Meeting #07 Wednesday, April 5th, 2023
Regular _X_ Special _____

AGENDA

Evans Town Board, Evans Town Hall, 8787 Erie Road, Angola, New York
www.townofevans.org

Item	Description	Disp.
I	Call the Meeting to Order	
II	Pledge of Allegiance	
III	Roll Call	
IV	Approval of the Minutes: March 15th , 2023 Minutes	
V	Communications: 1.) William Smith Evans Minor Subdivision Review Committee RE: Minor Subdivision - dividing a 7.6± acre parcel on Erie Road (aka NYS Route 5), Angola NY, known as SBL# 220.00-2-13.1 into two parcels; a 0.85± acre vacant parcel portion and a 6.75± acre parcel. Petitioner: Ferber Automotive Corp., 8120 Erie Road, Angola, NY 14006. 2.) Supervisors Report January 2023	
VI	Public Hearing & Bid Opening: 1.) Proposed Local Law #5 Video Conferencing	
VII	Committee & Department Head Reports:	
VIII	Town Clerk's Reports: Town Clerk $ 29564.95 Interest Earned on Checking Account $ 2.19 Greenspace Fees/Trust & Agency Account $ 0.00 Petty Cash Fund Balance $ 650.00	
IX	Old Business:	
X	Privilege of the Floor:	
XI	Resolutions: 1.) Promotion of Machine Equipment Operator Light to Machine Equipment Operator Heavy 2.) Authorization for Highway Department to Purchase GRADALL Attachment 3.) Authorize Town Highway Superintendent to Attend NYS Highway Superintendent Association Conference 4.) Amend Resolution 2023-013 5.) Amend Resolution 2023-018 6.) Award Bid for Emergency Tree Service 7.) Award Concessions for St Pt Mariana 2023-2024 Seasons 8.) Appointment of Personnel Director 9.) Execute Rotella Grant Management Contract	
XII	Licenses:	
XIII	Audit of Bills:	
XIV	Adjournment to: Wednesday, April 19th, 2023 at 6:00pm for the Work Session and Regular Meeting immediately to follow.	

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. Get the Agenda and Meeting Packet sent to your email! Subscribe to the Town of Evans Legal Paper:www.Townofevans.org http://www.observertoday.com/store/ (716)366-3000 click Newsletter Signup under the Quick Links

Evans Town Board

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

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

RESOLUTION 2023 #152 Accept Minutes

Deputy Supervisor George moved and Councilman Schraft seconded that the reading of the minutes of March 1, 2023 be dispensed with and accepted as submitted by the Town Clerk.

Communications

William Smith Evans Minor Subdivision Review Committee RE: dividing a 108.829± acre parcel to create two parcels; a 25.845± acre parcel, and an 82.985± acre parcel, both with frontage on Southwestern Blvd., Angola NY, SBL# 207.00-4-11.11. Petitioner: David Eckert and Maria Indrijani, 5111 Berg Rd., Buffalo NY 14218.

RESOLUTION 2023 #153 Declare Lead Agency and SEQR Negative Declaration - Eckert - Indrijani

Councilman Schraft moved and Deputy Supervisor George 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, and

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

WHEREAS, in a letter dated March 10, 2023, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the David Eckert and Maria Indrijani 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 Lead Agency for the SEQR process for the above mentioned minor subdivision; and

RESOLVED, that the Town Board of the Town of Evans considers the findings of the Town of Evans Minor Subdivision Review Committee and issues a SEQR negative declaration for the Eckert and Indrijani Minor Subdivision.
(Addendum A SEQR Short Environmental Assessment Form),

a division of SBL# 207.00-4-11.11, dividing a 108.829± acre parcel to create:

1. a 25.845± acre parcel with 761.58± feet of frontage on Southwestern Blvd., and
2. a 82.985± acre parcel with 396.92± feet of frontage on Southwestern Blvd.

