Evans Town Board

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

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

RESOLUTION 2022 #103 Accept Minutes

Supervisor Hosler moved and Councilman Schraft seconded that the reading of the minutes of the Organizational Meeting and the February 2, 2022 meeting be dispensed with and accepted as submitted by the Town Clerk.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Reitz	Aye
	Councilman Macko	Aye
	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 February 16, 2022 at 7:10 P.M. via a Zoom and/or In-person Public Meeting to consider the adoption of Proposed Local Law #1 of the year 2022 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 a 0.09± acre vacant parcel on Lemon Street, SBL# 250.08-5-47, located to the rear of 515 Herr Road, Angola, NY 14006 from Residential Two-Family (R2) to Neighborhood Business (NB) 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 February 4, 2022. 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
Town Clerk

RESOLUTION 2022 #104 Open the Public Hearing

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

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

Brandy Lombardo spoke about the Project

RESOLUTION 2022 #105 Close the Public Hearing

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

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

RESOLUTION 2022 #106 SEQR Lead Agency - Lombardo

Councilman Schraft moved and Supervisor Hosler seconded;

WHEREAS, Brandy Lombardo has requested that the Town Board of the Town of Evans rezone a 0.09± acre vacant parcel from Residential Two-Family (R2) to Neighborhood Business (NB) for the purpose of operating a convenience/deli store with expanded parking and outside seating located on Lemon Street, SBL# 250.08-5-47 and adjacent to 515 Herr Road, Angola, NY, SBL# 250.08-5-47; and

WHEREAS, Ms. Lombardo previously operated the Deli O's convenient store/deli at the adjacent 515 Herr Road and now wishes to rebuild and expand the business on the site by merging with the adjacent parcel on Lemon Street; and

WHEREAS, the Evans Planning Board unanimously recommended approval of the above-referenced petition for rezone at their January 26, 2022 Planning Board meeting as set forth in Proposed Local Law #1 of the year 2022; 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 #1 of the year 2022;

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

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Reitz	Aye
Councilman Macko	Aye
Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2022 #107 SEQR Negative Declaration - Lombardo

Supervisor Hosler moved and Councilman George seconded;

WHEREAS, Brandy Lombardo has requested that the Town Board of the Town of Evans rezone a 0.09± acre vacant parcel from Residential Two-Family (R2) to Neighborhood Business (NB) for the purpose of operating a convenience/deli store with expanded parking and outside seating located on Lemon Street, SBL# 250.08-5-47 and adjacent to 515 Herr Road, Angola, NY, SBL# 250.08-5-1; and

WHEREAS, the Evans Planning Board unanimously recommended approval of the above-referenced petition for rezone at their January 26, 2022 Planning Board meeting as set forth in Proposed Local law #1 of the year 2022; 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 a 0.09± acre vacant parcel from Residential Two-Family (R2) to Neighborhood Business (NB) for the purpose of operating a convenience/deli store with expanded parking and outside seating located on Lemon Street, SBL# 250.08-5-47 and adjacent to 515 Herr Road, Angola, NY, SBL# 250.08-5-1;

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

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Reitz	Aye
Councilman Macko	Aye
Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2022 #108 Approval of Proposed Local Law 1 - Rezone

Councilman George moved and Supervisor Hosler seconded;

WHEREAS, Brandy Lombardo has requested that the Town Board of the Town of Evans rezone a 0.09± acre vacant parcel from Residential Two-Family (R2) to Neighborhood Business (NB) for the purpose of operating a convenience/deli store with expanded parking and outside seating located on Lemon Street, SBL# 250.08-5-47 and adjacent to 515 Herr Road, Angola, NY, SBL# 250.08-5-47; 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 100-feet therefrom and of that directly opposite thereto extending 100-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 #1 of the year 2022 on February 16, 2022 at 7:10pm via a Zoom and In-person Public meeting; and

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

- The action is consistent with the Town of Evans Comprehensive Plan
- 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, any future development of this parcel to be rezoned is subject to a full site plan application submittal, review and approval by the Planning Board and any landscaping, drainage, parking, lighting, setbacks, building heights and any other design elements shall follow the requirements of Evans Town Code, 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 #1 of the year 2022, 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 the 0.09± acre vacant parcel located on Lemon Street, SBL# 250.08-5-47, and adjacent to 515 Herr Road, Angola, NY from

