrick Zydel - Favor

RESOLUTION 2018 #475 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 #476 Grant Special Use Permit Copart of Connecticut Inc.

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, Copart of Connecticut, Inc. has requested a Special Use Permit for the purpose of operating a short-term auto storage facility with ancillary receiving/shipping and administrative activities onsite located at 8418 Southwestern Boulevard (a.k.a. US Route 20), Angola, NY 14006, SBL# 221.00-3-22.1 & 221.00-3-9.12, and

WHEREAS, the Town Board of the Town of Evans has held a public hearing on October 17, 2018 for consideration of said rezoning, and

WHEREAS, the Town of Evans Planning Board has recommended the issuance of a Special Use Permit of said properties based on the following reasons.

- We have found no apparent significant environmental concerns and recommend a SEQR negative declaration.
- The retention and continuation of this business in the Town will be a benefit to the local community and surrounding area.
- The nature of this business appears to be within the character of the surrounding area.

WHEREAS, the Planning Board would also like to recommend that the following condition be placed on the approval of this action:

- 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, and the site plan approved on September 26, 2018.
- No vehicles shall be stored on the site in excess of 60 days.
- 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
- The natural vegetation that exists along the southwestern portion of the property shall remain fully intact to provide a visual buffer.
- This Special Use Permit shall be for a two (2) year period. Applicant may apply for renewal.
- No vehicles for sale shall be displayed outside of the fenced area.

WHEREAS, the Planning Board further issues the following condition on the approval of this action:

- The response from the NYS DOT to the SEQR Coordination Review letter, and

WHEREAS, the Town Board of the Town of Evans has issued a SEQR negative declaration for this action.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans grants a Special Use Permit to Copart of Connecticut, Inc. for the purpose of operating a short-term auto storage facility with ancillary receiving/shipping and administrative activities onsite located at 8418 Southwestern Boulevard

(a.k.a. US Route 20), Angola, NY 14006, SBL# 221.00-3-22.1 & 221.00-3-9.12, with the above-said seven (7) conditions, and submission of a spill safety plan and procedure manual for the site to be reviewed and approved by the Planning Department and Code Enforcement Office.

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 Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

PUBLIC HEARING

Notice of Public Hearing
Town of Evans

Notice is hereby given that a public hearing will be held by the Town Board of the Town of Evans, Erie County, New York at the Evans Town Hall, 8787 Erie Road, Angola, New York at 7:10 pm on Wednesday, October 17, 2018, in accordance with Section 184 of the Town Law and all other applicable statutes, 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 established in the Town of Evans upon the following general term:

A.) The fire department shall answer and attend upon all calls in said Angola Protective Fire District.

B.) For such service said fire departments shall receive the following amount:

Angola Fire Company
$15,000 Emergency Ambulance Service
$60,000 Fire Protection

Lake Erie Beach Fire Company
$15,000 Emergency Ambulance Service
$235,000 Fire Protection

Evans Center Fire Company
$15,000 Emergency Ambulance Service
$235,000 Fire Protection

Highland Hose Fire Company
$15,000 Emergency Ambulance Service

The contract is for the period of January 1, 2019 through December 31, 2019 and such other incidental terms as may be necessary or proper in connection with such contract.

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 #477 Open 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

Geordie Sinclair, Andy Gzyl and Guy Cannonico spoke on behalf of the fire departments

RESOLUTION 2018 #478 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 #479 Remove item #4 Demolition of 940 Sturgeon Point Road 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 #480 Award bid for Demolition of 940 Sturgeon Point Road

Councilman Macko moved and Councilman Schraft seconded,

WHEREAS, the property located at 940 Sturgeon Point Road in the Town of Evans, New York was deemed to be unsafe and an endangerment to the public at large; and

WHEREAS, the Evans Town Board authorized the Town Clerk to advertise for bids for demolition of the aforementioned unsafe and dangerous properties in the Town of Evans, New York; and