Petitioner: David Eckert and Maria Indrijani, 5111 Berg Road, Buffalo NY 14218

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

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

RESOLUTION 2023 #154 Minor Subdivision Approval - Eckert - Indrijani

Councilman Macko moved and Councilman Schraft seconded;

WHEREAS, the proposed subdivision was referred to the Erie County Department of Environment and Planning for a 239M Review as required, and

WHEREAS, the Erie County Department of Environment and Planning offered no recommendation, stating the proposed action was determined to be of local concern, and

WHEREAS, the Erie County Department of Environment and Planning offered comment stating any future planning and/or zoning actions must be referred to the Department of Environment and Planning for further review, and

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 considers the findings of the Town of Evans Minor Subdivision Review Committee and approves the Eckert and Indrijani Minor Subdivision,

a division of SBL# 207.00-4-11.11, dividing a 108.829± acre parcel to create:

1. a 25.845± acre parcel with 761.58± feet of frontage on Southwestern Blvd., and

2. a 82.985± acre parcel with 396.92± feet of frontage on Southwestern Blvd.

Petitioner: David Eckert and Maria Indrijani, 5111 Berg Road, Buffalo NY 14218

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

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

William Smith Evans Minor Subdivision Review Committee RE: dividing a 108.829± acre parcel to create two parcels; a 25.845± acre parcel, and an 82.985± acre parcel, both with frontage on Southwestern Blvd., Angola NY, SBL# 207.00-4-11.11. Petitioner: David Eckert and Maria Indrijani, 5111 Berg Rd., Buffalo NY 14218.

RESOLUTION 2023 #155 Declare Lead Agency and SEQR Negative Declaration -DiPietro

Councilman Schraft moved and Deputy Supervisor George 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, and

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

WHEREAS, in a letter dated March 10, 2023, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the David J. & Theresa M. 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 of Evans shall be Lead Agency for the SEQR process for the above mentioned minor subdivision; and

RESOLVED, that the Town Board of the Town of Evans considers the findings of the Town of Evans Minor Subdivision Review Committee and issues a SEQR negative declaration for the David & Theresa DiPietro, Minor Subdivision.
(Addendum A SEQR Short Environmental Assessment Form),

a division SBL# 206.00-5-37.1, dividing a 45.041± acre vacant parcel to create:

1. a 20.485± acre parcel with 621.55± feet of frontage on Sturgeon Point Road,
2. a 5.165± acre parcel with 500± feet of frontage on Sturgeon Point Road, and
3. a 19.391± acre parcel with 623.40± feet of frontage on Sturgeon Point Road and 1,491.90± feet of frontage on Delamater Road.

Petitioner: David J. & 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 Reitz	Aye
	Councilman Macko	Aye
	Councilman Schraft	Aye
	Deputy Supervisor George	Aye

RESOLUTION 2023 #156 Minor Subdivision Approval - DiPietro

Councilman Macko moved and Councilman Reitz seconded;

WHEREAS, the proposed subdivision was referred to the Erie County Department of Environment and Planning for a 239M Review as required, and

WHEREAS, the Erie County Department of Environment and Planning offered no recommendation, stating the proposed action was determined to be of local concern, and

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 considers the findings of the Town of Evans Minor Subdivision Review Committee and approves the David & Theresa DiPietro Minor Subdivision,

a division of SBL# 206.00-5-37.1, dividing a 45.041± acre vacant parcel to create:

1. a 20.485± acre parcel with 621.55± feet of frontage on Sturgeon Point Road,
2. a 5.165± acre parcel with 500± feet of frontage on Sturgeon Point Road, and
3. a 19.391± acre parcel with 623.40± feet of frontage on Sturgeon Point Road and 1,491.90± feet of frontage on Delamater Road.

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

AND BE IT FURTHER RESOLVED, in keeping with the Town's Minor Subdivision policy, no further subdivision of the remaining parcels shall be permitted for a 10-year period, and

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

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

Deputy Supervisor George reported that the Supervisor's December 2022 Monthly Report has been made to the Town Board and a copy was filed with the Town Clerk's Office.

RESOLUTION 2023 #157 Town Clerk's Reports

Deputy Supervisor George moved and Councilman Schraft seconded to accept the reports of the Town Clerk as presented for the month of February 2023:

Town Clerk Report	$17,218.83
Interest	$1.53
Greenspace Fee	$ 0
Petty Cash	$650.00

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

Old Business

Councilman Schraft moved and Councilman Macko seconded to remove item #1 from Old Business - Sturgeon Point Concession RFP

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

RESOLUTION 2023 #158 Advertise RFP for Sturgeon Point Marina Concessions Bid

Deputy Supervisor George moved and Councilman Macko seconded;

WHEREAS, the agreement with the concessionaire to provide food and beverage concessions at Sturgeon Point Marina, Town of Evans, New York, has expired; and

WHEREAS, the Town of Evans desires to contract with a concessionaire to continue to provide food and beverage services at Sturgeon Point Marina, Town of Evans, New York; and

THEREFORE, BE IT RESOLVED that the Town of Evans is hereby authorized to prepare a Request for Proposals relating to furnishing food and beverage concessions at Sturgeon Point Marina in the Town of Evans for the 2023 and 2024 Seasons, which runs May 1 through and including October 15 each year; and

BE IT FURTHER RESOLVED that a copy of the proposal questionnaire may be obtained from Evans Town Hall located at 8787 Erie Road, Angola, New York 14006; and

BE IT FURTHER RESOLVED that the Request for Proposals are due to the Town Clerk's office by 11:00 a.m. on Tuesday, March 28, 2023; and

BE IT FURTHER RESOLVE that the Town Clerk is authorized to advertise said RFP in the Town's legal paper, as amended.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Reitz	Aye
Councilman Macko	Aye
Councilman Schraft	Aye
Deputy Supervisor George	Aye

RESOLUTION 2023 #159 Advertise for Public Hearing Proposed Local Law #5 of 2023 - Videoconfrencing

Councilman Reitz moved and Deputy Supervisor George seconded;

WHEREAS, the Public Officers Law grants the Town Board the authority to enact a Local Law authorizing the members of the Town's public bodies to use videoconferencing technology to participate in public meetings; and

WHEREAS, the Town Board has determined that it is in the best interest of the Town of Evans to allow participation in meetings via videoconferencing technology by members of the Town's public bodies designated by the Town Board and in accordance with the Town's Videoconferencing Policy; and

WHEREAS, a copy of proposed Local Law No. 5 of the Year 2023 was presented to each member of the Town Board;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans authorizes and directs the Town Clerk to publish a notice of public hearing for the purpose of hearing all

persons interested in Proposed Local Law # 5 of the year 2023, to be held on April 5, 2023 at 7:10p.m.; and

BE IT FURTHER RESOLVED, that the Town Clerk shall make a copy of Proposed Local Law # 5 of the year 2023 available at her office for inspection and distribution to any interested person during normal business hours.

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

RESOLUTION 2023 #160 Award Bid for Garbage & Recycling

Councilman Macko moved and Councilman Schraft George seconded;

WHEREAS, the Town Board of the Town of Evans has solicited bids for providing the Town with services for the Collection, Hauling and Processing of Municipal Solid Waste, Bulk Waste and Recyclables; and

WHEREAS, the Town Clerk of the Town of Evans advertised to solicit such bids; and

WHEREAS, a bid opening was held on Thursday, March 9, 2023 at 2:00pm at the Evans Town Hall located at 8787 Erie Road, Angola, New York 14006 for the Town of Evans Collection, Hauling and Processing of Municipal Solid Waste, Bulk Waste and Recyclables; and

WHEREAS, Modern Disposal Services, Inc., 4746 Model City Road, Model City, NY 14107 was the only company to request the specifications and submit a bid;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Evans hereby accepts and awards the bid presented by Modern Disposal Services, Inc., Option #2, for the provision of services for the Town of Evans' Collection, Hauling and Processing of Municipal Solid Waste, Bulk Waste and Recyclables, contingent upon the review and approval of the Town Attorney; and

FURTHER, BE IT RESOLVED, the contract for Option #2 shall be for a period of six (6) years, commencing on April 1, 2023 (first day of collection on April 3, 2023), with renewal for one additional five-year period upon mutual agreement, under the same terms and conditions.