Residential Two-Family (R2) to Neighborhood Business (NB) on the Town's official zoning map be adopted as Local Law # 1 of the year 2022;

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 Reitz	Aye
	Councilman Macko	Aye
	Councilman Schraft	Aye
	Councilman George	Aye
	Supervisor Hosler	Aye

RESOLUTION 2022 #109 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 January 2022:

Town Clerk Report	$24,145.53
Interest	$.47
Greenspace Fee	$700.00
Petty Cash	$650.00

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

RESOLUTION 2022 #110 Lake Erie Beach Multi-Use Trail Agreement for Engineering Services

Councilman Schraft moved and Supervisor Hosler seconded;

WHEREAS, the Lake Erie Beach Multi-Use Trail ("the Project") involves the design and construction of a pathway along Lake Shore Road, spanning approximately 2,160 linear feet (0.4 miles) between AJ Schmidt Elementary School and the Point Breeze Drive entrance to Lake Erie Beach Park in the Town of Evans; and

WHEREAS, the Project is a key element to aid in achieving the community's vision for the future revitalization of the Lake Erie Beach neighborhood; and

WHEREAS, the Town has received funding for the Project from the Erie County Community Development Block Grant Program in the amount of $200,000 and the Smart Growth Program in the amount of $325,000; and

WHEREAS, the surveying and design work for the portion of the Project from Kennedy Avenue

to AJ Schmidt Elementary was conducted by the Town's engineering firm Clark Patterson Lee using dollars obtained from the Ralph C. Wilson, Jr. Fund and is currently under review with Erie County; and

WHEREAS, a scope of work and cost proposal to conduct the remaining survey, design, bidding and construction administration for the Project in the amount of $17,000 has been provided by Principal Associate Steven Tanner of Clark Patterson Lee and is attached to this resolution; and

NOW, THEREFORE BE IT RESOLVED, that Mary Hosler, as Supervisor of the Town of Evans, is hereby authorized and directed to enter into and execute a project agreement with Clark Patterson Lee in an amount not to exceed $17,000 to perform the remaining survey, design, bidding and construction administration for the Project.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Reitz	Aye
Councilman Macko	Aye
Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2022 #111 Advertise for RFP for 2022 Emergency Tree Removal Services

Councilman George moved and Supervisor Hosler seconded;

WHEREAS, the Town of Evans is issuing a Request for Proposals (RFP) for the 2022 Emergency Tree Removal Services for the purpose of removing Town owned trees from Town property and completing stump grinding afterwards; and

WHEREAS, a full copy of the Request for Proposal shall be available by emailing the Consulting Town Engineer from Clark Patterson Lee, Steve Tanner at stanner@cplteam.com;

RESOLVED, the Evans Town Board shall authorize the Town Clerk to advertise a Request for Proposal regarding the above reference project; and

BE IT FURTHER RESOLVED, that sealed proposals are due to the Town of Evans Town's Clerk Office at 8787 Erie Road, Angola, NY 14006 by 2:00 p.m. (local time) on Tuesday, March 15, 2022; and

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Reitz	Aye
Councilman Macko	Aye
Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2022 #112 Appointment to Erie County Environmental Management Council

Councilman Reitz moved and Supervisor Hosler seconded;

WHEREAS, the Erie County Environmental Management Council (ECEMC) is composed of representatives from Conservation Advisory Committees (CAC's) in the County and 12 at-large appointments made by the County Executive; and

WHEREAS, members of the ECEMC advise the County Executive and County Legislature regarding a variety of environmental concerns; and

WHEREAS, the Council also facilitates networking among towns and villages and provides an interface between local conservation boards and the Erie County Department of Environment and Planning;

NOW, THEREFORE, BE IT RESOLVED, that the Evans Town Board hereby designates Mary K. Hosler as the Town's representative to the ECEMC, for the term to expire on May 31, 2023.