WHEREAS, bids were received and opened on September 17, 2018 at 10:00 a.m., in accordance with the Notice to Bidders previously authorized; and

WHEREAS, the lowest responsive and responsible bid was submitted by Pierce Services, Inc. and

WHEREAS, the Town Attorney has reviewed the proposal from Pierce Services, Inc., and held a conference call with the project manager, and confirmed his understanding of the requirements of this project; and

WHEREAS, the bid submitted by Pierce Services, Inc. was $10,969.00;

NOW, THEREFORE, BE IT RESOLVED, that the aforementioned bid of Pierce Services, Inc., to demolish the unsafe structure at 940 Sturgeon Point Road in the Town of Evans, New York, be and hereby is accepted by the Town of Evans, with a cost not to exceed $10,969.00, contingent upon the Town Attorney's review of the Contractor's Bonds and Insurances; and

AND BE IT FURTHER RESOLVED, that the Supervisor Mary Hosler is authorized to execute any bid award and/or contract documents for such bid award, upon the approval of the Town Attorney; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Town Assessor and/or Town Attorney to institute the appropriate actions against the property owners of the above referenced properties for 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 #481 Acquisition of BENLIC Properties

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, in July 2011 in recognition of the growing problem of distressed, vacant, abandoned, and tax-delinquent properties, New York State passed the Land Bank Act, as Article 16 of the New York State Not-for-Profit Corporation Law, which authorizes any Foreclosing Governmental Unit (FGU) to create a land bank to strategically acquire, improve, assemble, and sell these properties; and

WHEREAS, under this law, the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) was formed in May 2012 via an intermunicipal agreement among the county's four FGUs: Erie County and the Cities of Buffalo, Lackawanna, and Tonawanda; and

WHEREAS, county-wide land banks have proven highly successful in Michigan, Ohio, and other regions experiencing growing numbers of problem properties by supporting municipal and

regional revitalization efforts by strategically acquiring, improving, assembling, and selling these properties; and

WHEREAS, BENLIC (the land bank) seeks to work collaboratively with the cities, towns, and villages within Erie County to address the growing problem of distressed, vacant, abandoned, and tax-delinquent properties; and

WHEREAS, the TOWN OF EVANS, Erie County, has recognized the need to address the growing issues of distressed, vacant, abandoned, and tax-delinquent properties and is desirous of partnering with BENLIC to address this problem.

NOW, THEREFORE, BE IT RESOLVED, that TOWN OF EVANS hereby officially requests that BENLIC acquire the following properties in the Town of Evans:

138 Lancaster	250.17-9-54
626 Kennedy Avenue	250.12-8-15
511 Roanoke	250.11-4-6
0 Lancaster	250.17-6-37
0 Garfield	250.10-2-11
0 Ivanhoe	250.11-8-45
1035 Old Eden Evans Center	235.07-3-6.2
9406 Jamestown	250.07-4-26.1
9430 Peach	250.08-6-25
6722 Prescott	192.20-1-8
531A Herr Road	250.08-5-41.1
531 Roanoke	250.08-3-11
1556 Depot	206.04-3-16
147 Rosewood	250.17-7-5
8261 Lake Shore Road	220.00-1-31.12
9644 Jamestown	250.15-2-27
9707 Erie Road	251.13-4-1
571 Tuscarora	234.20-5-2
395 Herr Road	250.07-4-7

BE IT FURTHER RESOLVED, that the TOWN OF EVANS has completed the required Standardized Inspector's Reports and Maintenance, Disposition and Reuse Plans (SIR/MDR plans) each property listed above and has attached the SIR/MDR plans to this resolution; and be it further

BE IT FURTHER RESOLVED, that the TOWN OF EVANS agrees to reimburse Erie County for the costs associated with foreclosure of this property;

BE IF FURTHER RESOLVED, that the TOWN OF EVANS agrees to maintain each property selected by BENLIC during the time in which BENLIC holds title to the property;