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

RESOLUTION 2023 #161 Appointment of Part Time Cleaner

Councilman Schraft moved and Councilman Reitz seconded;

WHEREAS; a vacancy exists for a Part Time Cleaner; and

WHEREAS; interviews were conducted; and

WHEREAS; references and background checks were executed;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Peter James to Part Time Cleaner for the Evans Town Hall and Evans Police Department, effective March 9, 2023 at an hourly rate of $15.00 per hour to be paid bi-weekly; and

FURTHER, BE IT RESOLVED, the above referenced appointment shall be considered nunc pro tunc; and

FURTHER, BE IT RESOLVED, the Town Clerk shall provide a copy of this resolution to the Human Resources/Payroll Department.

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

RESOLUTION 2023 #162 Appointment of Interim Zoning Board Secretary

Councilman Macko moved and Councilman Reitz seconded;

WHEREAS, there is a vacancy for a Zoning Board Secretary for the Town of Evans Zoning Board of Appeals;

WHEREAS, the above referenced appointment will be reviewed when the full-time Principal Clerk for Code Enforcement Office is filled by Town Board resolution;

BE IT RESOLVED, effective immediately, Alex Haley is hereby appointed Zoning Board Secretary for the Town of Evans Zoning Board of Appeals, at a rate of $100 per meeting.

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

RESOLUTION 2023 #163 Town Access Approval for Work at Evans Town Park

Councilman Reitz moved and Deputy Supervisor George seconded;

WHEREAS, the Town of Evans has received a request from National Grid for access to a portion of the Evans Town Park in order to replace two (2) poles alongside Lake Shore Road, Pole #194 and Pole #195 as well installing a brand new pole 16 feet East of Pole #195; and

WHEREAS, in order to complete the above mentioned work, National Grid or subcontractor equipment will need access to the Evans Town Park located at 8965 Lake Shore Road to trim and/or remove some trees; and

WHEREAS, the contractor has provided the Town of Evans a current certificate of liability insurance naming the Town of Evans as additional insured;

NOW, THEREFORE, BE IT RESOLVED, that National Grid or subcontractor thereof, may access the Evans Town Park, owned by the Town of Evans, and

BE IT FURTHER RESOLVED, that said access shall be allowed solely to conduct the above referenced work; and

BE IT FURTHER RESOLVED, a copy of this resolution is to be given to the Town of Evans Parks Department.

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

RESOLUTION 2023 #164 Establish & Appointment of Evans Transportation Advisory Committee

Councilman Macko moved and Councilman Reitz seconded,

WHEREAS, the Town Board wishes to develop a well-connected, multi-modal, safe, efficient, sustainable and enjoyable transportation network of quality roads, sidewalks, trails and services across the Town of Evans; and

WHEREAS, the Town Board wishes to create a Transportation Advisory Committee of local officials, residents and regional partners to address current transportation issues and identify opportunities to improve the Town's transportation network.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Evans hereby authorizes the creation of the Evans Transportation Advisory Committee; and

BE IT FURTHER RESOLVED, residents Paul Heath, Edward Conboy, Harry Watkins and Raymond Ashton are hereby appointed to the Evans Transportation Advisory Committee.