RESOLUTION 2022 #113 Motion to Amend Resolution #112

Councilman Schraft moved and Macko seconded to Amend Resolution #112

RESOLUTION 2022 #114 Motion to Table Resolution #112

Councilman Schraft moved and Councilman Reitz seconded to Table Resolution #112

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

RESOLUTION 2022 #115 Advertise for 2022 Seasonal Property Maintenance Service Providers

Councilman Schraft moved and Councilman Macko seconded;

WHEREAS, the Town of Evans Code Enforcement Office determines from time to time that certain properties are not in compliance with local and/or state laws, ordinances, codes, and regulations regarding the lack of upkeep of said properties; and

WHEREAS, certain work is needed on such properties (i.e. seasonal clean-up, grass cutting, board-up, etc.) when the owners of such properties fail to bring them into compliance with local and/or state laws, ordinances, codes, and regulations;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Evans hereby establishes payment rates for such work for various properties in the Town of Evans for the calendar year 2022 as set forth in the attached Schedule; and

BE IT FURTHER RESOLVED that the Code Enforcement Office is hereby authorized to advertise through the Town of Evans Facebook, Town of Evans Website and the Dunkirk Observer for interested parties for such seasonal property maintenance services for the calendar year 2022.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Reitz	Aye
Councilman Macko	Aye
Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2022 #116 Town Committee Appointments

Councilman George moved and Supervisor Hosler seconded;

Be it resolved, the following individuals are hereby appointed to the following Town of Evans committees for 2022:

Keith Young, Veterans Committee
Sam Lomando, Jr. - Veterans Committee
Patty Friend - Community Events Committee
Karen Schiedel - Community Events Committee
Diane Cullotta - Community Events Committee

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Reitz	Aye
Councilman Macko	Aye
Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2022 #117 Civil Service Inventory Title & Appointment

Supervisor Hosler moved and Councilman Reitz seconded;

WHEREAS, the Town of Evans maintains an inventory list for Civil Service positions; and

NOW, THEREFORE, BE IT RESOLVED, the Evans Town Board hereby removes the title of Principal Personnel Clerk from the Town's Civil Service inventory; and

FURTHER, BE IT RESOLVED, the Town of Evans, effective immediately, creates and adds the position of Senior Personnel Clerk to the Town's Civil Service inventory; and

FURTHER, BE IT RESOLVED, effective immediately, Kelly Kent shall be provisionally appointed to the title of Senior Personnel Clerk, per Civil Service policies and procedures; and

FURTHER, BE IT RESOLVED, a Civil Service PO17 form shall be submitted to Erie County Civil Service regarding the above referenced positions and any other applicable documentation.

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

RESOLUTION 2022 #118 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 Reitz	Aye
	Councilman Macko	Aye
	Councilman Schraft	Aye
	Councilman George	Aye
	Supervisor Hosler	Aye

RESOLUTION 2022 #119 Demolition Asbestos Sampling Contract

Supervisor Hosler moved and Councilman Schraft seconded;

WHEREAS, on December 15, 2021, the Town of Evans adopted Resolution 2022-456 directing the removal/demolition of all unsafe structures on sixteen (16) listed properties pursuant to Evans Town Code, Chapter 74, Unsafe Buildings; and

WHEREAS, public safety and Town Code, Chapter 74, Unsafe Buildings require that prior to commencement of removal/demolition, a survey be completed to determine the presence of asbestos within the unsafe structures; and

WHEREAS, the asbestos survey must be completed by a licensed entity qualified and permitted to perform asbestos surveys, in accordance with all federal, state, and local laws, rules and regulations, and all industry standards and criteria; and

WHEREAS, 56 Services is an environmental consulting firm licensed and qualified to perform the asbestos surveys herein described, and has submitted a proposal for the asbestos surveys of the sixteen (16) unsafe structures at issue at a cost not to exceed $16,000.00; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves expenditure of $16,000 for asbestos survey costs; and

FURTHER, BE IT RESOLVED, that the Town Supervisor is hereby authorized to execute the contract with 56 Services for asbestos survey services, upon the approval of the Town Attorney.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Reitz	Aye
Councilman Macko	Aye
Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2022 #120 Approve Town Licenses

Councilman Schraft moved and Supervisor Hosler seconded,

William Pfeil D/B/A Triton Valley - Mobile Home Development - Derby
William Pfeil D/B/A Triton Valley - Mobile Home Development - Derby

