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 Wolf	Deputy Town Clerk
	Kenneth Farrell	Town Attorney

RESOLUTION 2021 #238 Executive Session

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS: the Evans Town Board wishes to enter Executive Session, and;

BE IT RESOLVED: that the public shall be excluded from discussion of and action upon hereinafter specified subject matter.
The general nature of the subject matter to be discussed as follows: Litigation and the employment history of particular Individual.
NOW THEREFORE BE IT RESOLVED: Ken Farrell, Town Attorney, Mike Franey President, IBEW Local 41 and Jason Brown, Assistant Business Manager, IBEW Local 41 are invited to attend the Evans Town Board Executive Session.

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

RESOLUTION 2021 #239 Accept Minutes

Supervisor Hosler moved and Councilman Schraft seconded that the reading of the minutes of June 2, 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 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 June 6, 2018 at 7:10 P.M. at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 to consider the adoption of Proposed Local Law #3 of the year 2018, which will amend Local Law #5 of the year 2000, commonly known as Property Maintenance,

and any amendments thereto, specifically Town Code Section 149-5: Property maintenance standards.

Copies of the Proposed Local will be available for inspection by any interested person 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 2021 #240 Open the Public Hearing

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

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

There was nobody wishing to speak in favor or opposition

RESOLUTION 2021 #241 Close the Public Hearing

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

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

RESOLUTION 2021 #242 SEQR Lead Agency

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, Kathleen Gallagher has requested the Town Board of the Town of Evans rezone SBL#'s 235.00-3-22.111 and 235.00-3-22.3 and the front portion of SBL# 235.00-3-22.12, three vacant parcels located on Erie Road from General Business (GB) to Residential Two-Family (R2) for a proposed subdivision for the construction of three single family homes; and

WHEREAS, the Evans Planning Board unanimously recommended approval of the above-referenced petition for rezone at their May 26, 2021 Planning Board as set forth in Proposed Local Law #3 of the year 2021; and

WHEREAS, the Town Board of the Town of Evans desires to be Lead Agency for the SEQR process regarding said rezone;

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Evans shall be the Lead Agency for the SEQR process for proposed Local Law #3 of the year 2021;

AND BE IF 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 #243 SEQR Negative Declaration

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, Kathleen Gallagher has requested the Evans Town Board rezone SBL#'s 235.00-3-22.111 and 235.00-3-22.3 and the front portion of SBL# 235.00-3-22.12, three vacant parcels located on Erie Road from General Business (GB) to Residential Two-Family (R2) for a proposed subdivision for the construction of three single family homes; and

WHEREAS, the Evans Planning Board unanimously reccmmended approval of the above-referenced petition for rezone at their May 26, 2021 Planning Board meeting as set forth in Proposed Local Law #3 of the year 2021; and

WHEREAS, the Town Board of the Town of Evans has declared Lead Agency for the SEQR process; and

WHEREAS, the Town Board of the Town of Evans has reviewed the Environmental Assessment Form and has determined that the rezoning of this property will not result in any significant impacts to the environment.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans issues a negative declaration in accordance with the SEQR requirements for the rezone of SBL#'s 235.00-3-22.111 and 235.00-3-22.3 and the front portion of SBL# 235.00-3-22.12, three vacant parcels located on Erie Road from General Business (GB) to Residential Two-Family (R2) for a proposed subdivision for the construction of three single family homes;

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 #244 Adopt Local Law #3 of 2021 - Gallagher

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, Kathleen Gallagher has requested the Evans Town Board rezone SBL#'s 235.00-3-22.111 and 235.00-3-22.3 and the front portion of SBL# 235.00-3-22.12, three vacant parcels located on Erie Road from General Business (GB) to Residential Two-Family (R2) for a proposed subdivision for the construction of three single family homes; and

WHEREAS, notice of the proposed Amendment was duly advertised and notice provided in writing to owners of land immediately adjacent to the land affected by said amendment extending 500-feet therefrom and of that directly opposite thereto extending 500-feet from the street frontage of such opposite land to be rezoned; and

WHEREAS, the Evans Town Board held a public hearing to consider Proposed Local Law #3 of the year 2021 on June 16, 2021 at 7:10pm via a Zoom Public meeting; and

WHEREAS, the Town of Evans Planning Board has recommended the rezoning of said property based on the following reasons:

- The project will constitute the use of an underutilized property; and
- The action is not expected to result in any significant adverse impacts; and
-

WHEREAS, the Evans Planning Board recommends the following condition be placed on the approval of this action:

- Receipt by the Planning Board of four (4) revised, stamped and signed surveys clearly outlining each separate parcel to be rezoned, including the front potion of SBL# 235.00-3-22.12, as well as deed descriptions for each parcel.

