Evans Town Board

At a meeting of the Town Board of the Town of Evans, the following were present:

PRESENT:	Mary Hosler	Supervisor
	Michael Schraft	Councilman
	Thomas George	Councilman
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Kenneth Farrell	Town Attorney

RESOLUTION 2021 #83 Accept Minutes

Supervisor Hosler moved and Councilman George seconded that the reading of the minutes of January 6, 2021 be dispensed with and accepted as submitted by the Town Clerk.

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

Communications

William B. Smith Director of Planning & Community Development RE: Minor Subdivision Review - dividing a 4.00± acre parcel on Derby Road, Derby, NY, known as 7373 Derby Road, SBL# 206.04-2-21.2, to create two parcels; an 0.87± acre vacant parcel on Derby Road, and a 3.13± acre parcel on Derby Road. Petitioner: Marguerite M. Villa, 7373 Derby Road, Derby, NY 14047

RESOLUTION 2021 #84 SEQR Negative Declaration

Supervisor Hosler 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 January 13, 2021, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Marguerite M. Villa 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 Marguerite M. Villa Minor Subdivision.
(Addendum A SEQR Short Environmental Assessment Form),

a division of SBL# 206.04-2-21.2, dividing a 4.00± acre parcel to create:

1. an 0.87± acre vacant parcel with 210± feet of frontage on Derby Road, and
2. a 3.13± acre parcel with 260.31± feet of frontage on Derby Road.

Petitioner: Marguerite M. Villa, 7373 Derby Rd., 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 Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #85 Amend Resolution #2021-053

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 Marguerite M. Villa Minor Subdivision,

a division of SBL# 206.04-2-21.2, dividing a 4.00± acre parcel to create:

1. an 0.87± acre vacant parcel with 210± feet of frontage on Derby Road, and
2. a 3.13± acre parcel with 260.31± feet of frontage on Derby Road.

Petitioner: Marguerite M. Villa, 7373 Derby 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 Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #86 Appointment of Part Time Dispatcher

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, there is an opening for a part time Public Safety Dispatcher in the Evans Police Department; and

WHEREAS, Paul Randall is currently employed as a full time Police Officer for the Town of Hamburg Police Department; and

WHEREAS, limited training would be required to assume the duties of a part-time dispatch position; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Paul Randall, effective immediately, to the position of Police Dispatcher with the Evans Police Department; and

FURTHER, BE IT RESOLEVED, all other relative issues, rules and regulations will be understood to all parties subject to Civil Service.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #87 Lineage Postage Machine and Folder Insert Machine Contract

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, there is an opening for a part time Public Safety Dispatcher in the Evans Police Department; and

WHEREAS, Paul Randall is currently employed as a full time Police Officer for the Town of Hamburg Police Department; and

WHEREAS, limited training would be required to assume the duties of a part-time dispatch position; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Paul Randall, effective immediately, to the position of Police Dispatcher with the Evans Police Department; and

FURTHER, BE IT RESOLEVED, all other relative issues, rules and regulations will be understood to all parties subject to Civil Service.

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

RESOLUTION 2021 #88 Rotella Grant Management Services Contract

Councilman Schraft moved and Councilman George seconded,

WHEREAS, the Town of Evans applies for numerous grants on a yearly basis; and

WHEREAS, successful grant applications are beneficial to the Town of Evans; and

WHEREAS, the Town of Evans desires to extend the contract between the Town of Evans and Rotella Grant Management;

BE IT RESOLVED, that Supervisor Mary Hosler is hereby authorized to execute any all documents pursuant to Rotella Grant Management, 19 Jordy Court, Hamburg, NY 14075, for grant writing and administration services for 2021, at a rate of $1,300.00 per month plus any actual postage costs, when applicable.

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

RESOLUTION 2021 #89 NYS Association of Towns Delegate Designation

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, the Town of Evans is a member of the NYS Association of Towns; and

WHEREAS, the Association of Towns will hold its' 2021 Virtual Training School and Annual Meeting during President's Week in February 2021; and

WHEREAS, the Annual Business Session will be held during the above referenced week; and

WHEREAS, pursuant to Section 6 of Article III of the Constitution and Bylaws of the NYS Association of Towns;

NOW, THEREFORE BE IT RESOLVED, that Town of Evans Supervisor Mary Hosler has been designated Delegate and Thomas George as designated at Alternate for voting purposes

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #90 Approve Town Licenses

Councilman Schraft moved and Supervisor Hosler seconded,

Lake Erie Beach Vol. Fire Co.,, Inc - Refreshment, Amusement & Live Band Commercial

Gary T. Ballowe D/B/A Turtle Joes Sandbar - Refreshment, Amusement & Live Band Commercial

Vincent Cala D/B/A Cala's Kitchen & Catering - Refreshment

Matthew Shaw - Fireworks 1/18/2021 (nunc pro tunc)

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 Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #91 Audit of Bills

Councilman George moved and Supervisor Hosler seconded that all properly audited bills be paid out of their respective accounts as follows:

AUDIT OF BILLS

DATE	1/21/2021
ABSTRACT NO.	2 (2020 bills)
VOUCHER NO.	8197 - 8230
CHECK NUMBERS	82201 - 82228
APPROVED AT	Board Meeting
DATE	1/20/2021
GENERAL	$25,364.37

PART TOWN	$899.42
HIGHWAY DB	
WATER	
CAPITAL PROJECTS	$0.00
SPECIAL DISTRICTS	$136,762.00
DEBT SERVICE	
TOTAL	**$163,025.79**

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

RESOLUTION 2021 #92 Audit of Bills

Councilman George moved and Councilman Schraft seconded that all properly audited bills be paid out of their respective accounts as follows:

AUDIT OF BILLS

DATE	1/21/2021
ABSTRACT NO.	2 - A (2021 bills)
VOUCHER NO.	8231 - 8263
CHECK NUMBERS	82230 - 82257
APPROVED AT	Board Meeting
DATE	1/20/2021
GENERAL	$96,633.38
PART TOWN	$1,067.82
HIGHWAY DB	$10,117.64
WATER	
CAPITAL PROJECTS	$0.00
SPECIAL DISTRICTS	$111,507.43
DEBT SERVICE	
TOTAL	**$219,326.27**

difference is because2 vouchers

totaling $224.96 were removed

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #93 Adjournment

Supervisor Hosler moved and Councilman Schraft seconded to adjourn to Wednesday, January 20, 2021 at 6:00pm for a Work Session and Board Meeting to follow.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	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

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

Marguerite M. VILLA

Name of Action or Project:
minor subdivision

Project Location (describe, and attach a location map):
Derby Rd

Brief Description of Proposed Action:
divide lot to build ranch home for Ernest & Kathleen Masullo.

Name of Applicant or Sponsor:	**Telephone:** (716) 947-9033
Marguerite M. VILLA	**E-Mail:** mzillner.villa@yahoo.com

Address:
7373 Derby Rd

City/PO:	**State:**	**Zip Code:**
Derby	N.Y.	14047

	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:** Town of Evans: minor subdivision approval & building permit to construct home.	☐	☒

3.a. Total acreage of the site of the proposed action?	4.99 acres
b. Total acreage to be physically disturbed?	.96 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	4.99 acres

4. Check all land uses that occur on, adjoining and near the proposed action.

☐ Urban ☒ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☒	☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: Septic tank	☒	☐	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☒	☐	
b. Is the proposed action located in an archeological sensitive area?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☒	☐	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☐ Suburban

	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: Marguerite M. Villa Date: 11/16/2020

Signature: MARGUERITE M. VILLA

PRINT FORM

Agency Use Only [If applicable]

Project: Villa, M - Minor Subdivision

Date: 1-21-21

Short Environmental Assessment Form
Part 2 - Impact Assessment

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

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

PRINT FORM

Agency Use Only [If applicable]
Project: Villa, M - Minor Sub
Date: 1-21-21

Short Environmental Assessment Form
Part 3 Determination of Significance

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

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

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

Town Board, Town of Evans	1/21/21
Name of Lead Agency	Date
Mary R. Hosler	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)

PRINT FORM