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 Reitz	Aye
Councilman Macko	Aye
Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2022 #121 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	2/17/2022
ABSTRACT NO.	4
VOUCHER NO.	10037 - 10135
CHECK NUMBERS	83672 -83739
APPROVED AT	Board Meeting
DATE	2/16/2022
GENERAL	$245,081.18
PART TOWN	$9,803.47

HIGHWAY DB	$40,424.51
WATER	$16,152.39
CAPITAL PROJECTS	$317,950.00
SPECIAL DISTRICTS	$1,121,857.08
TOTAL	$1,751,268.63

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Reitz	Aye
Councilman Macko	Aye
Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2022 #122 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn Wednesday, March 2, 2022 at 6:00pm for a Work Session and the Regular Meeting to follow.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Reitz	Aye
Councilman Macko	Aye
Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

Open Meetings Law, Public Officers Law, Article 7, §106. Minutes.
Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.

These minutes are an unofficial copy unless the original signature of the Town Clerk is affixed below. The original official paper minutes are stored in the Town's vault.

Respectfully Submitted,

Lynn M. Krajacic RMC
Town Clerk

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information

Name of Action or Project:
Mark Rivers Minor Subdivision

Project Location (describe, and attach a location map):
SBL# 250.09-2-45.1

Brief Description of Proposed Action:
Minor Subdivision - Dividing a 0.41+/- ac vacant parcel with 180+/- ft of frontage on Eisenhower Avenue into two parcels; a 0.18+/- ac parcel with 80.0+/- ft on Kennedy Avenue and a 0.23+/- ac parcel with 100.0+/- ft of frontage on Kennedy Avenue. SBL# 250.09-2-45.1

Name of Applicant or Sponsor:	Telephone: 716-867-8065
Mark A. & Katy L. Rivers	E-Mail: rivrivers22@gmail.com

Address:
207 Kennedy Avenue

City/PO:	State:	Zip Code:
Angola	NY	14006

	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? 0.41+/- 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? 0.41+/- 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?	☐	☑	☐

	NO	YES
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?	☑	☐
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?	☑	☐

	NO	YES
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: _____ _____	☐	☑

	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 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?	☑	☐

	NO	YES
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:		

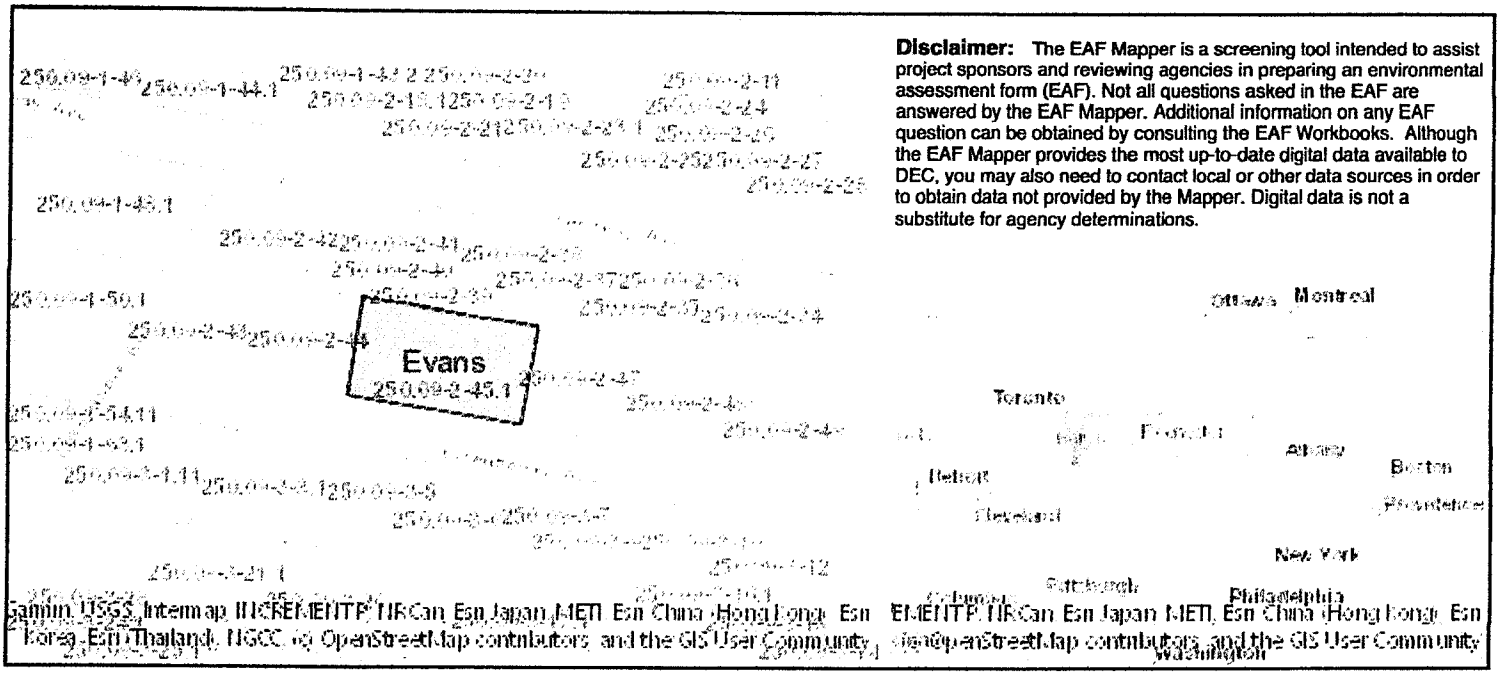
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Katy Rivers — Mark Rivers Date: 1-9-22

