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 #269 Accept Minutes

Supervisor Hosler moved and Councilman Schraft seconded that the reading of the minutes of June 16, 2021 and July 13, 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

PUBLIC FORUM

TOWN OF EVANS
PUBLIC NOTICE

The Evans Town Board will be holding a public forum on Wednesday, July 21, 2021 at 7:10pm for the purpose of affording the public the opportunity to express their position on the demolition of the Skyway Bridge.

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

RESOLTUION 2021 #270 Open the Public Hearing

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

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

The following spoke in opposition to the demolition of the Skyway Bridge:

Ed Schneider	Maryann Miles	Jeremy Kyser
Steve Giamvzina	Lana Hames	

RESOLUTION 2021 #271 Close the Public Hearing

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

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

Communications

William Smith, Director of Planning: Special Use Permit - Approve to recommend a Special Use Permit for a Home Occupation for the purpose of operating an in-home hair salon located at 7125 Brandywine Drive, Derby NY 14047, SBL# 206.12-6-19. Petitioner: Desiree Eden Hider, 7125 Brandywine Drive, Derby, NY 14047.

RESOLUTION 2021 #272 Advertise for Public Hearing - Hider

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, in a letter dated June 28, 2021, the Planning Director has requested that the Town Board set a public hearing regarding the petition of Desiree Eden Hider for a Special Use Permit for the operation of an in-home hair salon to be located at 7125 Brandywine Drive, Derby, NY 14047, SBL# 206.12-6-19; and

WHEREAS, the Planning Board unanimously recommended approval of the Special Use Permit at their GoTo Planning Board meeting held on June 23, 2021.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize the Town Clerk to advertise for a public hearing to be held on August 4, 2021 at 7:10pm for the consideration of said special use permit; and

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

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

William Smith, Director of Planning: RE: Minor Subdivision Review - dividing a 36.94± acre vacant parcel (formed by the merging of SBL#'s 235.00-3-22.12, 235.00-3-22.111 and 235.00-3-22.3) on Erie Road (a.k.a. NYS Rt. 5), Angola, NY, to create three vacant parcels; an 29.43± acre parcel, a 3.46± acre parcel and a 4.05± acre parcel with road frontages on Erie Road. Petitioner: Kathleen Gallagher, 39 Wiesner Road, Lackawanna, NY 14218.

RESOLUTION 2021 #273 SEQR Lead Agency - Gallagher

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 July 15, 2021, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Kathleen Gallagher 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 Kathleen Gallagher Minor Subdivision.
(Addendum A SEQR Short Environmental Assessment Form),

a division of merged parcels SBL#'s 235.00-3-22.12, 235.00-3-22.111 and 235.00-3-22.3; dividing a combined 36.94± acre parcel to create:

1. an 29.43± acre vacant parcel with 300.93± feet of frontage on Erie Road,
2. a 3.46± acre vacant parcel with 81.67± feet of frontage on Erie Road, and
3. a 4.05± acre vacant parcel with 80.64± feet of frontage on Erie Road.

Petitioner: Kathleen Gallagher, 39 Wiesner Road, Lackawanna, NY 14218

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 #274 Approve Minor Subdivision - Gallagher

Councilman George 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 Kathleen Gallagher Minor Subdivision,

a division of merged parcels SBL#'s 235.00-3-22.12, 235.00-3-22.111 and 235.00-3-22.3; dividing a combined 36.94± acre parcel to create:

1. an 29.43± acre vacant parcel with 300.93± feet of frontage on Erie Road,
2. a 3.46± acre vacant parcel with 81.67± feet of frontage on Erie Road, and
3. a 4.05± acre vacant parcel with 80.64± feet of frontage on Erie Road.

Petitioner: Kathleen Gallagher, 39 Wiesner Road, Lackawanna, NY 14218

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

William Smith, Director of Planning: Rezone - Approve to recommend the Rezone and related Special Use Permit of a .73± acre parcel from General Business (GB) to Motor Service (MS) for the purpose of continued operation of a Motor Vehicle Service Operation located at 6943 Erie Road, Derby, NY 14047, SBL# 206.07-2-20./C. Petitioner: Right Direction Auto, 6943 Erie Road, Derby, NY 14047.

RESOLUTION 2021 #275 Approve Minor Subdivision - Gallagher

Councilman George 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 Kathleen Gallagher Minor Subdivision,

a division of merged parcels SBL#'s 235.00-3-22.12, 235.00-3-22.111 and 235.00-3-22.3; dividing a combined 36.94± acre parcel to create:

4. an 29.43± acre vacant parcel with 300.93± feet of frontage on Erie Road,
5. a 3.46± acre vacant parcel with 81.67± feet of frontage on Erie Road, and

6. a 4.05± acre vacant parcel with 80.64± feet of frontage on Erie Road.