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

RESOLUTION 2023 #165 Appointment of Part Time Police Officer

Deputy Supervisor George moved Councilman Reitz seconded,

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

WHEREAS, Darien Hafii has successfully interviewed and passed all aspects of the Town of Evans Police Department Background check; and

WHEREAS, she is currently a New York State Certified Police officer;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints, Darien Hafii, effective March 16, 2023, to the position of Part-Time Police Officer with the Town of Evans Police Department;

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 Reitz	Aye
	Councilman Macko	Aye
	Councilman Schraft	Aye
	Deputy Supervisor George	Aye

RESOLUTION 2023 #166 Suspend the Rules of Order

Councilman George moved Councilman Macko 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
	Deputy Supervisor George	Aye

RESOLUTION 2023 #167 Advertise for Community Development Associate Position

Deputy Supervisor George moved and Councilman Schraft seconded;

WHEREAS, the Director of Planning and Community Development has drafted a job description for the position of Community Development Associate and presented it to the Town Board; and

WHEREAS, the Associate will provide the Department of Planning and Community Development with much needed support to assist with implementation of the Evans-Angola Comprehensive Plan and Local Waterfront Revitalization Program; and

WHEREAS, the job description is currently under review by Erie County Civil Service;

NOW, THEREOFRE, BE IT RESOLVED, that the Director of Planning and Town Clerk are hereby authorized to advertise for the Community Development Associate position in but not limited to the Dunkirk Observer, Town of Evans website, and Indeed.com upon confirmation and approval from Erie County Civil Service Department.

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

RESOLUTION 2023 #168 Audit of Bills

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

AUDIT OF BILLS	
DATE	3/16/2023
ABSTRACT NO.	6
VOUCHER NO.	12149 - 12224
CHECK NUMBERS	25426 - 85490
APPROVED AT	Board Meeting
DATE	3/15/2023
GENERAL	$63,235.74
PART TOWN	$1,803.23
HIGHWAY DB	$2,528.48
WATER	$275.58
CAPITAL PROJECTS	$0.00
SPECIAL DISTRICTS	$116,823.32

DEBT SERVICE

TOTAL $184,666.35

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Reitz	Aye
Councilman Macko	Aye
Councilman Schraft	Aye
Deputy Supervisor George	Aye

RESOLUTION 2023 #169 Enter Executive Session

Deputy Supervisor 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: Pending Litigation

NOW THEREFORE BE IT RESOLVED: Ken Farrell, Town Attorney and Tony Fishione, Code Enforcement Officer are invited to attend the Evans Town Board Executive Session.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Reitz	Aye
Councilman Macko	Aye
Councilman Schraft	Aye
Deputy Supervisor George	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

Com 1 pg 1

TOWN OF EVANS

8787 Erie Road • Angola, New York 14006-9600 • www.townofevans.org

WILLIAM B. SMITH
Director of Planning and Community Development
Telephone: (716) 549-0945 / Fax: (716) 549-0456
wsmith@townofevans.org

March 31, 2023

Evans Town Board
Evans Municipal Center
8787 Erie Road
Angola, NY 14006

RE: Minor Subdivision – dividing a 7.6± acre parcel on Erie Road (aka NYS Route 5), Angola NY, known as SBL# 220.00-2-13.1 into two parcels; a 0.85± acre vacant parcel portion and a 6.75± acre parcel. Petitioner: Ferber Automotive Corp., 8120 Erie Road, Angola, NY 14006.

Dear Town Board:

The Town of Evans Minor Subdivision Review Committee has reviewed the above-referenced petition for the division of lands and has recommended approval.

After further review, the committee also found that the subdivision of this property will not result in any significant environmental impacts regarding the SEQR process.

If you have any further questions regarding this matter, please feel free to contact me.