Signature: Katy L. Rivers Title:

EAF Mapper Summary Report

Friday, January 7, 2022 1:04 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

SEASONAL PROPERTY MAINTENANCE 2022 PROPOSED PRICING	Amount
Per 1/2 man hour	$20.00
Per man hour	$40.00
per ton- material, garbage, and debris disposal	$150.00
Close-up/removal of above ground pool and decks	
per cubic yard -'clean fill material	$35.00
per cubic yard - top soil and seed material	$65.00
BOARD UP OPENING	
Labor	
Per Half -Man Hour	$20.00
Per Man Hour	$40.00
1 sheet of 1/2 inch CDX Plywood, painted with all necessary accessories	$55.00
framing per discretionary of the building inspector - additional materials	
Install Padlock and Latches Labor & Material	
1 Padlock and Latches	$40.00
Close Up of In-Ground Pool	
Labor	
Per-Half Man Hour	$20.00
Per Man Hour	$40.00
1/2 inch CDX Plywood, painted with all necessary accessories	$50.00
GRASS CUTTING	
Lot Size	
8,000 sqft	$75.00
11,000 sq ft	$90.00
15,000 sqft	$120.00
22,000 sq ft	$135.00
** lot over 22,000sqft -lot size will be determined by Code Enforcement Officer for cuttable area	

ARCHITECTURE
ENGINEERING
PLANNING
CPLteam.com

February 1, 2022

Mary Hosler, Supervisor
Town of Evans
8787 Erie Road
Angola, NY 14006

RE: TOWN OF EVANS
LAKESHORE TRAIL - ADDITIONAL DESIGN ON LAKESHORE FROM KENNEDY TO POINT BREEZE DRIVE
PROPOSAL FOR ENGINEERING SERVICES

Dear Supervisor Hosler:

We are pleased to submit our proposal for engineering services related to design and construction services for the proposed pathway improvements along Lakeshore from Kennedy Avenue to Point Breeze Drive. The following Scope of Services is included with our proposal, and a detailed breakdown of costs is included as an attachment.

Survey and Mapping
CPL will complete field topographical survey and base mapping suitable for the design of the proposed improvements on Lakeshore at the bridge over Muddy Creek to Point Breeze Drive from 10 feet outside of ROW to 10 feet outside of ROW and integrate it with survey we already received when we completed the survey associated with the Ralph Wilson Grant that has been completed. We already have survey on Lakeshore from Kennedy to Dawn Ave (at the bridge crossing) that was done as part of the Ralph Wilson Grant (that survey extends north from Kennedy to Wilson Avenue, however our design limits are Point Breeze to AJ Schmidt with the design mostly completed using Ralph Wilson Grant money from Kennedy Ave to AJ Schmidt Elementary). Utility information will be obtained from available utility records and field survey then plotted on the base mapping. All elevations will be based on USGS datum. We have assumed that no easements will be required.