Petitioner: Kathleen Gallagher, 39 Wiesner Road, Lackawanna, NY 14218

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

William Smith, Director of Planning: RE Rezone - Approve to recommend the Rezone and related Special Use Permit of a .73± acre parcel from General Business (GB) to Motor Service (MS) for the purpose of continued operation of a Motor Vehicle Service Operation located at 6943 Erie Road, Derby, NY 14047, SBL# 206.07-2-20./C. Petitioner: Right Direction Auto, 6943 Erie Road, Derby, NY 14047.

RESOLUTION 2021 #276 Advertise for Public Hearing

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, Michael Lester, of Right Direction Auto has requested that the Town Board of the Town of Evans rezone a .73± acre parcel from General Business (GB) to Motor Service (MS) for the purpose of continued operation of a Motor Vehicle Service Operation to be located at 6943 Erie Road, Derby, NY 14047, SBL# 206.07-2-20./C and

WHEREAS, the rezone of the property will constitute the use of an underutilized property and is not expected to result in any significant adverse impacts, and

WHEREAS, in a letter dated July 19, 2021 the Evans Planning Director has requested that the Town Board set a public hearing regarding the request of Michael Lester.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans authorizes the Town Clerk to advertise for a public hearing to consider Proposed Local Law #4 of the year 2021, to be held on September 1, 2021 at 7:10pm for the consideration of said rezoning and related special use permit,

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 #277 Town Clerk's Reports

Supervisor Hosler moved and Councilman Schraft seconded to accept the reports of the Town Clerk as presented for the month of June, 2021:

Town Clerk Report	$54,817.44
Interest	$ 1.21
Greenspace Fee	$ 3,500.00
Petty Cash	$ 650.00

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #278 SEQR Declaration for Street Lighting LED Retrofit

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, the Town of Evans Town Board (the "Board") has considered the impact to the environment of following Scope of Work to be completed:

1. Town Streetlight LED Retrofit:

- Retrofit the existing 1428 streetlights with LED lighting fixtures.
- Installation of an electrical disconnect and owner ID label.

WHEREAS, the Board has reviewed the Scope of Work set forth above as one Proposed Action, and has further consulted with its Engineer and legal counsel with respect to the potential for environmental impacts resulting from the Proposed Action,

WHEREAS, the Board has reviewed the Proposed Action with respect to the Type II criteria set forth in 6 NYCRR. Part 617 of the Environmental Conservation Law, Article 8 ("SEQRA") and concluded that the project involves:

- Maintenance or reconstruction involving no substantial changes in an existing facility, structure or infrastructure (6 NYCRR §617.5(c)(1));
- Replacement, rehabilitation or reconstruction of infrastructure or facility, in kind, on the same site;

LED Street Lighting Conversion

- Retrofit the existing 1428 streetlights with LED lighting fixtures.
- Installation of an electrical disconnect and owner ID label.

THEREFORE, BE IT RESOLVED, by the Board as follows:

1. The Proposed Action, individually and cumulatively, does not constitute substantial changes to the existing facilities or infrastructure and involves routine activities required for proper operation and maintenance of the previously listed miscellaneous facilities, and, therefore, does not exceed the thresholds for a Type II Action established under 6 N.Y.C.R.R. Part 617.

2. The Board hereby determines the Proposed Action is a Type II action in accordance with SEQRA regulations.

3. No further review of the Proposed Action is required under SEQRA.

4. This resolution shall be effective immediately.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #279 $2,000,000 Bond Resolution - Street Lighting

Supervisor Hosler moved and Councilman George seconded,

WHEREAS, the Town Board (the "Board") of the Town of Evans, Erie County (the "Town") proposes to authorize the issuance of $2,000,000 in serial bonds of the Town to finance construction and installation of various street lighting improvements in accordance with the Energy Performance Contract between the Town and John W. Danforth Company, as described in the Project Scope attached hereto as Exhibit I, which will be included in such Energy Performance Contract, all at an estimated maximum cost of $2,000,000 (collectively, the "Project"); and

WHEREAS, the Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds and bond anticipation notes to be issued to finance said appropriation.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board (the "Town Board") of the Town of Evans, Erie County, New York (the "Issuer" or the "Town") (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. The Town is hereby authorized to undertake construction and installation of various street lighting improvements in accordance with the Energy Performance Contract between the Town and John W. Danforth Company, as described in the Project Scope attached hereto as Exhibit I, which will be included in such Energy Performance Contract for a total aggregate estimated maximum cost of $2,000,000. It is hereby determined that the maximum estimated cost of the aforementioned objects or purposes is $2,000,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of $2,000,000 in serial bonds of the Town authorized to be issued pursuant to by Section 2 hereof to finance said appropriation, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) the

levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 2. Serial bonds of the Town in the principal amount of $2,000,000 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the objects or purposes described in Section 1 hereof.

SECTION 3. It is hereby determined that the period of probable usefulness for the aforementioned objects or purposes is thirty (30) years, pursuant to subdivision 5 of paragraph a. of Section 11.00 of the Law.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town subject to applicable statutory limits, if any. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, as the chief fiscal officer of the Town (the "Supervisor"). Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of Local Finance Law. Further,

pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for any of the objects or purposes authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for any of the other objects or purposes authorized by this resolution and/or with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Supervisor is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The intent of this resolution is to give the Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board.

SECTION 11. The Town Board, has determined that the equipment and improvements included within the Project collectively constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and therefore no further action under SEQRA is required with respect to the Project or the financing thereof.

SECTION 12. Pursuant to subdivision b. of Section 35.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Seven of the Town Law of the State of New York (the "Town Law"). The Town Clerk is hereby authorized and directed, within ten (10) days after the date of adoption of this resolution, to post and publish a notice satisfying the requirements of Section 90 of the Town Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Town for such purpose.

SECTION 13. This resolution shall take effect thirty (30) days after the date of its adoption or, if within such thirty (30) day period there is filed with the Town Clerk a petition subscribed and acknowledged by the number of qualified electors of the Town required by Section 91 of the Town Law and in the manner specified in such Section, until approved by the affirmative vote of a majority of such qualified electors voting on a proposition for its approval.

SECTION 14. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 15. Upon this resolution becoming effective, the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk substantially the form provided in Section 81.00 of the Law.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #280 Appointment of Foil Officer for Police & Dispatch

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, due to the retirement of Chief Czora, there is a vacancy for the FOIL Officer for police and dispatch information;

NOW, THEREFORE, BE IT RESOLVED, effective immediately, Chief Szarowicz is hereby appointed FOIL Officer for Police and Dispatch information at no additional compensation.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #281 Appointment of Part Time Clerk/Intern - Parks Dept

Councilman Schraft moved and Supervisor Hosler seconded,

BE IT RESOLVED, effective June 28, 2021, Taylor Sawyer, Lake Shore Academy of Business and Finance is hereby appointed as a Part Time Clerk/Paid Intern in the Parks Department at a rate of $13.50 per hour.

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

RESOLUTION 2021 #282 Appointment of Part Time Clerk/Intern - Town Clerk

Councilman George moved and Supervisor Hosler seconded,

BE IT RESOLVED, effective June 28, 2021, Hailey Garrison, Lake Shore Academy of Business and Finance is hereby appointed as a Part Time Clerk/Paid Intern in the Town Clerk's Office at a rate of $13.50 per hour.

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

RESOLUTION 2021 #283 Appointment of Part Time Police Officer

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, there is an opening for a part-time Police Officer in the Evans Police Department; and

WHEREAS, Dennis Feldmann meets the requirements needed to become a part-time Police Officer; and

NOW, THEREFORE, BE IT RESOLVED, pending all Town of Evans Police Department background check policies and procedures, the Town Board of the Town of Evans hereby appoints Dennis Feldmann to the position of part-time police officer with the Evans Police Department; and

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

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

RESOLUTION 2021 #284 Appointment of Part Time Clerk - Police

Councilman Schraft moved and Councilman George seconded,

WHEREAS there is an opening for a Part Time Police Clerk in the Evans Police Department; and,

WHEREAS Julie Boedo is currently a Part Time Clerk with the Eden Police Department and, therefore, meets the qualifications required to be a Part Time Police Clerk with the Town of Evans; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Julie Boedo, effective immediately, to the position of Part-Time Police clerk with the Town of Evans Police Department at a rate of 13.50/Hr.

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

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

RESOLUTION 2021 #285 Authorize Court Clerk to attend Annual Conference

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS; the Court Clerk Elaine Yingling requests permission to attend the New York State Association of Magistrates Court Clerk's Annual Conference; and

WHEREAS; said annual conference will be held in Albany, New York from Sunday, September 12, 2021 to Wednesday, September 15, 2021; and

NOW THEREFORE BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Elaine Yingling, 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 Schraft Aye
Councilman George Aye
Supervisor Hosler Aye

RESOLUTION 2021 #286 Authorize Town Justice to Attend Annual Conference

Councilman George moved and Supervisor Hosler seconded,

WHEREAS; Town Justice Dennis Glascott 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 26, 2021 to Wednesday, September 29, 2021; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Judge Dennis Glascott, 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 Schraft Aye
Councilman George Aye
Supervisor Hosler Aye

RESOLUTION 2021 #287 Acceptance of Funds for Lake Erie Beach Multi-Use Trail Phase 2

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, the Town Board desires to pursue funding opportunities for the Lake Erie Beach Multi-Use Trail - Phase Two

WHEREAS, the Town Board desires to provide pedestrian safety and complete streets infrastructure to residents at the lowest possible cost to the Town and its taxpayers, and

WHEREAS, the Town Board desires to apply for financial assistance from the Office of Parks, Recreation & Historic Preservation: Environmental Protection Fund Grants Program for Recreational Trails Program through the Consolidated Funding Application, and

WHEREAS, the Town Board commits to providing the required local matching funds to ensure the timely implementation of the proposed project.

NOW, THEREFORE BE IT RESOLVED, that Mary Hosler, as Supervisor of the Town of Evans, is hereby authorized and directed to accept funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed $209,305.60 (80% of the total project cost of $261,632.00), and enter into and execute a project agreement with the State for such financial assistance to the Lake Erie Beach Multi-Use Trail - Phase Two; and

BE IT RESOLVED, that upon approval of the application for financial assistance that the Town make available $52,326.40 (20%) in matching funds to satisfy the requirements of the funding program; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to sign all documents and agreements related to the New York State Office of Parks, Recreation and Historic Preservation: Recreational Trails Program application.

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

RESOLUTION 2021 #288 Acceptance of Funds for South Creek Park/John K. Thompson Pool House Project

Supervisor Hosler moved and Councilman George seconded,

WHEREAS, the Town Board desires to pursue funding opportunities for the South Creek Park/John K. Thompson Pool: Phase Two - Pool House Project; and

WHEREAS, the Town Board desires to provide high quality recreational facilities to residents at the lowest possible cost to the Town and its taxpayers; and

WHEREAS, the Town Board desires to apply for financial assistance from the New York State Office of Parks, Recreation and Historic Preservation: Environmental Protection Fund Grant through the Consolidated Funding Application; and

WHEREAS, the Town Board commits to providing the required local matching funds to ensure the timely implementation of the proposed project.

NOW, THEREFORE BE IT RESOLVED, that Mary Hosler, as Supervisor of the Town of Evans, is hereby authorized and directed to accept funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed $423,281.50 (50% of the total project cost of $846,563 .00), and enter into and execute a project agreement with the State for such financial assistance to the South Creek Park/John K. Thompson Pool: Phase Two - Pool House Project; and

BE IT RESOLVED, that upon approval of the application for financial assistance that the Town make available $423,281.50 (50%) in matching funds to satisfy the requirements of the funding program, and be it further; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to sign all documents and agreements related to the New York State Office of Parks, Recreation and Historic Preservation: Environmental Protection Fund Grant Program application.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #289 Suspend the Rules of Order

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

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #290 Appointment of Seasonal Part Time Employees

Councilman George moved and Supervisor Hosler seconded,

BE IT RESOLVED, effective immediately, the following individuals are hereby appointed as a Part Time Seasonal Gate Guards/Lifeguards, for a five (5) month period, working up to 39 hours per week, at the hourly rates indicated:

NAME	TITLE	START DATE	HOURLY RATE
Mary Webster	Seasonal PT Gate Guard	6/18/2021	$12.50
Timothy Shea	Seasonal PT Gate Guard	6/18/2021	$12.50
Aidan Nyitrai	Seasonal PT Gate Guard	6/18/2021	$12.50
Mitchel Kiefer	Seasonal PT Gate Guard	7/3/2021	$12.50
Travis Wright	Seasonal Lifeguard	7/5/2021	$12.50

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

RESOLUTION 2021 #291 Fireworks License - Vassalo

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, an application for the display of fireworks on July 2, 2021, no rain date, from 9:00pm and 10:00pm, was filed by Matt Shaw, and approved by the Chief of Police, for the display of fireworks for owner Amy Vassalo located at 8926 Lake Shore Road, Angola, New York.

NOW, THEREFORE BE IT RESOLVED, that the granting of such fireworks license is hereby approved to allow the display of fireworks, for a rescheduled date of Monday, July 5, 2021 and is approved nunc pro tunc; and

BE IT FURTHER RESOLVED, that this action is not intended to, and does not, establish a pattern so as to obviate strict compliance with the Code of the Town regarding such license but is solely an action, within the discretion of the Town Board, to address unusual and unique situations and to allow a display in honor of the Independence of the United States of America.

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

RESOLUTION 2021 #292 Authorization for Submission of Application to the Local Waterfront Revitalization Program - Sturgeon Point Marina Bluffs

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, the Town Board desires to acquire funds to develop the Town of Evans Sturgeon Point Marina and Bluffs Master Plan; and

WHEREAS, the Town Board desires to improve the Marina's aging infrastructure, enhance the Marina's operational efficiency and revenue potential, and to closely examine the development opportunities of the surrounding uplands and bluffs; and

WHEREAS, the Town Board desires to apply for financial assistance from the NYS Department of State's Local Waterfront Revitalization Program; and

WHEREAS, the Town Board commits to providing the required local matching funds to ensure the timely implementation of the proposed project.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes and submits an application for the Department of State's Local Waterfront Revitalization Program funds for the Sturgeon Point Marina and Bluffs Master Plan in the amount not to exceed $175,000 with a 75% grant amount of $131,250 and will match the project total with 25% of $43,750 of Town Funds; and

BE IT FURTHER RESOLVED, that Supervisor Mary Hosler is hereby authorized and directed to file an application to the Department of State's Local Waterfront Revitalization Program, in a total project amount of $175,000 and upon approval of said request to enter into and execute a project agreement with the Department of State's Local Waterfront Revitalization Program for such financial assistance to the Town of Evans for the proposed Sturgeon Point Marina and Bluffs Master Plan.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #293 Authorization Regarding Purchase of Streetlights & Energy Performance Contract

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, the Town of Evans would like to enter into an energy performance contract with J.W. Danforth, to perform a street light conversion project, with future energy savings rebates and other associated savings of an estimated $6,207,583; and

WHEREAS, the Town of Evans would like to finance the cost of the above referenced project, in the amount not to exceed $2,000,000 to be financed through issuance of Town bonds, which will be authorized in a bond resolution to be adopted by the Town Board at an upcoming Town Board meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is hereby authorized to negotiate and execute any and all documents with National Grid for the purchase of streetlights in accordance with such energy performance contract, upon the approval of the Town Attorney

AND BE IT FURTHER RESOLVED, that the Town Board hereby approves the scope of work and services reflected in the proposed Energy Performance Contract with J.W. Danforth Company, 300 Colvin Woods Parkway, Tonawanda, NY 14150 in the form presented at this meeting, and authorizes the Town Supervisor to execute such contract, upon the approval of the Town Attorney.

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

RESOLUTION 2021 #294 Award Bid for Evans Water Storage Tank Project

Councilman Schraft moved and Councilman George seconded,

WHEREAS, bids were solicited for the Evans Water Storage Tank Project in the Town of Evans; and

WHEREAS, bids were received and opened on June 30, 2021 at 2:00 P.M., in accordance with the Notice to Bidders previously authorized; and

WHEREAS, the lowest responsible bid was submitted by Kandey Company, Inc., 19 Ransier Drive, West Seneca, NY 14224; and

WHEREAS, Clark Patterson Lee has reviewed and discussed the bid from Kandey Company, Inc. and have confirmed the company's understanding of the requirements of this project; and

WHEREAS, the bid for the project submitted by Kandey Company, Inc. was $7,408,130.00.

NOW, THEREFORE, BE IT RESOLVED, that the Evans Town Board authorizes the award of the contract for the Evans Water Storage Tank Project to Kandey Company, Inc., 19 Ransier Drive, West Seneca, NY 14224, contingent upon final approval of the drawings by the Erie County Department of Health and NYS Department of Health; and

BE IT FURTHER RESOLVED, that Supervisor Mary Hosler is authorized to execute any necessary contract documents regarding said bid award upon the approval of the Town Counsel.

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

RESOLUTION 2021 #295 Adopt Policy for Employees Vacation Carry Overs

Supervisor Hosler moved and Councilman George seconded,

WHEREAS, the Town of Evans is would like to implement a policy and procedure for all employees, including collective bargaining agreements that address vacation roll overs, up to one week (40 hours) per year;

NOW, THEREFORE, BE IT RESOLVED, that the Evans Town Board hereby approves the following policy and procedure, regarding vacation carry-overs, up to one week (40 hours) per year:

"The Town of Evans is establishing the following procedure to obtain the written approval for all employees to carry-over up to one week (40 hours) of vacation into the next year with written approval of the department head;
An employee must submit, in writing, a request to rollover unused vacation by September 1st of the current year, this request must state a reason as to why the employee cannot schedule the eligible time off into the current year.