WHEREAS, the Town Board of the Town of Evans approves the conditioned approval as recommended by the Evans Planning Board; 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 Proposed Local Law #3 of the year 2021, as amended, which will amend Local Law #8 of the year 1987, commonly known as the Zoning Law, and any amendments thereto, specifically Town Code Chapter 200: Zoning, Section 200-4(B) - Provision for Official Zoning Map, for the purpose of rezoning SBL#'s 235.00-3-22.111 and 235.00-3-22.3 and the front portion of SBL# 235.00-3-22.12, three vacant parcels located on Erie Road from General Business (GB) to Residential Two-Family (R2) for a proposed subdivision for the construction of three single family homes on the Town's official zoning map be adopted as Local Law # 3 of the year 2021;

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

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

Communications

William Smith, Director of Planning: Minor Subdivision - dividing a 62.278± acre parcel to create a 17.237± acre parcel and a 45.041± acre vacant parcel located at 1072 Sturgeon Point Rd., Angola, NY 14006, SBL# 206.00-5-37. Petitioner: David J. & Theresa M. DiPietro, 16 Nye Hill Rd., East Aurora, NY 14052

RESOLUTION 2021 #245 SEQR Negative Declaration - DiPietro

Supervisor Hosler moved and Councilman George seconded,

WHEREAS, minor subdivisions are unlisted SEQR actions, and

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

WHEREAS, in a letter dated June 11, 2021, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the David and Theresa DiPietro 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 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 David and Theresa DiPietro Minor Subdivision. (Addendum A SEQR Short Environmental Assessment Form),

a division of SBL# 206.00-5-37, dividing a 62.278± acre parcel to create:

1. a 17.237± acre parcel with 790± feet of frontage on Sturgeon Point Road, and
2. a 45.041± acre vacant parcel with 1,744.96± feet of frontage on Sturgeon Point Road and 1,491.90± feet of frontage on Delamater Road.

Petitioner: David J. and Theresa M. DiPietro, 16 Nye Hill Road, East Aurora, NY 14052

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 #246 Minor Subdivision Approval - DiPietro

Councilman Schraft moved and Supervisor Hosler seconded,
WHEREAS, in a letter dated June 11, 2021 the Town of Evans Minor Subdivision Review Committee has completed a review and recommended approval, and

WHEREAS, the Evans Town Board, as Lead Agency, 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 David and Theresa DiPietro Minor Subdivision,

a division of SBL# 206.00-5-37, dividing a 62.278± acre parcel to create:

1. a 17.237± acre parcel with 790± feet of frontage on Sturgeon Point Road, and
2. a 45.041± acre vacant parcel with 1,744.96± feet of frontage on Sturgeon Point Road and 1,491.90± feet of frontage on Delamater Road.

Petitioner: David J. and Theresa M. DiPietro, 16 Nye Hill Road, East Aurora, NY 14052

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 #247 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 May 2021:

Town Clerk Report	$36,619.22
Interest	$ .81
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 #248 Appointment of Full Time Police Officer

Supervisor Hosler moved and Councilman Schraft seconded,

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

WHEREAS, Shauna McCarthy meets the requirements needed to become a full-time police officer; and

NOW, THEREFORE BE IT RESOLVED, that effective immediately, Shauna McCarthy is hereby appointed as a full-time police officer, pending Civil Service approval; and

FURTHER, BE IT RESOLVED, all other relative issues, rules and regulations will be understood to all parties subject to Civil Service Law and the Evans Police Benevolent Association collective bargaining agreement.

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

RESOLUTION 2021 #249 Appointment of Clerk Typist (Police Dept)

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, due to retirement there is an opening for a full time Clerk Typist in the Evans Police Department; and

WHEREAS, Nicole Sullivan is currently employed as a part time clerk for the Town of Evans Police Department; and

WHEREAS, Nicole Sullivan is currently on the Civil Service List for Clerk Typist meets all the requirements of Civil Service; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Evans hereby appoints Nicole Sullivan, effective July 5, 2021, to the full time position of Clerk Typist 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 and the International Brotherhood of Electrical Workers (IBEW) collective bargaining agreement.