Sincerely,

William Smith

William B. Smith
Evans Minor Subdivision Review Committee

cc: Assessor
Code Enforcement Office
Applicant

Submitted for the April 5, 2023 Town Board meeting:

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, and

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

WHEREAS, in a letter dated March 31, 2023, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Ferber Automotive Corporation Minor Subdivision, and

WHEREAS, it has been determined that the subdivision of this property will not result in any significant environmental 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 considers the findings of the Town of Evans Minor Subdivision Review Committee and issues a SEQR negative declaration for the Ferber Automotive Corporation Minor Subdivision
(Addendum_____SEQR Short Environmental Assessment Form),

a division of SBL# 220.00-2-13.1, dividing a 7.6± acre parcel to create:

1. a 0.85± acre vacant parcel portion with 145.87± feet of frontage on Erie Road, and
2. a 6.75± acre parcel with 567.44± feet of frontage on Erie Road.

Petitioner: Ferber Automotive Corporation, 8120 Erie Road, Angola NY 14006

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

Com 1 pg 3

Submitted for the April 5, 2023 Town Board meeting:

WHEREAS, the proposed subdivision did not meet the criteria to be referred to the Erie County Department of Environment and Planning for a 239M Review, and

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 considers the findings of the Town of Evans Minor Subdivision Review Committee and approves the Ferber Automotive Corporation Minor Subdivision,

a division of SBL# 220.00-2-13.1, dividing a 7.6± acre vacant parcel to create:

1. a 0.85± acre vacant parcel portion with 145.87± feet of frontage on Erie Road, and
2. a 6.75± acre vacant parcel with 567.44± feet of frontage on Erie Road.

Petitioner: Ferber Automotive Corporation, 8120 Erie Road, Angola, NY 14006

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

Com 2

Communication

The Supervisor's Monthly report has been made to the Town Board and a copy was filed with the Town Clerk's office in accordance with Town Law.

January, 2023

PH1

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
TOWN OF EVANS, NEW YORK

PLEASE TAKE NOTICE, that there has been presented to the Town Board on March 15, 2023, for adoption proposed Local Law No. 5 of the Year 2023 authorizing all members of designated public bodies of the Town of Evans to use videoconferencing technology to participate in public meetings. The proposed Local Law will allow members of public bodies designated by the Town Board to participate in meetings via videoconference.

THEREFORE, pursuant to the Municipal Home Rule Law, the Town Board of the Town of Evans shall hold a Public Hearing on the aforesaid Local Law at the Town Hall, 8787 Erie Road, Angola, New York at 7:10 p.m. on the 5th day of April 2023, at which time persons interested may be heard. Copies of the aforesaid proposed Local Law are available at the office of the Town Clerk for inspection and distribution to any interested person during business hours. The meeting room is wheelchair accessible. Those needing special arrangements should call the Town Hall at (716) 549-8787 by April 3, 2023.

By order of the Town Board of the Town of Evans Lynn Krajacic

Dated: March 16, 2023

PH Res 1

RESOLUTION - ADOPTING DETERMINATION OF NON-SIGNIFICANCE OF PROPOSED LOCAL LAW #5 OF 2023

WHEREAS, the Town Board of the Town of Evans is considering adoption of proposed Local Law No. 5 of the Year 2023, authorizing all members of designated public bodies of the Town of Evans to use videoconferencing technology to participate in public meetings; and

WHEREAS, the Town Board has reviewed the Short Form EAF submitted and has determined that the proposed action will not have a significant impact on the environment.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Evans, after considering the action proposed herein, reviewing the criteria contained in Section 617.11 of the Rules and Regulations of SEQR and thoroughly analyzing the project with respect to potential environmental concerns, determines that the proposed action will not have a significant effect on the environment and that no further action is required by the Town Board under SEQR; and

FURTHER, BE IT RESOLVED, that the Town Board of the Town of Evans hereby adopts a negative declaration concerning the adoption of proposed Local Law No. 5 of the Year 2023

ROLL CALL VOTE:

PH Res 2

RESOLUTION – ADOPT PROPOSED LOCAL LAW NO. 5 OF 2023 – AUTHORIZING MEMBERS OF DESIGNATED TOWN BODIES TO PARTICIPATE IN MEETINGS USING VIDEOCONFERENCING TECHNOLOGY