BE IT FURTHER RESOLVED, that the Town of Evans, NY hereby agrees to the terms and conditions of the BENLIC Pay it Forward Policy, *to be adopted October 23, 2015** and that

pursuant to section 1610 of the New York Not-for-Profit Corporation Law will remit to BENLIC 50% of the real property taxes collected for a period of five years on all of the parcels identified herein for which, upon disposition of the parcel, net proceeds are negative

138 Lancaster	250.17-9-54
626 Kennedy Avenue	250.12-8-15
511 Roanoke	250.11-4-6
0 Lancaster	250.17-6-37
0 Garfield	250.10-2-11
0 Ivanhoe	250.11-8-45
1035 Old Eden Evans Center	235.07-3-6.2
9406 Jamestown	250.07-4-26.1
9430 Peach	250.08-6-25
6722 Prescott	192.20-1-8
531A Herr Road	250.08-5-41.1
531 Roanoke	250.08-3-11
1556 Depot	206.04-3-16
147 Rosewood	250.17-7-5
8261 Lake Shore Road	220.00-1-31.12
9644 Jamestown	250.15-2-27
9707 Erie Road	251.13-4-1
571 Tuscarora	234.20-5-2
395 Herr Road	250.07-4-7

BE IT FURTHER RESOLVED, that certified copies of this resolution will be sent to the Executive Director of the Buffalo Erie Niagara Land Improvement Corporation; the Commissioner of the Erie County Department of Environment and Planning; the Director of the City of Buffalo's Office of Strategic Planning; and the Mayors of the cities of Lackawanna and Tonawanda.

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

RESOLUTION 2018 #482 Amend Resolution 2018#452 RFP Information Technology

Councilman Schraft moved and Supervisor Hosler seconded,

BE IT RESOLVED, that resolution #2018-452, be amended to reflect that Requests for Proposals will be due to the Town Clerk's office by 2:00 p.m. on Wednesday, November 21, 2018.

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

RESOLUTION 2018 #483 Amend Budget for Community Development

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, the Town of Evans Town Board approved the 2018 budget on November 15, 2017 by resolution #497; and,

WHEREAS, the Town finds it necessary to amend the 2018 budget to recognize the receipt of funds associated with the Community Development Block Grant ("CDBG") grant, as well as the corresponding expenditures;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby amends the 2018 budget; and,

BE IT FURTHER RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Director of Finance to make the following budget amendment:

Account Number	Account Name	Approved Appropriation	Change	Amended Appropriations
A.8686.403.04	CDBG Comprehensive Plan	$0.00	$24,800	$24,800

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #484 Amend Budget for Justice Court

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, the Town of Evans Town Board approved the 2018 budget on November 15, 2017 by resolution #497; and,

WHEREAS, the Town finds it necessary to amend the 2018 budget to recognize the receipt of funds associated with the Justice Court Assistance Program ("JCAP") grant, as well as the corresponding expenditures;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby amends the 2018 budget; and,

BE IT FURTHER RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Director of Finance to make the following budget amendment:

Account Number	Account Name	Approved Appropriation	Change	Amended Appropriations

A.1110.401.01	JCAP Grant	$0.00	$17,400	$17,400

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

RESOLUTION 2018 #485 Amend Budget for Recreation

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, the Town of Evans Town Board approved the 2018 budget on November 15, 2017 by resolution #497; and,

WHEREAS, the Town finds it necessary to amend the 2018 budget to recognize the receipt of funds associated with donations for the environmental fair, as well as the corresponding expenditures;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby amends the 2018 budget; and,

BE IT FURTHER RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Director of Finance to make the following budget amendment:

Account Number	Account Name	Approved Appropriation	Change	Amended Appropriations
A.7550.400.04	Environmental Fair	$3,000	$35	$3,035

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

RESOLUTION 2018 #486 2018 Budget Transfer for Environmental Controls

Councilman Macko moved and Councilman Schraft seconded,

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

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Director of Finance to make the following budget transfer to reappropriate funds for environmental testing service contract:

Transfer To:

A.8090.400.00	Environmental Testing Service Contract	135.00

Transfer From:		
A.8745.401.00	Flood and Erosion Control Supplies	135.00

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

RESOLUTION 2018 #487 2018 Budget Transfer for Finance

Supervisor Hosler moved and Councilman Schraft seconded,

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

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Director of Finance to make the following budget transfer to reappropriate funds for the purchase of computer equipment and legal services:

Transfer To:		
A.1610.210.00	Finance IT	486.30
A.1610.427.00	Legal Services	987.70
Transfer From:		
A.1610.111.00	Finance PT Hourly	1,474.00

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

RESOLUTION 2018 #488 2018 Budget Transfer for Operation of Plant

Councilman Schraft 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 transfer to reappropriate funds for the repairs performed to the Town Hall fire panel and HVAC system:

Transfer To:		
A.1620.260.00	Operation of Plant Other Equip	27,236.64
Transfer From:		
A.1620.111.00	Maintenance PT Hourly	20,000.00
A.1620.410.00	Maintenance Equipment	7,236.64

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

RESOLUTION 2018 #489 2018 Budget Transfer for Safety Inspection

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 transfer to reappropriate funds for the purchase of IT equipment and printing, postage and advertising:

Transfer To:

B.3620.210.00	Safety Inspection IT	80.00
B.3620.402.00	SI Printing, Postage & Advertising	2,920.00

Transfer From:

B.3620.111.00	Safety Inspection PT Hourly	3,000.00

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

RESOLUTION 2018 #490 2018 Budget Transfer for Town Clerk

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 transfer to reappropriate funds for subscriptions and dues:

Transfer To:

A.1410.430.00	Town Clerk Dues & Subscriptions	126.80

Transfer From:

A.1410.210.00	Town Clerk IT Equipment	126.80

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

RESOLUTION 2018 #491 Relevy Charges to 2019 Town & County Tax Bill

Councilman Schraft moved and Councilman Macko seconded,

BE IT RESOLVED, in accordance with New York State Town Law, Section 198, the Evans Town Board has opted to enforce various unpaid accounts for water, sewer, refuse and other unpaid town services as indicated below; and

BE IT FURTHER RESOLVED, in light of the aforementioned, the Erie County Legislature shall levy in such sums as indicated below and against the applicable properties as provided for on the Town of Evans assessor's master computer assessment roll file:

TOTAL ERIE COUNTY WATER AUTHORITY	$ 8,187.20
TOTAL ERIE COUNTY WATER AUTHORITY SURCHARGE	$ 9,414.05
TOTAL BACKFLOW	$20,724.53
TOTAL CLEAN-UP CHARGES	$43,462.75
TOTAL TOWN WATER	$ 8,113.69

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #492 Advertise Public Hearing for 2019 Preliminary Budget

Councilman Macko moved and Supervisor Hosler seconded,

BE IT RESOLVED, that in accordance with Article 8, Section 108 of Town Law, that a Public Hearing be held to hear those individuals wanting to discuss the Preliminary Budget on Wednesday, November 7, 2018 at 7:10pm at the Evans Town Hall; and

BE IT FURTHER RESOLVED, that the Town Clerk advertise said Public Hearing in accordance with Town Law.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #493 Celebration of Halloween

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, the Evans Town Board declares the celebration of Halloween in the Town of Evans for Wednesday, October 31, 2018; and

WHEREAS, the citizens of the Town of Evans are hereby requested to leave an outside light on during the hours of 6:00pm to 8:00pm to insure the safety of the children in their Trick or Treat travels and show willingness to participate in the celebration of Halloween with the children of our community.

NOW, THEREFORE BE IT RESOLVED, that a copy of this resolution be published by the Town Clerk in the Angola Pennysaver.