It is the intention of the Town that requests for vacation carry-over will be granted only if there are extenuating circumstances;

Once the request is received, all department heads will forward their employee's request and recommendations to the Supervisor and HR to ensure all efforts were made by the employee and Town to schedule the vacation time in the current year. The Town also wants to make sure that a consistent approving standard is managed throughout the Town. Once the Supervisor and HR has reviewed the request, an approval or denial will be issued. If the request is denied, the employee will need to schedule remaining vacation time within the current year."

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #296 Boat Slip Fees

Councilman Schraft moved and Councilman George seconded,

WHEREAS, the Town Board set rates for various items at the Sturgeon Point Marina, including boat slips;

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby approves the following Marina Boat Slip fees for the 2021 season:

18 ft. Slip	$ 757.00
20 ft. Slip	$ 822.00
22 ft. Slip	$1,053.00
24 ft. Slip	$1,157.00
28 ft. Slip (with electric)	$1,501.00
30 ft. Slip (with electric)	$1,680.00
40 ft. Slip (with electric)	$2,275.00

FURTHER, BE IT RESOLVED, the Town Board hereby approves the Marina Boat Slip fees for boat slips available this 2021 season be pro-rated based on the remaining eleven (11) week season.

FURTHER, BE IT RESOLVED, if an original slipholder previously purchased a dry dock or seasonal launch pass for the 2021 season and they are renting an available slip, the Town Board hereby approves that one-half (1/2) of the previously purchased dry dock or seasonal launch pass price will be applied to the boat slip price for the remaining pro-rated amount of the boat slip (remaining eleven (11) weeks of the 2021 season).

FURTHER, BE IT RESOLVED, any dry docks purchased from this date on for the remaining eleven (11) week 2021 season will be pro-rated.

FURTHER, BE IT RESOLVED, no other rebates and/or credits will apply other than those referenced above and all other contract terms and conditions will continue to apply.

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

RESOLUTION 2021 #297 Chief of Police Salary & Benefits

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, Resolution #2021-059 appointed Gregory Szarowicz as Town of Evans Chief of Police, effective June 25, 2021; and

WHEREAS, salary and benefits are to set and approved by the Evans Town Board;
NOW, THEREFORE, BE IT RESOLVED, the Evans Town Board hereby approves an annual salary of $99,174, to be paid bi-weekly, retroactive to the date of appointment (June 16, 2021), thereafter a new contract will be negotiated for the 2022 year.

FURTHER, BE IT RESOLVED, that all current benefits remain in place in accordance with the current PBA collective bargaining agreement dated January 1, 2017 to December 31, 2020.

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

RESOLUTION 2021 #298 Mill & Resurface Patriot Court

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, the Town of Evans Highway Superintendent has not yet entered into an agreement with the Town of Evans for work to be completed on the public roads in the Town of Evans for the year 2021 pursuant to Highway Law Section 284 and,

WHEREAS, Patriot Court was previously resurfaced in 2019, and complaints were received from town residents about the resurfacing, resulting in additional work being completed to address such complaints, and

WHEREAS, additional complaints are still being received from town residents regarding the condition of Patriot Court,
THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby directs the Highway Superintendent to complete the milling and resurfacing of Patriot Court before the end of the budget year of 2021, and

BE IT FURTHER RESOLVED, that the Highway Superintendent is directed to submit a proposed agreement pursuant to Highway Law Section 284 on or before August 1, 2021, which includes the milling and resurfacing of Patriot Court.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #299 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	7/22/2021
ABSTRACT NO.	13
VOUCHER NO.	8967 - 9122
CHECK NUMBERS	82827 - 82933
APPROVED AT	Board Meeting
DATE	7/21/2021
GENERAL	$272,131.57
PART TOWN	$11,927.65
HIGHWAY DB	$122,728.51
WATER	$4,265.98
CAPITAL PROJECTS	$9,638.50
SPECIAL DISTRICTS	$495,025.00
DEBT SERVICE	

TOTAL $915,717.21

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

RESOLUTION 2021 #300 Adjournment

Supervisor Hosler moved and Councilman Schraft seconded to adjourn to Wednesday, August 4, 2021 at 6pm for a Work Session and Meeting to immediately follow.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman George 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

Jan Harrington, 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

Date 7-27-2021

Jan Harrington, Account Clerk

Signed before me this 30th day of July 2021

Notary Public

BARBARA J. MUSSO
Notary Public, State of New York
Qualified in Chautauqua County
My Commission Expires 9/4/23

PUBLIC NOTICE
TOWN OF EVANS

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Evans, Erie County, New York (the "Town"), at a meeting held on July 21, 2021 duly adopted, subject to a permissive referendum, a bond resolution, an abstract of which is set forth below.

In accordance with Article 7 of the New York State Town Law, such bond resolution will take effect thirty (30) days after the date of its adoption, unless prior to the close of such thirty-day period there is filed with the Town Clerk a petition, subscribed and acknowledged by that number of electors of the Town qualified to vote upon a proposition to raise or expend money equal to at least five percent (5%) of the total vote cast for governor in the Town in the last general election for state officers, protesting against such resolution and requesting that it be submitted for approval or disapproval by the qualified electors of the Town. If such a qualifying petition is filed, a proposition for approval of the resolution shall be submitted at a general or regular Town election in accordance with Article 7 of Town Law.

Such bond resolution was entitled:

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF EVANS, ERIE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE TOWN TO UNDERTAKE THE CONSTRUCTION AND INSTALLATION OF VARIOUS STREET LIGHTING IMPROVEMENTS IN ACCORDANCE WITH THE ENERGY PERFORMANCE CONTRACT BETWEEN THE TOWN AND JOHN W. DANFORTH COMPANY; STATING THE MAXIMUM ESTIMATED COST THEREOF IS $2,000,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO $2,000,000 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION

An abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

1. Said Town is authorized to finance construction and installation of various street lighting improvements in accordance with the Energy Performance Contract between the Town and John W. Danforth Company, as described in the Project Scope attached hereto as Exhibit I, which will be included in such Energy Performance Contract, for a total aggregate estimated maximum cost of $2,000,000. Serial bonds of the Town (including statutory installment bonds) in the principal amount of $2,000,000 are authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance said appropriation. The plan for the financing thereof shall consist of (i) the issuance of up to $2,000,000 in serial bonds of the Town authorized to be issued pursuant to the resolution, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

2. The period of probable usefulness for the aforementioned objects or purposes is determined to be thirty (30) years, pursuant to subdivision 5 of paragraph a. Section 11.00 of the Law.

3. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is authorized pursuant to Section 165.10 of the Law, for the capital purposes described in the resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of the resolution. The resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized by the resolution with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

4. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to the resolution.

5. Said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and the Town has pledged its faith and credit to the payment of the principal of and interest of said bonds.

6. The Town Board delegated to the Supervisor of the Town the powers and duties of the Town Board relative to authorizing the issuance of said bonds, and any bond anticipation notes including renewals thereof, issued in anticipation of said bonds and prescribing the terms, form and content thereof.

7. The bond resolution was determined to be subject to permissive referendum.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF EVANS, ERIE COUNTY, NEW YORK.

Dated: July 21, 2021

Town of Evans
Lynn Krajacic, Town Clerk

Task Name

Town of Evans Street Lighting Uprade

RFP Award

Internal Audit

Acquire/Audit & reconcile hardcopy utility bills
Acquire utility company inventory
Create baseline energy & maintenance costs

External (Field) Audit

Record pole mounting height, arm lenths, pole number, electrical feed, type of p ole, luminaire style, lamp type, wattage, photos

Design Engineering

Analysis of potential addition/deletion locations
Smart Controls options/adds
Generate labor/material bid spec's

Design Report

Construction Management

Internal & External Project turnover/kickoff
Order lamps/disconnects/sensors/pole labels
Issue sub-contract purchase orders
Begin townwide lighting upgrade
Generate & submit inventory change reports to utility (weekly)

Project Closeout

O&M'S

Post audit, we will then generate our design report, which will include the following:

- Executables
- Project Economics
- Cost Estimates
- Existing Conditions
- Pre-Installation Photos
- Design
- Assessment/Survey Report
- Design Assumptions
- Energy Analysis
- Estimated Energy & Cost Savings
- Project Schedule
- Cut Sheets
- Environmental Health and Safety assessment
- Customer Information and Utility Description
- Utility Rebates
- Sample Installation Schedule

As the Construction Manager to the Town, our team will then be ready to release our bid package to subcontract the actual installation of the agreed upon designs. We will identify companies to the Town that have linemen grade electrical contractors that meet the DOT requirement for roadway work. We will receive bids, review the bids, and select contractors. Once selected we will begin the implementation phase of the project.

