Meeting #09 Wednesday, May 3rd, 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 19th , 2023 Minutes	
V	**Communications:** 1.) William B. Smith Evans Minor Subdivision Review Committee RE: Minor Subdivision - dividing a 0.28± acre vacant parcel on Meadow Lane, Angola NY, known as SBL# 234.19-3-27 into two parcels; a 0.14± acre vacant parcel and a 0.14± acre vacant parcel. Petitioners: William Melski, 9154 Meadow Lane, Angola & Michael Catanzaro, 9149 Applewood St., Angola, NY 14006.	
VI	**Public Hearing & Bid Opening:** 1.) Proposed Local Law #6 Special Events License	
VII	**Committee & Department Head Reports:**	
VIII	**Town Clerk's Reports:** April 2023 Town Clerk $ 119,823.14 Interest Earned on Checking Account $ 1.77 Greenspace Fees/Trust & Agency Account $ 1400.00 Petty Cash Fund Balance $ 650.00	
IX	**Old Business:**	
X	**Privilege of the Floor:**	
XI	**Resolutions:** 1.) Lake Erie Beach Vol Fire Company - LOSAP Approval Form for 2022 2.) Adopt Amended Procurement Policy 3.) Appointment of Full Time Police Officer 4.) Appointment of Full Time Truck Driver(s) 5.) Appointment of Truck Driver to Machine Equipment operator (MEO) Light Equipment 6.) Town Purchase of Automated External Defibrillators (AED's) 7.) Adoption of Local Law #6 of 2023 8.) Budget Transfers Highway Department 9.) Waiver of Signage Fee 10.) WNY Imaging Copier Lease for Planning Department 11.) Authorizing Contractors for Property Maintenance	
XII	**Licenses:**	
XIII	**Audit of Bills:**	
XIV	**Adjournment to:** Wednesday, May 17th, 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 #193 Accept Minutes

Deputy Supervisor George moved and Councilman Schraft seconded that the reading of the minutes of April 5, 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

Communications

William 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.

RESOLUTION 2023 #194 Declare Lead Agency and SEQR Negative Declaration - Valentic

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 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 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 Dennis Valentic Minor Subdivision.
(Addendum A 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.

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

RESOLUTION 2023 #195 Minor Subdivision Approval - Valentic

Councilman Macko moved and Councilman Schraft seconded;

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 Town Board of the Town of Evans 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.

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

RESOLUTION 2023 #196 Authorize Assessor to Attend NYS Assessor's Association Meeting

Councilman Schraft moved and Councilman Reitz seconded;

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.

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

RESOLUTION 2023 #197 Designation of Personnel Director

Councilman Reitz moved and Councilman Schraft seconded;

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 Kelly Kent as Personnel Director, at no additional compensation, as amended.

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

Resolution Failed due to Lack of a Majority

RESOLUTION 2023 #198 Authorization for Emergency Demolition

Councilman Schraft moved and Councilman Macko seconded;

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.

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

RESOLUTION 2023 #199 Approval of Electronic Signature

Councilman Reitz moved and Councilman Macko seconded;

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.

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

RESOLUTION 2023 #200 Appointment of Part Time Seasonal Laborer - Highway

Councilman Macko moved and Councilman Reitz seconded;

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.

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

RESOLUTION 2023 #201 Advertise Public Hearing for Proposed Local Law #6 of 2023 - Special Events License

Councilman George moved and Councilman Reitz seconded;

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.

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

RESOLUTION 2023 #202 Designation of Broker of Record

Councilman Reitz moved and Councilman George seconded,

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.

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

Resolution Failed due to Lack of a Majority

RESOLUTION 2023 #203 Appointment of Park Time Clerk

Councilman George moved Councilman Reitz seconded,

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.

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 #204 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 #205 Authorize Agreement for Supplemental Consultant Services for Right of Way Acquisition Costs for Culvert Pipe on Derby Road

Councilman George moved and Councilman Reitz seconded;

WHEREAS, the Town of Evans has been approved for reimbursement of 100% of qualified costs from Bridge NY funding for the culvert replacement project on Derby Road over Pike Creek PIN 5763.90 with a total project amount of $941,367; and

WHEREAS, the Town of Evans entered into an agreement with C & S Engineers, Inc. to design and manage the culvert replacement project on Derby Road over Pike Creek in compliance with USDOT, NYSDOT, and Bridge NY funding regulations in the lump sum amount of $134,000; and

WHEREAS, the Town agreed to make additional funds available for right-of-way incidentals and acquisition services once those costs became known.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans authorizes Acting Supervisor Thomas George to execute a Supplemental Consultant Agreement with C & S Engineers, Inc for right-of-way incidentals and acquisition services in the lump sum amount of

$22,900 and thereby increasing the total amount payable to C & S Engineers, Inc. from $134,000 to $156,900.