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

RESOLUTION 2018 #494 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	10/18/2018
ABSTRACT NO.	19
VOUCHER NO.	3542 - 3646
CHECK NUMBERS	78537 - 78617
APPROVED AT	Board Meeting
DATE	10/17/2018
GENERAL	$51,411.64
PART TOWN	$6,300.25
HIGHWAY DB	$34,173.89
WATER	
CAPITAL PROJECTS	$0.00
SPECIAL DISTRICTS	$109,652.06
DEBT SERVICE	
TA FUND	
TOTAL	**$201,537.84**

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

RESOLUTION 2018 #495 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn to Wednesday, October 24, 2018 at 6pm for a work session and then to November 7, 2018 at 6pm for an Agenda Meeting then to 7pm for the Regular Meeting in Memory of Officer Craig Lehner.

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

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 **October 17, 2018 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 #9 of the year 2018, as amended, which will amend Local Law #8 of the year 1987, commonly known as the Zoning Law, and any amendments thereto, for proposed revisions to Town Code Chapter 200: Zoning, Section 200-42: Site Plan Submittal and Review.

A draft copy of the proposed local law will be available for inspection by any interested person after October 4, 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-164355 October 5, 2018-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

October 5, 2018

Signed: Sheila McWillson
Sheila McWillson

Signed before me this 5th day of October 2018

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

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
TOWN OF EVANS

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Evans, Erie County, New York at the Evans Town Hall, 8787 Erie Road, Angola, New York at **7:10 pm on Wednesday, October 17, 2018**, in accordance with Section 184 of the Town Law and all other applicable statutes, 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 established in the Town of Evans upon the following general term:

A.) The fire department shall answer and attend upon all calls in said Angola Protective Fire District.

B.) For such service said fire departments shall receive the following amount:

Angola Fire Company
$15,000 Emergency Ambulance Service
$60,000 Fire Protection
Lake Erie Beach Fire Company
$15,000 Emergency Ambulance Service
$235,000 Fire Protection
Evans Center Fire Company
$15,000 Emergency Ambulance Service
$235,000 Fire Protection
Highland Hose Fire Company
$15,000 Emergency Ambulance Service

The contract is for the period of January 1, 2019 through December 31, 2019 and such other incidental terms as may be necessary or proper in connection with such contract.

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-164351 October 5, 2018-adv

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

October 5, 2018

Signed: Sheila McWillson

Sheila McWillson

Signed before me this 5th day of October 2018

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

County of Chautauqua

City of Dunkirk

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 October 17, 2018,** at the Evans Town Hall, 8787 Erie Road, Angola, New York, to consider the petition of Copart of Connecticut, Inc., for a Special Use Permit for the purpose of continued operation of a short-term auto storage facility, with the addition of non-operative vehicles, with ancillary receiving/shipping and administrative activities on-site, located at 8418 Southwestern Boulevard (a.k.a. US Route 20), Angola, NY, 14006.

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-164343 October 5, 2018
-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

October 5, 2018

Signed: Sheila McWillson

Sheila McWillson

Signed before me this 5th day of October 2018

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

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

October 4, 2018

Signed: Sheila McWillson

Sheila McWillson

Signed before me this 4th day of October 2018

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 a public hearing will be held by the Town Board of the Town of Evans, Erie County, New York at **7:10 p.m. on October 17, 2018**, at the Evans Town Hall, 8787 Erie Road, Angola, New York regarding the use of Federal Community Development funds in the Town of Evans.

The Town of Evans is eligible for a Federal Community Development Grant under Title 1 of the Housing and Community Development Act of 1974, as amended.

The purpose of the Hearing is to provide an opportunity for citizens to express community development and housing needs and o discuss possible projects which would benefit low and moderate income persons in the Town of Evans.

Citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Evans' selection of potential projects to be submitted for possible funding by the Federal Community Development Grant program.

The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities. The meeting room is wheelchair accessible. Those needing special arrangements should call the Town of Evans by October 12, 2018.

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-164331 October 4, 2018
-Adv.