Meeting #08 Wednesday, April 19th, 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: April 5th , 2023 Minutes	
V	Communications: 1.) William B Smith Evans Minor Subdivision Review Committee RE: Minor Subdivision Review - dividing a 32.07± acre parcel with 997.68± feet of frontage on Backus Road, known as SBL# 221.00-5-1.1, into two lots to create a .35± acre parcel and a 31.72± acre parcel. Petitioner: Dennis Valentic, 1134 Backus Rd., Derby, NY 14047. 2.) Supervisors Report February 2023	
VI	Public Hearing & Bid Opening:	
VII	Committee & Department Head Reports:	
VIII	Town Clerk's Reports:	
IX	Old Business:	
X	Privilege of the Floor:	
XI	Resolutions: 1.) Authorization for Assessor to attend NYSAA April Meeting 2.) Designation/Appointment Personnel Director 3.) Authorize Emergency Demolition 4.) Approval of Electronic Signature 5.) Appointment of Part Time Seasonal Laborer Highway Department 6.) Advertise for Public Hearing Proposed Local Law #6 of 2023 7.) Designation of Broker of Record 8.) Appointment of Part Time Clerk	
XII	Licenses: 1.) David Jacobson D/B/A Pat's Pizzeria 8923 Erie Rd, Angola NY 14006 (Refreshment)	
XIII	Audit of Bills:	
XIV	Adjournment to: Wednesday, May 3rd, 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 #170 Accept Minutes

Deputy Supervisor George moved and Councilman Schraft seconded that the reading of the minutes of March 15, 2023 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
	Deputy Supervisor George	Aye

PUBLIC HEARING

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

RESOLUTION 2022 #171 Open the Public Hearing

Deputy Supervisor George moved and Councilman George seconded to open the public hearing.

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

There was nobody wishing to speak in favor or opposition

RESOLUTION 2022 #172 Close the Public Hearing

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

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

RESOLUTION 2023 #173 Determination of Non-Significance - Videoconferencing

Councilman Macko moved and Councilman Schraft seconded;

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

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

RESOLUTION 2023 #174 Adopt Local Law #5 of 2023 - Videoconferencing

Councilman Macko moved and Councilman Schraft seconded;

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

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

Communications

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.

RESOLUTION 2023 #175 Declare Lead Agency and SEQR Negative Declaration - Ferber Automotive

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 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 A 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.

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

RESOLUTION 2023 #176 Minor Subdivision Approval - Ferber Automotive

Councilman Macko moved and Councilman Reitz seconded;

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.

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 January 2023 Monthly Report has been made to the Town Board and a copy was filed with the Town Clerk's Office.

RESOLUTION 2023 #177 Town Clerk's Reports

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

Town Clerk Report	$29,564.95
Interest	$2.19
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

RESOLUTION 2023 #178 Appointment of Highway Department Machine Equipment Operator (MEO) Light to Machine Equipment Operator Heavy

Councilman Schraft moved and Councilman Macko seconded;

BE IT RESOLVED, effective April 8, 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 April 8, 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:	ADOPTED BY ROLL CALL	
	Councilman Reitz	Aye
	Councilman Macko	Aye
	Councilman Schraft	Aye
	Deputy Supervisor George	Aye

RESOLUTION 2023 #179 Authorization for Highway Department to Purchase GRADALL Attachment

Councilman Macko moved and Councilman Reitz seconded;

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.

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

RESOLUTION 2023 #180 Authorize Highway Superintendent to attend the New York State Highway Superintendent Association Conference

Councilman Reitz moved and Councilman Schraft George seconded;

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.

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

RESOLUTION 2023 #181 Amend Resolution 2023-013 Deputy Supervisor Signatures

Councilman Schraft moved and Councilman Macko seconded;

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.

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

RESOLUTION 2023 #182 Amend Resolution #2023-018 Signatures on Bank Accounts

Councilman George moved and Councilman Schraft seconded;

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)	Gregory Szarowicz, Chief of Police
Police Reserve (x2001)	Thomas George, Acting Deputy Supervisor
Combined Checking (xxx2468)	Thomas George, Acting Deputy Supervisor
Combined Savings (xxxx0409)	Jeremy Smith, Supervising Accountant
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)	
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.

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

RESOLUTION 2023 #183 Award Bid for 2023 Emergency Tree Removal

Councilman Macko moved and Councilman Reitz seconded;

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.

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

RESOLUTION 2023 #184 Award Bid for Sturgeon Point Marina Concessions

Councilman Reitz moved and Councilman George seconded,

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.

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

RESOLUTION 2023 #185 Appointment of Personnel Director

Councilman Schraft moved Councilman Macko seconded,

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

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

Resolution failed for lack of a majority

RESOLUTION 2023 #186 Rotella Grant Management Services Contract

Councilman Macko moved Councilman Reitz seconded,

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.