Design
CPL will work closely with the Town and staff to ensure that all portions of the project meet the needs and expectations of the Town, and that the project objectives are met. We will provide the required plans, technical specifications, and contract documents to the level of detail required for the construction of the recommended project improvements. Our proposal is based on our assumption that we will install striping on road crossings from Kennedy Ave to Point Breeze Drive and extend the path (may need to neck down to 5 feet) from roadway to roadway in this area. Most of this area is paved driveways to existing structures, therefore most of this work will be repaving and new striping to define the pathway along with a 2 foot rumble strip added along the roadway, depending on Erie County DPW input given they own Lakeshore Drive. It is our assumption that this work from Kennedy Ave to Pont Breeze Drive will be bid with the same bid documents associated with Kennedy to AJ Schmidt Elementary. We do not include any modifications to the bridge over Muddy Creek in our proposal and the existing sidewalk would be used as an existing non-conforming path.

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We will guide the Town through the State Environmental Quality Review (SEQR) process for the additional work between Kennedy Ave and Point Breeze Drive and prepare a SEQR documents necessary for this project.

We will prepare all necessary permit applications required by federal, state, and local regulations, including all required supporting documentation. We have assumed that the Town would be responsible for any required permit fees. Necessary permits may include, but are not limited to, the following:

- Erie County Highway Work Permit

Contract documents will conform to the Engineers Joint Contract Documents Committee Standard General Conditions of the Construction Contract. All drawings will be prepared using AutoCAD (CAD Software). Final drawings will be produced and will also be made available as PDF on electronic media. We include the design of sidewalk construction and complete restoration. Note we do not include any drainage design work other than making sure we follow existing grades with the new path to eliminate the need for additional drainage work. There may be a need to move a couple of the electrical poles to accommodate the new path. We will initiate the permit to do this, however this work will be coordinated by the successful contractor after the award of the bid.

Project cost estimates for the work will be prepared and provided.

Bidding
CPL will administer the bidding phase. We will prepare the contract documents to be issued to prospective bidders. We will respond to bidders' questions as appropriate and issue any addenda required for the interpretation and clarification of bidding documents. We will review all bids for compliance with bid requirements and mathematical correctness, prepare bid tabulations, investigate the bidder's qualifications, and prepare written recommendations for the award of contracts. All contracts will be executed between Owner and contractors in triplicate (one original to Owner, one to contractor, and one to engineer).

Construction Administration
CPL will perform all tasks regarding the review and approval of shop drawings.

We will coordinate a preconstruction conference and prepare a detailed agenda for the conference. We will schedule and conduct progress meetings as required including preparation of agendas and meeting summaries.

We will prepare the contractor Payment Estimates. Based on our onsite observations and detailed measurements, we will prepare a monthly written recommendation for payment to the contractor. Our recommendation will serve as certification that the work has been completed in substantial conformance with the contract requirements.

CPL will prepare design clarifications and permit modifications which may become necessary. We will prepare and administer required modifications and change orders, including assistance to the Town in the negotiation of costs related to any extra or additional work which may become necessary.

A formal final inspection will be made with representatives from the Town to determine conformance with the contract documents, and to ensure that all of the Town's concerns have been addressed. We will then

certify that all construction work has been completed in accordance with the contract documents, and that it is appropriate to make final payment on the contract.

Based on acceptable as-built drawings from the contractor, we will prepare a set of reproducible Record Drawings showing the as-built conditions of the project in PDF and on compact disc.

Construction Observation
We do not anticipate the need for full time construction observation on this project. We will conduct up to 3 site visits to confirm general conformance with our contract documents.

Fee Summary
Our proposed fees to complete the following phases of our proposed Scope of Services is provided as follows:

Task	Fee
Survey and Mapping	$3,000
Design	$9,000
Bidding/General Services	$2,000
Construction Administration	$2,000
Record Drawings	$1,000
Total	**$17,000**

We appreciate the opportunity to submit our proposal and look forward to assisting the Town of Evans with this endeavor. If you have any questions or require any additional information, please contact me at (716) 218-4741 or via email at stanner@cplteam.com.

Very truly yours,

CPL

Steven R. Tanner, P.E.
Senior Project Manager

Proposal Agreed to By:

Signature:_____ Date: _____
Town Evans