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

RESOLUTION 2021 #250 Authorize Town Justice to Attend NYS Magistrates Conference

Supervisor Hosler moved and Councilman George seconded,

WHEREAS; Town Justice Moira Cooper 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 Moira Cooper, 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 #251 Authorization of Insurance Coverage (Cyber Coverage)

Councilman George moved and Councilman Schraft seconded,

WHEREAS, the Town of Evans would like to obtain insurance coverage, more specifically for Cyber coverage; and

WHEREAS, the Evans Agency has obtained side-by-side comparisons for Town Board review and discussion; and

WHEREAS, the Town of Evans desires to obtain the additional Cyber coverage;

NOW THEREFORE BE IT RESOLVED, that the Supervisor of the Town of Evans is authorized to execute any and all documentation/agreement and any other related documents for the insurance policy upon the approval of the Town attorney.

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

RESOLUTION 2021 #252 Authorize Assessor to Attend the New York State Assessor's Association Executive Board Meeting and New York State 2021 Cornell Seminar on Appraising

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS; the Assessor Jeneen Hill 1st Vice President of the New York State Assessors' Association requests permission to attend the New York State Assessors' Association Executive Board Meeting and the 2021 Cornell Seminar on Appraising; and

WHEREAS; said New York State Assessors' Association Executive Board meeting and the 2021 Cornell Seminar on Appraising will be held in Ithaca, New York from July 9 -14, 2021; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Assessor Jeneen Hill, to attend said New York State Assessors' Association as the 1st Vice President expenses attributed to the New York State Assessors' Association Executive Board meeting will be paid by the New York State Assessors' Association said conference and all appropriate and reasonable expenses shall be paid by the Town and in part reimbursable by the Town of Collins, North Collins and New York State Office of Real Property for continuing education, not to exceed $950.00.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #253 Appointment of Seasonal Part Time and Part Time Employees

Councilman Schraft moved and Councilman George seconded,

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

NAME	TITLE	HIRE DATE	HOURLY RATE
Robert Watts	Seasonal PT Gate Guard	6/7/2021	$12.50
Donald Webster	Seasonal PT Gate Guard	6/11/2021	$12.50
Benjamin Vail	Seasonal PT Gate Guard	6/11/2021	$12.50
Joseph Zubricky	Seasonal PT Gate Guard	6/11/2021	$12.50
Noah Birkemeier	Seasonal PT Gate Guard	6/11/2021	$12.50
Brennen Hering	Seasonal PT Gate Guard	6/14/2021	$12.50
Dale Zielonka	Seasonal PT Gate Guard	6/14/2021	$12.50
Dylan Cybulski	Seasonal PT Laborer	6/9/2021	$13.50
Talia Wright	Seasonal Lifeguard (Captain)	6/26/2021	$15.70
Benjamin Rinehart	Seasonal Head Lifeguard	6/26/2021	$13.50
Alex Bauer	Seasonal Head Lifeguard	6/26/2021	$13.50
Paris Smith	Seasonal Head Lifeguard	6/26/2021	$13.50

Sophia Genovese	Seasonal Lifeguard	6/26/2021	$12.50
Gabriella Dynas	Seasonal Lifeguard	6/26/2021	$12.50
Jeremy Stottlar	Seasonal Lifeguard	6/26/2021	$12.50
Deanna Wilson	Seasonal Lifeguard	6/26/2021	$12.50
Aiden Cohen	Seasonal Lifeguard	6/26/2021	$12.50
Erin Vanderzyden	Seasonal Lifeguard	6/26/2021	$12.50
Joshua Merritt	Seasonal Lifeguard	6/26/2021	$12.50
Izzy Marchitte	Seasonal Lifeguard	6/26/2021	$12.50
Alexzander Hassan	Seasonal Lifeguard	6/26/2021	$12.50

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #254 Oppose Demolition of Skyway

Supervisor Hosler moved and Councilman George seconded,

WHEREAS; the Town of Evans, including the Village of Angola, is a thriving and vital community engaged in initiatives targeting revitalization, including economic and waterfront, and

WHEREAS; given the Town of Evans is located south of the City of Buffalo, the Route 5 and Skyway corridor provides an efficient transportation route and connectivity to the City of Buffalo and points beyond essential to ongoing revitalization efforts, and

WHEREAS, removal of the Skyway Bridge or restricting vehicle traffic from the bridge would result in significant hardships for the residents and businesses of Evans and the Southtowns;

NOW, THEREFORE, BE IT RESOLVED, the Evans Town Board affirms the Skyway Bridge as essential to the community for commerce, revitalization, access to employment, public safety, and efficient travel to points north, and opposes its removal or restrictions to vehicle use, and

BE IT FURTHER RESOLVED, the Evans Town Board will hold a Public Forum at its July 21st Town Board meeting at 7:10pm to afford the public additional opportunity to express their position on this issue; and

BE IT FURTHER RESOLVED, the Town Board calls upon the New York State Department of Transportation (NYSDOT) to convene a public meeting within the next thirty (30) days to outline its plans, relative to the demolition of prohibition of vehicular traffic on the Route 5 Skyway Bridge and to hear from Southtowns residents relative to their questions or concerns regarding the same; and

BE IT FURTHER RESOLVED, that certified copies of this resolution be sent to the NYSDOT, Town Boards of Brant, Collins, Eden, Hamburg and North Collins along with the Boards of the City of Lackawanna and Villages of Blasdell and Hamburg and in addition to United States

Congressman Brian Higgins and Christopher Jacobs, New York State Senators Timothy Kennedy and Sean Ryan and New York State Assemblyman David DiPietro.

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

RESOLUTION 2021 #255 Advertise for Public Forum - Demolition of Skyway Bridge

Supervisor Hosler moved and Councilman George seconded,

WHEREAS, the Evans Town Board authorizes the Town Clerk to advertise for a public forum to be held 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.

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

RESOLUTION 2021 #256 Change Employment Status

Councilman George moved and Supervisor Hosler seconded,

BE IT RESOLVED, effective June 19, 2021 until July 22, 2021, Sarah Whipple, Principal Personnel Clerk will change employment status with the Town of Evans from full time to part time, working up to 19.5 hours per week at a rate of $26.44 per hour, for the purpose of processing payroll and training.

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

RESOLUTION 2021 #257 Executive Session

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS: the Evans Town Board wishes to enter Executive Session, and;

BE IT RESOLVED: that the public shall be excluded from discussion of and action upon hereinafter specified subject matter.
The general nature of the subject matter to be discussed as follows: employment history of particular Individuals relating to promotion.

NOW THEREFORE BE IT RESOLVED: Ken Farrel, Town Attorney, Michael Masullo, Gregory Szarowicz and Peter Smith are invited to attend the Evans Town Board Executive Session.

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

RESOLUTION 2021 #258 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 #259 Appointment of Police Chief

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, a vacancy exists in the position of Chief of Police for the Town of Evans Police Department by reason of retirement; and

WHEREAS, a Civil Service list of eligible candidates was obtained by the Town of Evans for the Chief of Police position and those candidates were canvassed for the position according to Civil Service procedure; and

WHEREAS, all candidates were individually interviewed by the Evans Town Board and thereafter interviewed by panel of qualified impartial professionals, whereby a recommendation was given based on those interviews; and

WHEREAS, all candidates were requested to submit a 5-month plan as to their vision as Chief of Police pursuant to the Town of Evans Police Department, in which all complied;

NOW, THEREFORE, BE IT RESOLVED, that, effective immediately, Gregory Szarowicz is hereby appointed Interim Chief of Police for purposes of training with the current Chief of Police Doug Czora, at a rate of pay to be agreed to between the Town of Evans and the Interim Chief of Police; and

BE IT FURTHER RESOLVED, that effective June 25, 2021, Gregory Szarowicz is hereby officially appointed Chief of Police subject to any probationary period authorized by Civil Service Law; and

BE IT FURTHER RESOLVED, that upon completion of any probationary period authorized by Civil Service Law, the Town of Evans and the Chief of Police will negotiate the terms and conditions of salary and benetits, to be reduced to a written contract; and

BE IT FURTHER 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 #260 Approve Town Licenses

Councilman Schraft moved and Supervisor Hosler seconded,

1.) Matt Shaw D/B/A Skylighters - 8926 Lake Shore Road - Fireworks
2.) Matt Shaw D/B/A Skylighters - 8686 Lake Shore Road - Fireworks

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 #261 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	6/17/2021
ABSTRACT NO.	12
VOUCHER NO.	8858 - 8928
CHECK NUMBERS	82740 - 82797
APPROVED AT	Board Meeting
DATE	6/16/2021
GENERAL	$148,492.30
PART TOWN	$9,837.11
HIGHWAY DB	$99,607.24
WATER	$2,730.00

CAPITAL PROJECTS	
SPECIAL DISTRICTS	$56,485.22
DEBT SERVICE	
TOTAL	$317,151.87

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #262 Adjournment

Supervisor Hosler moved and Councilman Schraft seconded to adjourn to Wednesday, July 21, 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 6-4-2021

Jan Harrington, Account Clerk

Signed before me this 4th day of June 2021

Barbara J. Musso

Notary Public

BARBARA J. MUSSO
Notary Public, State of New York
Qualified in Chautauqua County
My Commission Expires 3/4/23

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 **June 16, 2021 at 7:10 P.M.** via a Zoom Public Meeting to consider the adoption of Proposed Local Law #3 of the year 2021 which will amend Local Law #8 of the year 1987, commonly known as the Zoning Law and any amendments thereto, specifically Town Code Chapter 200: Zoning, Section 200-4(B) – Provision for Official Zoning Map, for the purpose of rezoning three vacant parcels located on Erie Road (a.k.a. NY Route 5) between Lake and Commercial Streets, Angola, NY 14006; SBL# 235.00-3-22.3, SBL# 235.00-3-22.111 and the front portion of SBL# 235.00-3-22.12 from General Business (GB) to Residential Two-Family (R2) on the Town's official map. Copies of the Proposed Local Law will be available for inspection by any interested person in the Office of the Town Clerk during normal business hours Monday, Tuesday, Thursday, Friday from 8am – 4pm or Wednesday from 9am – 5pm and the Town's website www.townofevans.org on or after June 4, 2021. Questions and comments may be forwarded to the Planning Office by USPS or by email to planning@townofevans.org; any written questions or comments forwarded to the Planning Department will be included in the record of the Public Hearing. All parties in interest and citizens shall have an opportunity to be heard by the Town Board at the Zoom Public Hearing to be held aforesaid.

By Order of the Town Board of the Town of Evans
Lynn M. Krajacic RMC
Town Clerk
168046 June 4, 2021

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:
SPLITTING OFF EXISTING HOME WITH 17 ACRES FROM ENTIRE 62.5 ACRES

Project Location (describe, and attach a location map):
1072 STURGEON PT RD

Brief Description of Proposed Action:
SPLITTING OFF THE EXISTING HOME AT NW CORNER OF LOT. HOME PLUS 17+/- ACRES ... SELLING. THE REMAING 45+/ACRES IS FIELD & FARMLAND.

Name of Applicant or Sponsor:	Telephone: 716 · 913 - 2334
DAVID DIPIETRO	E-Mail: DIPIETRO78@GMAIL.COM

Address:
16 NYE HILL RD.

City/PO:	State:	Zip Code:
EAST AURORA	NY	14052

	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:	☒	☐

3.a. Total acreage of the site of the proposed action?	62.5 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?	62.5 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☒ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)
☐ Forest ☒ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☒	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO ☒	YES ☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies:	NO ☐	YES ☒	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: PUBLIC WATER ALREADY PROVIDED	NO ☐	YES ☒	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO ☐	YES ☒	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO ☒	YES ☐	
b. Is the proposed action located in an archeological sensitive area?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO ☒	YES ☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☒	☐	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☒ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban			
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?	NO ☒	YES ☐	
16. Is the project site located in the 100 year flood plain?	NO ☒	YES ☐	
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	NO ☒	YES ☐	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES			

Agency Use Only [If applicable

Project: DiPietro, D Minor Subdivision

Date: June 16, 2021

Short Environmental Assessment Form
Part 2 - Impact Assessment

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

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

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	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: DAVID J. DIPIETRO Date: 2/2/2021

Signature: _____

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Agency Use Only [If applicable]
Project: DiPietro, D Minor Sub
Date: June 16, 2021

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.

The proposed action will not result in any significant adverse impacts to the environment, as it is a minor subdivision of land only.

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

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

Town of Evans	June 16, 2021
Name of Lead Agency	Date
Mary K. Hosler	Supervisor, Town of Evans
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Mary K. Hosler	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

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