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

RESOLUTION 2023 #187 Suspend the Rules of Order

Councilman George moved Councilman Reitz seconded to suspend the rules of order for the consideration of additional resolutions.

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

RESOLUTION 2023 #188 Part Time Seasonal Labor Appointments - Parks Department

Councilman Reitz moved and Councilman George seconded;

BE IT RESOLVED, effective April 6, 2023, the following individuals be appointed as PT Seasonal Laborer positions for the Town of Evans Parks Department, for up to a five (5) month period (September 6, 2023), working up to 39.5 hours per week, at the hourly rated indicted below;

NAME	SALARY
Daniel Almendinger	$15.20
Jack Fritz, Jr.	$15.20; and

FURTHER, BE IT RESOLVED, the Town Clerk will give a copy of this resolution to Human Resources.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #189 Advertise for Property Maintenance Services of Various Properties in the Town for Calendar Year 2023

Councilman George 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 2023 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 property maintenance services for the calendar year 2023.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #190 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	4/6/2023
ABSTRACT NO.	7
VOUCHER NO.	12225 - 12319
CHECK NUMBERS	85494 - 85573
APPROVED AT	Board Meeting
DATE	4/5/2023
GENERAL	$222,394.27
PART TOWN	$13,590.99
HIGHWAY DB	$78,318.93
WATER	$5,862.82
CAPITAL PROJECTS	$60,190.00
SPECIAL DISTRICTS	$116,798.32
DEBT SERVICE	
TOTAL	$497,155.33

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #191 Resume Work Session

Councilman Schraft moved and Councilman Macko seconded to resume the Work Session.

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

RESOLUTION 2023 #192 Enter Executive Session

Councilman Schraft moved and Deputy Supervisor George 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: General Matters Relating to Collective Bargaining under the Taylor Law.

NOW THEREFORE BE IT RESOLVED: Ken Farrell, Town Attorney is 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

(Om 1 pg1

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

April 13, 2023

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

RE: Minor Subdivision Review – dividing a 32.07± acre parcel with 997.68± feet of frontage on Backus Road, known as SBL# 221.00-5-1.1, into two lots to create a .35± acre parcel and a 31.72± acre parcel. Petitioner: Dennis Valentic, 1134 Backus Rd., Derby, NY 14047.

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

Com 1
Pg 2

Submitted for the April 19, 2023 Town Board meeting:

WHEREAS, minor subdivisions are unlisted SEQR actions, and

WHEREAS, the Evans Town Board 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 April 13, 2023, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Dennis Valentic 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 Evans Town Board considers the findings of the Town of Evans Minor Subdivision Review Committee and issues a SEQR negative declaration for the Dennis Valentic Minor Subdivision.
(Addendum_____SEQR Short Environmental Assessment Form),

a division of SBL# 221.00-5-1.1, dividing a 32.07± acre parcel to create:

1. a .35± acre parcel with 34.0± feet of frontage on Backus Road, and
2. a 31.72± acre parcel with 963.68± feet of frontage on Backus Road.

Petitioner: Dennis Valentic, 1134 Backus Road, Derby NY 14047

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 19, 2023 Town Board meeting:

WHEREAS, the proposed subdivision did not meet the criteria for referral 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 Evans Town Board hereby considers the findings of the Town of Evans Minor Subdivision Review Committee and approves the Dennis Valentic Minor Subdivision,

a division of SBL# 221.00-5-1.1, dividing a 32.07± acre parcel to create:

1. a .35± acre parcel with 34.0± feet of frontage on Backus Road, and
2. a 31.72± acre parcel with 963.68± feet of frontage on Backus Road.

Petitioner: Dennis Valentic, 1134 Backus Road, Derby NY 14047.

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.

February, 2023

Res 1

RESOLUTION – AUTHORIZE ASSESSOR TO ATTEND NYS ASSESSORS' ASSOCIATION MEETING

WHEREAS; the Assessor Jeneen Hill request permission to attend the New York State Assessors' Association meeting; and

WHEREAS; Assessor Jeneen Hill, is Past President and Executive Board of the New York State Assessor's Association; and

WHEREAS; said meeting will be held in Liverpool, New York on April 21, 2023 thru April 22, 2023; and

NOW, THEREFORE, BE IT RESOLVED that the Board of the Town of Evans shall grant permission to Assessor Jeneen Hill, Past President and Executive Board member of the New York State Assessors' Association to attend said meeting and all appropriate and reasonable expenses shall be paid by the New York State Assessor's Association.