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

RESOLUTION 2023 #206 New Member - Lake Erie Beach Volunteer Fire Company Inc.

Councilman Reitz moved and Councilman George seconded;

WHEREAS, Lake Erie Beach Fire Company, Inc. has accepted applications for new candidates for membership; and

WHEREAS, each candidate was interviewed thoroughly and found to meet or exceed the qualifications;
and

WHEREAS, the following candidates were elected into membership of the Lake Erie Volunteer Fire Company, Inc. during the April 6, 2023 General Membership Meeting;

NOW, THEREFORE, BE IT RESOLVED, based on the above, the Evans Town Board hereby approves the following members elected into membership to Lake Erie Beach Volunteer Fire Company, Inc.;

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

RESOLUTION 2023 #207 Authorization to Enter Contract with New Wave Energy Corporation

Councilman Schraft moved and Councilman Macko seconded;

BE IT RESOLVED, that Deputy Supervisor Thomas George is authorized to enter into a fixed rate contract for 12 months with New Wave Energy Corporation for energy supply services for electricity and natural gas, 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 #208 Award Contract for New Municipal Website

Councilman George moved and Councilman Reitz seconded;

WHEREAS, the Town of Evans solicited competitive proposals from qualified and experienced companies for the design of a new state-of-the-art municipal website as well as ongoing support services; and

WHEREAS, the Deputy Town Clerk and the Director of Planning and Development received and reviewed proposals from five qualified firms; and

WHEREAS, the proposal submitted by Mason Digital presented the best and most comprehensive approach to the project in the most economical fashion.

NOW, THEREFORE BE IT RESOLVED, that the Evans Town Board authorizes the award of contract for new website design and support services to Mason Digital at 400 Whitney Rd, Penfield, NY 14526 in the amount not to exceed $28,500.

AND BE IT FURTHER RESOLVED, that the Deputy Supervisor is authorized to execute any necessary contract documents.

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

RESOLUTION 2023 #209 Authorize Director of Planning & Community Development to Negotiate Terms & Conditions for Consultant on Derby Road Culvert Project

Councilman George moved and Councilman Reitz seconded;

WHEREAS, Town was awarded a Transportation Alternatives Program grant from NYSDOT for the Evans Shoreline Trail Phase 4; and

WHEREAS, the grant requires the Town to hire a consultant for Design and Project Management Services; and

WHEREAS, the Director of Planning and the Consultant Selection Committee received and reviewed qualifications from four firms and interviewed two firms from the State approved list; and

WHEREAS, based on the results of the interviews it was determined that C&S Companies located at 141 Elm Street, Suite 100, Buffalo, NY 14203 would be the Town preferred choice to provide Design and Project Management Services for the project.

NOW, THEREFORE, BE IT RESOVLED, the Town Board of the Town of Evans authorizes Director William Smith to negotiate the terms and conditions of the contract with C&S Companies, 141 Elm Street, Suite 100, Buffalo, NY 14203, not to exceed the amounts indicated for services covered in the grant proposal; and

FURTHER, BE IT RESOLVED, that a resolution for the Town Board to approve the terms and conditions of such agreement will be placed on the agenda of a future Town Board meeting.

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

RESOLUTION 2023 #210 Approve 284 Agreement to Spend Town Highway Funds

Councilman George moved and Councilman Reitz seconded;

WHEREAS, Town was awarded a Transportation Alternatives Program Grant from NYSDOT the for Evans Shoreline Trail Phase 4; and

WHEREAS, the grant requires Town to hire an engineering consultant as part of the project; and

WHEREAS, the Director of Planning and Consultant Selection Committee received and reviewed qualifications from four firms and interviewed two firms from the State approved list; and

WHEREAS, based on the results of the interviews it was determined that C&S Companies located at 141 Elm Street, Suite 100, Buffalo, NY 14203 would be the Town preferred choice to provide Design and Project Management Services for the project.

NOW, THEREFORE, BE IT RESOVLED, the Town Board of the Town of Evans authorizes Director William Smith to negotiate the terms and conditions of the contract with C&S Companies, 141 Elm Street, Suite 100, Buffalo, NY 14203, not to exceed the amounts indicated for services covered in the grant proposal; and

FURTHER, BE IT RESOLVED, that a resolution for the Town Board to approve the terms and conditions of such agreement will be placed on the agenda of a future Town Board meeting.

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

RESOLUTION 2023 #211 Designation of Broker of Record

Councilman Schraft moved and Councilman George seconded;

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 Stahlka Agency, effective immediately, and upon the review of the Town Attorney.

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

RESOLUTION 2023 #212 Approve Town Licenses

Councilman Schraft moved and Councilman Macko seconded,

1) David Jacobson D/B/A Pat's Pizzeria - Refreshment

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
	Deputy Supervisor George	Aye

RESOLUTION 2023 #213 Audit of Bills

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

	AUDIT OF BILLS
DATE	4/20/2023
ABSTRACT NO.	8
VOUCHER NO.	12320 - 12385
CHECK NUMBERS	85574 - 85628
APPROVED AT	Board Meeting
DATE	4/19/2023
GENERAL	$54,509.95
PART TOWN	$185.45

HIGHWAY DB	$9,233.39
WATER	$1,102.32
CAPITAL PROJECTS	$512.97
SPECIAL DISTRICTS	$1,538.91
DEBT SERVICE	
TOTAL	$67,082.99

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #214 Enter Executive Session

Councilman George moved and Councilman Macko 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: 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

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

April 27, 2023

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

RE: Minor Subdivision – dividing a 0.28± acre vacant parcel on Meadow Lane, Angola NY, known as SBL# 234.19-3-27 into two parcels; a 0.14± acre vacant parcel and a 0.14± acre vacant parcel. Petitioners: William Melski, 9154 Meadow Lane, Angola & Michael Catanzaro, 9149 Applewood St., 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

Com 1
Pg 2

Submitted for the May 3, 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 April 27, 2023, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the William Melski & Michael Catanzaro 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 William Melski & Michael Catanzaro Minor Subdivision
(Addendum_____SEQR Short Environmental Assessment Form),

a division of SBL# 234.19-3-27, dividing a 0.28± acre vacant parcel to create:

1. a 0.14± acre vacant parcel with 30.5± feet of frontage on Meadow Lane, to be annexed to the adjacent parcel owned by Michael Catanzaro, known as SBL# 234.19-3-26, and
2. a 0.14± acre vacant parcel with 30.5± feet of frontage on Meadow Lane, to be annexed to the adjacent parcel owned by William Melski, known as SBL# 234.19-3-28.

Petitioners: William Melski, 9154 Meadow Lane, Angola & Michael Catanzaro, 9149 Applewood Street, 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 May 3, 2023 Town Board meeting:

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 William Melski & Michael Cantanzaro Minor Subdivision,

a division of SBL# 234.19-3-27, dividing a 0.28± acre vacant parcel to create:

1. a 0.14± acre vacant parcel with 30.5± feet of frontage on Meadow Lane, to be annexed to the adjacent parcel owned by Michael Catanzaro, known as SBL# 234.19-3-26, and
2. a 0.14± acre vacant parcel with 30.5± feet of frontage on Meadow Lane, to be annexed to the adjacent parcel owned by William Melski, known as SBL# 234.19-3-28.

Petitioners: William Melski, 9154 Meadow Lane, Angola & Michael Catanzaro, 9149 Applewood Street, Angola, NY 14006

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

PH #1

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
TOWN OF EVANS, NEW YORK
PROPOSED LOCAL LAW #6 OF 2023

PLEASE TAKE NOTICE, that there has been presented to the Town Board on April 5, 2023, for adoption proposed Local Law No. 6 of the Year 2023, establishing requirements for issuance and enforcement of licenses for special events.

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 3rd day of May 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.

Please note: The meeting room is wheelchair accessible. Those needing special arrangements should call the Evans Town Hall at 716-549-8787 by Tuesday, May 2, 2023.

TOWN OF EVANS

LYNN M. KRAJACIC, TOWN CLERK

8787 Erie Road • Angola, NY 14006-9600

Telephone (716) 549-8787

May 1, 2023

Thomas George, Deputy Supervisor
8787 Erie Road
Angola, New York 14006

Dear Deputy Supervisor George,

Per transfer through Evans Bank, $118,424.91 was transferred to the Town of Evans Savings & Green Space account.

This represents the following:

Town Clerk April 1, 2023 - April 31, 2023	$ 119,823.14
Interest Earned on Checking Account April 1, 2023 - April 31, 2023	$ 1.77
Greenspace Fees/Trust & Agency Account April 1, 2023 - April 31, 2023	$ $1400.00
Petty Cash Fund Balance	$ 650.00

These funds were received by me as Town Clerk for the Town of Evans.

Best Regards,

Lynn Krajacic att

Lynn Krajacic, RMC
Town Clerk

Cc: Finance Dept
Councilman Schraft
Councilman Macko
Councilman Reitz

Res 1

RESOLUTION – LAKE ERIE BEACH VOLUNTEER FIRE COMPANY, INC. - LOSAP APPROVAL FORM FOR 2022

WHEREAS, an audit has been completed by the Town of Evans Finance Department for the Length of Service Award Program ("LOSAP") for the 2022 Lake Erie Beach Volunteer Fire Company, Inc. records listing per Article 11-A for the New York State General Municipal Law.

BE IT RESOLVED, that the Evans Town Board hereby approves the 2022 Firefighter Records listing for Lake Erie Beach Volunteer Fire Company, Inc. and is authorized to execute the 2022 Sponsor Approval for as required by Article 11-A.

ROLL CALL VOTE:

Res 2

RESOLUTION – ADOPT AMENDED PROCUREMENT POLICY

WHEREAS, State Municipal Law § 104-b of the General Municipal Law (GML) requires Towns within New York State to adopt internal policies and procedures governing all procurement of goods and services, not subject to the bidding requirement of GML §103 or any other law; and

WHEREAS, on February 3, 2016, the Evans Town Board passed Resolution #2016-116 implementing a comprehensive procurement policy for all Town of Evans' departments;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Evans, hereby adopts the amended Procurement Policy (Attachment A) and directs all departments to act in accordance with this adopted policy, effective immediately; and

FURTHER, BE IT RESOVLED, the Town Clerk is hereby instructed to distribute the above referenced policy to all departments in the Town of Evans.

ROLL CALL VOTE:

Res 3

RESOLUTION – APPOINTMENT OF FULL TIME POLICE OFFICER

Submitted for the May 3, 2023 Board Meeting

WHEREAS; there is an opening for a Full-Time Police Officer in the Evans Police Department; and

WHEREAS; Daniel Welch is currently a part-time Police Officer for the Town of Evans, Town of Eden, and Village of Blasdell Police Departments and meets the requirements necessary to be a Full-Time Town of Evans Police Officer; and

WHEREAS, Daniel Welch is currently in the top three of the Erie County Civil Service List;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints, Daniel Welch effective May 6, 2023 and upon the approval of the Erie County Civil Service Department; and

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

ROLL CALL VOTE:

Authorized by _____

Chief of Police

Res 4

Resolution - Appointment Of Full Time Truck Driver(s) – Highway Department

WHEREAS, there are two (2) vacant positions at the Town of Evans Highway Department for a full-time truck driver; and

WHEREAS, Jonathan Hammond and Kurtiss Driscoll have passed and obtained their CDL Class B licenses; and

WHEREAS, Jonathan Hammond and Kurtiss Driscoll are currently part-time seasonal laborers for the Town of Evans Highway Department;

NOW, THEREFORE, BE IT RESOLVED, effective Monday, May 8, 2023, the Evans Town Board hereby acknowledges the appointment of both Jonathan Hammond and Kurtiss Driscoll to the position of full-time truck driver; and

FURTHER, BE IT RESOLVED; effective Monday, May 8, 2023, the payroll department is directed to increase Mr. Hammond's and Mr. Driscoll's rate of pay from $15.20 per hour to $18.98 per hour, in accordance with the current CSEA Local 815 collective bargaining agreement; and

FURTHER, BE IT RESOLVED, that all requirements pursuant to NYS DOT rules and regulations regarding CDL licensing for the above referenced employees are current and in compliance; and

FURTHER, BE IT RESOLVED, all other relative issues, rules and regulations will be understood to all parties subject to Civil Service Law and CSEA Local 815 collective bargaining agreement; and

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

ROLL CALL VOTE:

Res 5

Resolution - Highway Department Appointment - Truck Driver to Machine Equipment Operator (MEO) Light

BE IT RESOLVED, effective May 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 William Nelson from Truck Driver to Machine Equipment Operator Light; and

FURTHER, BE IT RESOLVED, effective May 8, 2023, the payroll department is directed to increase Mr. Nelson's hourly rate to $24.11 in accordance with the current 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.

ROLL CALL VOTE:

Res 6

RESOLUTION – TOWN PURCHASE OF AUTOMATED EXTERNAL DEFIBRILLATORS (AED's)

Submitted for the May 3, 2023 Board Meeting

WHEREAS; Automated External Defibrillators (A.E.D.) are utilized to revive someone from sudden cardiac arrest and have been proven to be life-saving equipment; and

WHEREAS, the Town of Evans wishes to have A.E.D.'s strategically placed in Town owned facilities as well as deployed with our Police Department for quick response; and

WHEREAS, our current inventory of A.E.D.'s are nearing end of life usage; and

WHEREAS, per Town of Evans Procurement policy, quotes from three A.E.D. suppliers were received, and of those three CiNTAS First AID & Safety is able to expedite delivery with no backorders, and units from CiNTAS First AID & Safety require only one set of pads per unit eliminating the need for purchase of both adult and pediatric pads which will save the Town of Evans over the course of the life of the units;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby approves to purchase (ten) 10 Zoll 3 A.E.D.'s and necessary equipment from CiNTAS First AID & Safety at a cost of $22,285.00.

ROLL CALL VOTE:

Res 7

RESOLUTION – ADOPT 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 public hearing was held on May 3, 2023 to consider the adoption of proposed Local Law No. 6 of the year 2023; and

BE IT RESOLVED, that the Town Board of the Town of Evans adopts and enacts Local Law No. 6 of the Year 2023; and

ROLL CALL VOTE:

Res 8

RESOLUTION – BUDGET TRANSFERS – HIGHWAY

WHEREAS, the Town is obligated by general municipal law to maintain a balanced budget;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Evans hereby authorizes the Supervising Accountant to make the following budget transfer to reappropriate funds for costs associated with the purchase of a Gradall fixed thumb attachment and additional equipment needed imminently:

Transfer From:

DB.5110.401.06	Highway – Supplies – Guardrails	$20,000

Transfer To:

DB.5110.220.00	Highway – Machinery & Motor Vehicles	$20,000

ROLL CALL VOTE:

Res 9

RESOLUTION – Signage Fee Waiver Frederick Garrasi III 5K Run Fundraiser

BE IT RESOLVED, that per Town of Evans Code 200.29 Sign Regulations, Fee Schedule, that the Town Board does hereby grant a waiver of the signage fee to the Frederick Garrasi III Memorial Fund to have two (2) double-sided interchangeable letter message board signs (4ft L x 2ft W x 3.5ft H) in front of Merkes and Son Reality, Inc. (Steveo's), 6811 Erie Road, Derby, New York and Ferber Automotive Corporation, 8120 Erie Road, Angola, New York for the 2023 Frederick Garrasi III Memorial 5K Run. The signs will be displayed through June 11, 2023.

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

ROLL CALL VOTE:

Res 10

RESOLUTION – WNY Imaging Copier Agreement – Planning Department

BE IT RESOLVED, that the Town of Evans enter into a Lease/Maintenance agreement for the Town of Evans copier located in the Planning Department office with WNY Imaging located at 411 Maryvale Drive, Buffalo, New York 14225 for the period of 60 months at $92.00 per month.

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

ROLL CALL VOTE:

Res 11

RESOLUTION AUTHORIZING CONTRACTORS FOR
BOARD UP, GRASS-CUTTING AND RELATED PROPERTY MAINTENANCE
SERVICES
OF VARIOUS PROPERTIES IN THE TOWN OF EVANS
FOR THE CALENDAR YEAR 2023

WHEREAS, the Town of Evans Code Enforcement Office is responsible for the inspection of various properties within the Town of Evans to ensure compliance with residential and commercial property maintenance codes; and

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 concerning the safety, condition and maintenance of said properties; and

WHEREAS, when violations are noted, property owners are notified to safeguard their property by cutting high grass, closing up inground pools, repairing and/or removing hazardous conditions and/or boarding-up their properties and

WHEREAS, in the event the owners of such properties fail to bring them into compliance with local and/or state laws, ordinances, codes, and regulations, and public safety requires that action be taken immediately, it is necessary that the Code Enforcement Office retain a private contractor to perform the necessary work on such property; and

WHEREAS, the Town adopted rates of compensation for such work by Resolution 2022-115, adopted February 16, 2022.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Evans is hereby authorized to retain any of the qualified contractors appearing on the attached list to perform such work at designated properties in the Town of Evans during calendar year 2023, at the rates of compensation stated in Resolution 2022-115, adopted February 16, 2022, upon execution of a written Agreement with the Town and approval of the contractor's Certificates of Insurance, and

BE IT FURTHER RESOLVED, that the Town Deputy Supervisor is authorized to execute such agreements.

ROLL CALL VOTE:

2023 Property Maintenance Contractors

Grass cutting:
Empire Lawncare & Hardscapes
26 Henry Drive
Angola, NY 14006

And

Atlas Enviro Clean
2516 Route 20, Box 55
Sheridan, NY 14135

Clean up/Board up:
Empire Lawncare & Hardscapes
26 Henry Drive
Angola, NY 14006

And

Atlas Enviro Clean
2516 Route 20, Box 55
Sheridan, NY 14135