Recommended Equipment:

During the audit equipment will be evaluated and modeled to select the appropriate technology. Wireless control options will be selected pending conversations with the Town.

Implementation Plan:

We will begin the Construction Management phase with a Kickoff meeting to address the responsibilities of the project. From there our Project Manager will manage the items in the implementation plan such as, but are not limited to:

- Permitting
- Coordination of tasks and trades
- Onsite supervision
- Ensure work adheres to the approved project design documents
- Safety inspections
- Utility coordination and coordination with the customer.

The objectives of the Pre-Construction Planning meeting are:

- Identify and introduce key players in the project.
- Review the project's scope of work and special requirements.
- Assign management responsibilities, authority, and accountability.
- Implement administrative policies and procedures for safety, quality control, resource management, and project documentation.
- Design a comprehensive and practical project schedule.
- Devise a Progression Agenda for short interval planning throughout the life of the project.

Danforth will communicate the details of the project through Town Board meetings. We will also manage a database of all customer concerns and track how they are addressed. Additionally, we will work with the Town to show progress of the project on their website. Public information sessions and progress meetings can be held in conjunction with the Town as needed.

The two most important items to consider during Pre-Construction Planning are scheduling and material handling. Minimizing double-handling and onsite storage of materials is essential to efficiency at every stage of the project. Street lighting can be ordered in such a way that it is packaged by area, zone, or street.

As the new lights are installed, they will also be labeled. We will work with the Town to determine the numbering convention they want to use and will send to National Grid. Fuses will be installed as identified during the audit in either the overhead, the base, or underground. We will send a weekly report to both the Town and to National Grid as to which lights have been removed and installed to update their inventory and billing.

With the entire project enforced within project management and to the Project Manager, we tailor custom solutions for our clients based on their needs. As the project moves forward, the next part for the Project Manager is Monitor and Control. Communicating a detailed update of the project's progress is key to making the project successful and fulfilling the client's needs. As a project is taking place, it is always in constant review by our entire Danforth Team. We ensure that we are communicating with clarity so that all parties are informed with what is exactly happening within a project. Our team is aware that changes happen within projects, that is why we implement constant communication, so we can keep everyone on the same page. As certified instructors for Project Management Training by the Mechanical Contractors Association of America (MCAA), our team is well versed in the steps necessary for a successful project.

At the conclusion of the project, our Project Manager completes a Project Closeout, meaning that any open punch list items are completed, closeout documents are submitted and a certificate of substantial completion is executed. After the project has been completed, we maintain open communications with the customer to address any warranty items and also make sure any training on equipment for the customer is provided and completed. Our vast experience in Construction Management has taught us that the keys to a superior successful project are as follows:

- Good Kickoff and description of scope
- Good communication with client regarding schedule and project goals – clear expectations are known by all parties.
- Boots on the ground approach when managing subcontractors to assure work is executed timely and at the highest quality.
- Safety and job site clean-up.

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

Name of Action or Project:
Kathleen Gallagher

Project Location (describe, and attach a location map):
Erie Road between Lake & Commercial Streets

Brief Description of Proposed Action:
Minor Subdivision - Dividing a 36.94+/- acre parcel with 463.24+/- feet of frontage on Erie Road, Angola, NY to create three lots; a 29.43+/- acre parcel with 300.93+/- feet of frontage on Erie Road, a 3.46+/- acre parcel with 81.67+/- feet of frontage on Erie Road and a 4.05+/- acre parcel with 80.64+/- feet of frontage on Erie Road.

Name of Applicant or Sponsor:	Telephone: 716-604-2590
Kathleen Gallagher	E-Mail: kgallagher8@verizon.net

Address:		
39 Wiesner Road		
City/PO: Lackawanna	State: New York	Zip Code: 14218

	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 government Agency? If Yes, list agency(s) name and permit or approval:	☑	☐

3. a. Total acreage of the site of the proposed action? 36.94+/- 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? 36.94+/- acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

5. ☐ 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 services available at or near the site of the proposed action?	☑	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the 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: _____ _____	☐	☑	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	☑	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☑	☐	
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 plan?	☑	☐
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?	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☑	☐
If Yes, briefly describe:		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	☑	☐
If Yes, explain the purpose and size of the impoundment:		
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 CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: _____ Date: 6-30-21

Signature: Kathleen Gallagher Title: _____

PRINT FORM