ROLL CALL VOTE

Res 2

RESOLUTION – DESIGNATION/APPOINTMENT OF PERSONNEL DIRECTOR

WHEREAS, a resolution was presented to the Town Board on Wednesday, April 5, 2023 to appoint a Personnel Director for the Town of Evans; and

WHEREAS, the Town Board vote resulted in a tie; and

WHEREAS, per said vote, by default, Deputy Supervisor Thomas George will assume the Personnel Director duties;

NOW, THEREFORE, BE IT RESOLVED, effective immediately, Deputy Supervisor Thomas George hereby designates/appoints Kelly Kent as Personnel Director, at no additional compensation.

ROLL CALL VOTE:

Res 3

RESOLUTION – AUTHORIZATION FOR EMERGENCY DEMOLITION

WHEREAS, there was a structure fire at 9617 Lenox Street, Angola, NY 14006 on Friday, April 7, 2023; and

WHEREAS, after the Fire Departments on scene extinguished the fire, it was determined there was major structural damage to the building and there were hotspots with the debris; and

WHEREAS, it was determined by the Commanding Chief on scene and the Code Enforcement Officer/Fire Marshal, that equipment would be required on scene to pen the debris pile to extinguish the remaining hot spots and remediate the imminent danger; and

WHEREAS, Agent of National Fire Adjustment Company, Inc., Douglas E. Harrell was on scene and authorized payment of demolition costs; and

WHEREAS, the Code Enforcement Officer did make contact with the members of the Town Board to authorize a Declaration of Emergency Demolition for the building located at 9617 Lenox Street, Angola, NY 14006 (SBL #250.11-10-49); and

WHEREAS, the contracted demolition company was contacted to proceed with demolition to remediate the imminent danger and remove the building;

BE IT RESOLVED, that pursuant to Chapter 74, Buildings, Unsafe, of the Evans Town Code, the Evans Town Board hereby approves the earlier referenced Declaration of Emergency and authorizes that Geiter Done of WNY, Inc. to proceed with the emergency demolition of 9617 Lenox Street, Angola, NY 14006; and

BE IT FURTHER RESOLVED, that in the case of non-payment by the insurance company, the cost of the demolition will be assessed to the property.

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

BE IT FURTHER RESOLVED, a copy of this resolution is to be given to the Town of Evans Code Enforcement Office.

ROLL CALL VOTE:

Res 4

RESOLUTION – APPROVAL OF ELECTRONIC SIGNATURE

BE IT RESOLVED, Deputy Supervisor Thomas George is authorization to utilize electronic and/or digital signature, on any Town documents requiring the Supervisor's signature, including without limitations checks.

ROLL CALL VOTE:

Res 5

RESOLUTION – APPOINTMENT OF PART-TIME SEASONAL LABORER - HIGHWAY

BE IT RESOLVED, effective May 8th, 2023, the following individual to be appointed as PT Seasonal Laborer position for the Town of Evans Highway Department, for up to a five (5) month period (October 8th,2023), working up to 39.5 hours per week, at the hourly rate indicated below;

NAME	SALARY
Drew Eck	$15.20; and

FURTHER, BE IT RESOLVED, the Town Clerk will give a copy of this resolution to Human Resources and the Superintendent of Highways.

Res 6

RESOLUTION – ADVERTISE PUBLIC HEARING FOR PROPOSED LOCAL LAW NO. 6 OF 2023 – ESTABLISHING REQUIREMENTS FOR ISSUANCE AND ENFORCEMENT OF LICENSES FOR SPECIAL EVENTS

WHEREAS, the Town Law grants the Town Board the authority to enact a Local Law concerning the use of public property by Town residents and promoting the public welfare and safety; and

WHEREAS, the Town Board has determined that it is in the best interest of the Town of Evans to enact a Local Law establishing requirements for issuance and enforcement of licenses for special events; and

WHEREAS, a copy of Proposed Local Law No. 6 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 # 6 of the year 2023, to be held on Wednesday, May 3, 2023 at 7:10 p.m.; and

BE IT FURTHER RESOLVED, that the Town Clerk shall make a copy of Proposed Local Law # 6 of the year 2023 available at her office for inspection and distribution to any interested person during normal business hours.

ROLL CALL VOTE

Res 7

RESOLUTION - DESIGNATION OF BROKER OF RECORD

BE IT RESOLVED, that Deputy Supervisor Thomas George is hereby authorized to change the designation of the broker of record for our Group Medical, Prescription Drug and Dental programs from Assured Partners to L&S Agency, effective immediately, and upon the review of the Town Attorney.

ROLL CALL VOTE:

Res 8

RESOLUTION – APPOINTMENT OF PART TIME CLERK

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

BE IT RESOLVED; that the Town Board of the Town of Evans hereby appoints Lynn Wolf to Part Time Clerk for the Town of Evans, effective Monday, April 24, 2023 at a rate of $16.20 per hour, up to 19.5 hours per week.

ROLL CALL VOTE: