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 #125 Accept Minutes***

Supervisor Hosler moved and Councilman Schraft seconded that the reading of the minutes of February 17, 2021 be dispensed with and accepted as submitted by the Town Clerk.

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

***Communications***

Supervisor Hosler reported that the Supervisor's December 2020 and January 2021 Monthly Report has been made to the Town Board and a copy was filed with the Town Clerk's Office.

William B. Smith Director of Planning & Community Development RE: Minor Subdivision Review - dividing a 2.7± acre parcel on Iroquois & Seneca Streets, Angola, NY, located at 9055 Iroquois Street, SBL# 234.20-5-18, to create four parcels; an 0.36± acre vacant parcel, a 0.36± acre vacant parcel and a 0.37± acre vacant parcel with road frontages on Iroquois Street and a 1.36± acre parcel with road frontage on Seneca Street. Petitioner: James & Carol Widger, 7378 Townline Road, Derby, NY 14047.

***RESOLUTION 2021 #126 SEQR Lead Agency***

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 February 26, 2021, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the James & Carol Widger 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 James & Carol Widger Minor Subdivision.
(Addendum A SEQR Short Environmental Assessment Form),

a division of SBL# 234.20-5-18, dividing a 2.7± acre parcel to create:

1. an 0.36± acre vacant parcel with 70± feet of frontage on Iroquois Street,
2. a 0.36± acre vacant parcel with 70± feet of frontage on Iroquois Street,
3. a 0.37± acre vacant parcel with 88± feet of frontage on Iroquois Street, and
4. a 1.36± acre parcel with 135± feet of frontage on Seneca Street.

Petitioner: James & Carol Widger, 7378 Townline Road, Derby NY 14047

AND BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Office.

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

***RESOLUTION 2021 #127 Approval of Minor Subdivision - Widger***

Supervisor Hosler moved and Councilman George 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 James & Carol Widger Minor Subdivision,

a division of SBL# 234.20-5-18, dividing a 2.7± acre parcel to create:

1. an 0.36± acre vacant parcel with 70± feet of frontage on Iroquois Street,

2. a 0.36± acre vacant parcel with 70± feet of frontage on Iroquois Street,
3. a 0.37± acre vacant parcel with 88± feet of frontage on Iroquois Street, and
2. a 1.36± acre parcel with 135± feet of frontage on Seneca Street.

Petitioner: James & Carol Widger, 7378 Townline Road, Derby, NY 14047

AND BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Office.

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

***RESOLUTION 2021 #128 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 February 2021:

| | |
|---|---|
| Town Clerk Report | $20,013.93 |
| Interest | $.60 |
| Greenspace Fee | $ 0 |
| Petty Cash | $650.00 |

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

***RESOLUTION 2021 #129 Appointment of Part Time Dispatcher***

Councilman George moved and Supervisor Hosler seconded,

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

WHEREAS, Curt Young is currently a volunteer Fire Fighter with the Angola Volunteer Fire Company and the Deputy Emergency Coordinator for the Village of Angola; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Curt Young, effective immediately, to the position of part time Police Dispatcher 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 #130 Declare Surplus Vehicle - Police***

Councilman Schraft moved and Councilman George seconded,

RESOLVED, that the following police vehicle is hereby declared surplus equipment and will be sold at auction with proceeds being deposited in the Town's General Fund account:

2013 Ford Taurus VIN: 1FAHP2M80DG130583

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

***RESOLUTION 2021 #131 Suspend the Rules of Order***

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

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

***RESOLUTION 2021 #132 Enter into Agreement with Biels Information Technology***

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, the contract for services between the Town of Evans and Biel's Information Technology Systems Corporation Software Support Agreement will expire on April 16, 2021; and

WHEREAS, pursuant to the terms of the aforementioned contract, the Town of Evans will enter into an agreement for a period of one (1) year, April 17, 2021 through April 16, 2022, in the amount of $1,968.75;

NOW, THEREFORE, BE IT RESOLVED, that Supervisor Mary K. Hosler is hereby authorized to execute any documents necessary to enter into the above referenced agreement for a period of

one (1) year from its expiration (April 17, 2021 through April 16, 2022), upon approval of the Town Attorney.

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

***RESOLUTION 2021 #133 Approve Fees for Pavilion/Shelters***

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, the Shelter/Pavilion Reservation day has been established as Saturday, March 13, 2021;

BE IT RESOLVED, that there are no changes/increases to the pavilion and shelter fees from the 2020 rates and are hereby approved by the Evans Town Board for the calendar year 2021.

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

***RESOLUTION 2021 #134 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 | 3/4/2021 |
| ABSTRACT NO. | 5 |
| VOUCHER NO. | 8372 - 8440 |
| CHECK NUMBERS | 82346 - 82400 |
| APPROVED AT | Board Meeting |
| DATE | 3/3/2021 |
| GENERAL | $137,609.67 |
| PART TOWN | $6,539.10 |
| HIGHWAY DB | $48,034.61 |
| WATER | $5,291.37 |
| CAPITAL PROJECTS | $0.00 |
| SPECIAL DISTRICTS | $589,510.49 |

DEBT SERVICE

TOTAL $786,985.24

difference of $302 because of deleted voucher

VOTE RESULT: ADOPTED BY ROLL CALL

| | |
|---|---|
| Councilman Schraft | Aye |
| Councilman George | Aye |
| Supervisor Hosler | Aye |

***RESOLUTION 2021 #135 Adjournment***

Supervisor Hosler moved and Councilman Schraft seconded to adjourn to Wednesday, March 17, 2021 at 6:00pm for a Work Session and Board Meeting to 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

# *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:**
Carol & James Widger Minor Subdivision

**Project Location (describe, and attach a location map):**
9055 Iroquois Rd. Angola N.Y. 14006

**Brief Description of Proposed Action:**
Subdividing 2.7 acre parcel on Iroquois Rd. Angola SBL #234.20-5-18 creating four parcels a .36+/- acre parcel a .36+/- acre parcel both with 70' Frontage on Iroquois a .37+/- ac. parcel with 88' of frontage on Iroquois and a 1.36+/- acre 135 on Seneca St

**Name of Applicant or Sponsor:**
Carol & James Widger

**Telephone:** (716) 880-4444/716 860-3872

**E-Mail:** evansnursery83@gmail.com

**Address:**
7378 Townline Rd.

**City/PO:** Derby

**State:** N.Y.

**Zip Code:** 14047

| | NO | YES |
|---|---|---|
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. | ☒ | ☐ |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: | ☒ | ☐ |

3.a. Total acreage of the site of the proposed action? 2.7 acres
b. Total acreage to be physically disturbed? 1.0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

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

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

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

| | NO | YES |
|---|---|---|
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? | ☑ | ☐ |
| 16. Is the project site located in the 100 year flood plain? | ☑ | ☐ |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☒ NO ☐ YES | ☑ | ☐ |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES | | |

| | NO | YES |
|---|---|---|
| 18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?<br>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?<br>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?<br>If Yes, describe: _____ | ☑ | ☐ |

**I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor name: James B Wiley James B. Wiley Date: Feb. 5, 2021

Signature: _____

PRINT FORM

**Agency Use Only [If applicable]**

**Project:** Widger, J Minor Subdivision

**Date:** March 3, 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:<br>a. public / private water supplies? | ☑ | ☐ |
| b. public / private wastewater treatment utilities? | ☑ | ☐ |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? | ☑ | ☐ |
| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? | ☑ | ☐ |
| 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? | ☑ | ☐ |
| 11. Will the proposed action create a hazard to environmental resources or human health? | ☑ | ☐ |

PRINT FORM

Agency Use Only [If applicable]
Project: Widger, J Minor Sub
Date: March 3, 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 | March 3, 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) |

PRINT FORM