WHEREAS, the Public Officers Law grants the Town Board the authority to enact a local law authorizing the members of the Town's public bodies to use videoconferencing technology to participate in public meetings; and

WHEREAS, the Town Board has determined that it is in the best interest of the Town of Evans to allow participation in meetings via videoconferencing technology by members of the Town's public bodies designated by the Town Board and in accordance with the town's Videoconferencing Policy; and

WHEREAS, a public hearing was held on April 5, 2023 to consider the adoption of proposed Local Law No. 5 of the Year 2023; and

WHEREAS, the Town Board of the Town of Evans adopted a negative declaration after determining that the proposed Local Law No. 5 of the Year 2023 will not have a significant effect on the environment and that no further action is required by the Town Board under SEQR;

BE IT HEREBY RESOLVED, that the Town Board of the Town of Evans adopts and enacts Local Law No. 5 of the Year 2023; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Evans adopts the Town of Evans Videoconferencing Policy.

ROLL CALL VOTE:

Res 1

Submitted by Councilman Schraft

Highway Dept Machine Equipment Operator (MEO) Light to Machine Equipment Operator Heavy Appointment

BE IT RESOLVED, effective April 5, 2023, based on the current collective bargaining agreement and the recommendation of the Town of Evans Highway Superintendent Jack Fritz, the Evans Town Board accepts the promotion of Robert Strickler from Machine Equipment Operator Light to Machine Equipment Operator Heavy.

FURTHER, BE IT RESOLVED, effective March 25, 2023, the payroll department is directed to increase Mr. Strickler's hourly rate to $24.81 in accordance with the collective bargaining agreement; and

FURTHER, BE IT RESOLVED, a PO-8 form will be submitted to the Erie County Civil Service documenting the above referenced changes, in accordance with Civil Service rules and regulations.

VOTE RESULT:

Res 2

Submitted by Councilman Schraft

RESOLUTION- Authorization for Highway Department to purchase Gradall Attachment

WHEREAS, the rising number of inclement weather events have caused increased debris and tree removal in the Town.

BE IT RESOLVED, that the Highway Department is authorized to purchase a Gradall Fixed Thumb Attachment not to exceed $13,500 under the New York State OGS contract #PC69150. A budget transfer shall be initiated taking $13,500 from DB5110.401.06 to DB5110.220.00 Highway Machinery and Motor Vehicles.

Funding for the purchase will be taken out of budget line item number DB5110.220.00.

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ROLL CALL VOTE:

Res 3

Submitted by Councilman Schraft

Resolution – Authorize Town Highway Superintendent to attend the New York State Highway Superintendent Association Conference

WHEREAS: Town Highway Superintendent Jack Fritz requests permission to attend the New York State Highway Superintendent Conference in Ithaca, New York from June 4th -June 7th.

NOW, THEREFORE, BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Jack Fritz, to attend said conference and all appropriate and reasonable expenses shall be paid by the Town, per Town policy.

ROLL CALL VOTE:

Res 4

RESOLUTION – AMEND RESOLUTION #2023-013

Whereas, the Supervisor turned in her resignation effective February 20, 2023,

Be it resolved, effective February 21, 2023 that resolution #2023-013 is hereby amended as follows:

Resolved: that Acting Deputy Supervisor Thomas George be and hereby is permitted to sign his name by facsimile pursuant to Town Law, and

Be it further resolved: that Paychex, Inc. is authorized to issue checks in payment of payroll for the Town of Evans under facsimile as they may designate as long as their services are needed by the Town.

This resolution shall be pro nunc tunc.

Roll call:

Res 5

RESOLUTION – AMEND RESOLUTION #2023-018

Whereas, the Supervisor turned in her resignation effective February 20, 2023,

Be it resolved, effective February 21, 2023, that resolution #2023-018 is hereby amended as follows:

Resolved, that the following individuals are authorized signatures for the following Town of Evans accounts with the Evans Bank, Angola, New York 14006:

Asset Forfeiture Fund – Police (xxxxx6000) Police Reserve (x2001)	Gregory Szarowicz, Chief of Police Thomas George, Acting Deputy Supervisor
Combined Checking (xxx2468) Combined Savings (xxxx0409) BAN Account(xx4000) Bid Deposits Account (xx4379) Retiree Bank (xxx6573) Payroll (xxxxx0000) T&A Greenspace (xxxxx5000) Grant Reserve (xx4001) Revolving Loan (xx6000) Senior Meal Plan Account (xx9809) Water Surcharge (xx2283)	Thomas George, Acting Deputy Supervisor Jeremy Smith, Supervising Accountant
Senior Activity Account (xx9775)	Thomas George, Acting Deputy Supervisor Veronica Yeager, Director of Senior Services

And, be it further resolved, that Thomas George, Acting Deputy Supervisor will be the designated System Administrator of the online banking.

This resolution shall be pro nunc tunc.

Roll call:

Res 6

RESOLUTION – AWARD BID FOR 2023 EMERGENCY TREE REMOVAL SERVICES

WHEREAS, bids were solicited for the 2023 Emergency Tree Removal Services in the Town of Evans for the Contract Term of April 1, 2023 through March 31, 2024; and

WHEREAS, bids were received and opened on Tuesday, March 21, 2023 at 2:00 P.M., in accordance with the Notice to Bidders previously authorized; and

WHEREAS, the lowest responsible bid was submitted by Kravitz Tree Service, LLC located at 19 Norton Place, Fredonia, NY 14063; and

NOW, THEREFORE, BE IT RESOLVED, that the Evans Town Board authorizes the award of the contract for the 2023 Emergency Tree Removal Services to Kravitz Tree Service, LLC located at 19 Norton Place, Fredonia, NY 14063; and

BE IT FURTHER RESOLVED, that Deputy Supervisor Thomas George is authorized to execute any necessary contract documents regarding said bid award upon the approval of the Town Attorney.

ROLL CALL VOTE:

Res 7

RESOLUTION – AWARD BID FOR STURGEON POINT CONCESSIONS – 2023 AND 2024 SEASONS

WHEREAS, the Evans Town Board authorized the Town Clerk to advertise for proposals for restaurant concessions at the Sturgeon Point Marina, Town of Evans, New York; and

WHEREAS, said proposals were opened on Tuesday, March 28, 2023 at 11:00am in the office of the Town Clerk; and

WHEREAS, T.E. Connors, Inc., d/b/a Connors Hot Dog Stand, 8905 Lake Shore Road, Angola, New York 14006 submitted the lone responsible bid satisfactorily meeting specifications as advertised,

NOW, THEREFORE, BE IT RESOLVED, that the sole responsible bid be and hereby is accepted by the Town of Evans in the following amounts:

2023 Season - $4,500.00
2024 Season - $7,200.00

FURTHER, BE IT RESOLVED, Deputy Supervisor Thomas George is hereby authorized to execute an agreement regarding same, upon the approval of the Town Attorney.

ROLL CALL VOTE:

Res 8

Submitted by Councilman Schraft

Resolution for Personnel Director

RESOLVED: that Councilwomen Jeanne Macko is hereby appointed Personnel Director at no additional compensation.

ROLL CALL VOTE:

Res 9

RESOLUTION – Rotella Grant Management Services Contract

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

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

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

BE IT RESOLVED, that Acting Deputy Supervisor Thomas George is hereby authorized to execute any all documents pursuant to Rotella Grant Management, 19 Jordy Court, Hamburg, NY 14075, for grant writing and administration services for 2023, at a rate of $1,800.00 per month plus any actual postage costs, when applicable.

BE IT FURTHER RESOLVED, this resolution is approved nunc pro tunc.

ROLL CALL VOTE: