Meeting #13 Wednesday, July 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: June 21st, 2023 Minutes, June 26th 2023, July 11th 2023, July 17th 2023.	
V	Communications: 1.) Supervisors report April 2023 2.) Supervisors report May 2023	
VI	Public Hearing & Bid Opening: 1.) Site Plan & Special Use Recommendation- DelPrince/Duncan Motors	
VII	Committee & Department Head Reports:	
VIII	Town Clerk's Reports: Town Clerk $ 56707.55 Interest Earned on Checking Account $ 2.14 Greenspace Fees/Trust & Agency Account $ 700.00 Petty Cash Fund Balance $ 650.00	
IX	Old Business: 1.) Appointment of Provisional Full Time Assistant Code Enforcement Officer 2.) Filling Seats on Ethics Committee 3.) Budget Amendment - Highway 4.) Part Time Dog Control Officer	
X	Privilege of the Floor:	
XI	Resolutions: 1.) Appointment of Full Time Police Officer- Hafii 2.) Appointment of Full Time Police Officer- Castle 3.) Accept Service Proposal for Town of Evans Senior Center 4.) Appointment of Full Time Truck Driver Highway 5.) Appointment of Part-Time Gate Guard Parks Department 6.) Appointment of Part- Time Gate Guard Parks Department 7.) Appointment of Part-Time (On Call) Police Matrons 8.) Set Administrative Fee for Additional Recycling and Garbage totes. 9.) Waiver of Application and Service Fees 10.) Appointment of Part-Time Assistant Code Enforcement Officer 11.) Evans 2023 CFA-NYSPARKS&DOS Sturgeon Point Marina Dock Replacement and Configuration Project- DOS 12.) Evans 2023 CFA-NYSPARKS&DOS Sturgeon Point Marina Dock Replacement and Configuration Project- NYS OPRHP 13.) Evans 2023 CFA- Updates to the LWRP Project 14.) Evans 2023 EFC- WIIA Water System Improvements Phase 1 15.) Evans 2023 CFA- WQIP DEC Big Sister Creek Corridor Management Plan 16.) Appointment of Community Events Committee Member	
XII	Licenses: 1.) Highland Hose Vol Fire Co. 1 George Nablo Pkwy, Derby, NY 14047, 08/04/2023 7:30pm-11pm (Live Band Special Event) 2.) Highland Hose Vol Fire Co. 1 George Nablo Pkwy, Derby, NY 14047, 08/05/2023 7:30pm-11pm (Live Band Special Event) 3.) Highland Hose Vol Fire Co. 1 George Nablo Pkwy, Derby, NY 14047 8/2-8/5 (Special Events)	
XIII	Audit of Bills:	
XIV	Adjournment to: Wednesday, August 2nd, 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 #279 Enter Executive Session

Deputy Supervisor 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: employment history of a particular Individual.

NOW THEREFORE BE IT RESOLVED: Ken Farrell, Town Attorney, John Flading, Code Enforcement Officer and Kelly Kent, Human Resources, 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

Public Hearing

NOTICE OF PUBLIC HEARING re Certification of Nonconformance

PLEASE TAKE NOTICE that pursuant to Evans Town Code, the provisions of the Town Law and Municipal Home Rule of the State of New York, the Town Board of the Town of Evans, Erie County, New York will hold a Public Hearing on June 21 at 7:10 pm in the Court Room of the Evans Municipal Center (located at 8787 Erie Road, Angola, NY 14006), to hear any and all persons either for or against a local law amending Chapter 200 (Zoning) with regard to Certification of a Nonconforming Use, Lot or Structure.

Summary of Proposed Law:

This law is intended to amend the code to allow for an opportunity for persons to submit a permitting application directly to the Planning Department for a determination on the rights of a nonconforming use or structure, change of nonconforming use, re-use and/or renovation of a

previous nonconforming structure, or to extend a period of vacancy due to extensive rehabilitation of a structure.

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

RESOLUTION 2023 #280 Open the Public Hearing

Deputy Supervisor George moved and Councilman Macko 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 2023 #281 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 #282 SEQR Lead Agency - Local Law #7 - Certificate of Nonconformance

Deputy Supervisor George moved and Councilman Schraft seconded;

WHEREAS, the Evans Town Board wishes to amend Chapter 200-30 of the Town Code regulating nonconforming lots, structures and uses in all zoning districts; and

WHEREAS, the Town Board of the Town of Evans desires to be the Lead Agency for the SEQR process regarding said amendment.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans shall be the Lead Agency for the SEQR process for proposed Local Law #7 of the year 2023; 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 #283 SEQR Negative Declaration - Local Law #7 - Certificate of Nonconformance

Councilman Schraft moved and Councilman Macko seconded;

WHEREAS, the Evans Town Board wishes to amend Chapter 200-30 of the Town Code regulating nonconforming lots, structures and uses in all zoning districts; and

WHEREAS, the Town Board of the Town of Evans has declared Lead Agency for the SEQR process, and

WHEREAS, the Town Board of the Town of Evans has reviewed the Environmental Assessment Form and has determined that the proposed amendment will not result in any significant impacts.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans issues a negative declaration for Local Law #7 of 2023; 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 #284 Approval of Local Law #7 of 2023 - Certificate of Nonconformance

Councilman Macko moved and Councilman Schraft seconded;

WHEREAS, the Evans Town Board held a public hearing on June 21, 2023 for consideration of Proposed Local Law #7 of the year 2023 to amend Chapter 200-30 of the Town Code regulating nonconforming lots, structures and uses in all zoning districts; and

WHEREAS, the Planning Board has reviewed the proposed Local Law #7 and recommended the code amendment for approval by unanimous vote at their May 24, 2023 public meeting; and

WHEREAS, the Planning Department has submitted a full statement of the proposed action to the Erie County Division of Planning pursuant to GMU Section 239-M and has addressed their comments; and

WHEREAS, the Town Board of the Town of Evans declared Lead Agency in accordance with the SEQR process and issued a negative declaration for this action.

NOW, THEREFORE BE IT RESOLVED, that Proposed Local Law #7 of the year 2023, as amended, be adopted as Local Law #7 of the year 2023; and

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #285 Accept Minutes

Deputy Supervisor George moved and Councilman Macko seconded that the reading of the minutes of June 7, 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 Special Use Permit -Development, construction and operation of an approximately 10 megawatt solar array on two abutting parcels (16.08± acres and 14.59± acres) located in the Solar Overlay District on Southwestern Blvd., formerly known as SBL# 207.00-4-11.11. Petitioner: Solar Liberty Energy Systems, Inc., 6500 Sheridan Dr., Suite 120, Buffalo NY 14221.

RESOLUTION 2023 #286 Advertise for Public Hearing Special Use Permit - DelPrince/Duncan Motors

Councilman Schraft moved and Councilman Reitz seconded;

WHEREAS, in a letter dated June 19, 2023, the Planning Board has requested that the Town Board set a public hearing regarding the petition of Christian DelPrince, dba Duncan Motors, 8555 Southwestern Blvd., Angola NY for a Special Use Permit for construction of a 5,000± sq. ft. building for the operation of a Motor Vehicle Sales business with a Special Use Permit to be located at 1621 Eden Evans Center Rd., Angola, NY, SBL# 236.00-1-12.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize the Town Clerk to advertise for a public hearing to be held on July 19, 2023 at 7:10pm for the consideration of said Special Use Permit; and

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

William Smith Special Use Permit - Proposed construction of a 5,000± sq. ft. building for the operation of a Motor Vehicle Sales business with a Special Use Permit located at 1621 Eden Evans Center Rd., Angola, NY, SBL# 236.00-1-12. Petitioner: Christian DelPrince/Duncan Motors, 8555 Southwestern Blvd., Angola NY 14006.

RESOLUTION 2023 #287 Advertise for Public Hearing Special Use Permit - Solar Liberty

Councilman Schraft moved and Councilman Reitz seconded;

WHEREAS, in a letter dated June 19, 2023, the Planning Board has requested that the Town Board set a public hearing regarding the petition of Solar Liberty Energy Systems, Inc. for a Special Use Permit for development, construction and operation of an approximately 10 megawatt solar array on two abutting parcels, as a result of a merger and subsequent subdivision, (16.08± acres and 14.59± acres) located in the Solar Overlay District on Southwestern Blvd., formerly known as SBL# 207.00-4-11.11.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize the Town Clerk to advertise for a public hearing to be held on July 19, 2023 at 7:10pm for the consideration of said Special Use Permit; and

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #288 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 May 2023:

Town Clerk Report	$29,776.92
Interest	$ 2.07
Greenspace Fee	$ 2,100.00
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

RESOLUTION 2023 #289 Remove Item #2 from Old Business - Appointment of Code Enforcement Officer

Councilman Macko moved and Councilman Reitz seconded to remove item #2 from Old Business.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #290 Appointment of Code Enforcement Officer

Councilman Macko moved and Councilman Reitz seconded,

WHEREAS; a vacancy exists for a Part Time Assistant Code Enforcement Officer;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Parker McSkimming to Part Time Assistant Code Enforcement Officer, effective June 13, 2023, at an hourly rate of $21.40 per hours, up to 19.5 hours per week.

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

FURTHER BE IT RESOLVED, the 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 #291 Appointment of Economic Advisory Committee Members

Councilman Schraft moved and Councilman Macko seconded;

WHEREAS, the Town Board wishes to develop a renewed Economic Development Advisory Committee for the purpose of implementing economic development plans, policies, projects and

programs which create a balanced, vibrant local economy, and promote diversity, sustainable growth and increased revenue while enhancing the community character; and

WHEREAS, the Director of Planning and Development has provided a list of interested stakeholders from the local business and development community to serve as members of the Committee.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Evans hereby appoints the following people to the new Economic Development Advisory Committee:

Valerie Stonitsch (Chair)
Brandy Lombardo (Delio's)
John Popple (Bagel Jar)
Anna Kaplan (Graycliff)
Kelly Zielinski (NE Property Partners)
Valerie Nowak (Harmonia)
Karen Erickson (Connor's)
Rick Manguso (Grandview Golf/Lucy Goose)
Lori Szewczyk (ECIDA)
Jamie Decker (Chamber of Commerce)
William Smith (Evans Planning and Development

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

RESOLUTION 2023 #292 Appointment of Part Time Program Coordinator - Senior Center

Councilman Macko moved and Councilman Reitz seconded,

BE IT RESOLVED, effective June 22, 2023, Lisa McKinnon is hereby appointed Part-Time Program Coordinator for the Town of Evans Senior Center, working up to 19.5 hours per week, at the hourly rate of $16.20 per hour; and

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

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

RESOLUTION 2023 #293 Enter Contract with Rehrig Pacific Company - Trash Totes

Councilman Reitz moved and Councilman Macko seconded;

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, the Town Board of the Town of Evans accepted and awarded 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; and

WHEREAS, per the Option #2 bid awarded, there will be a necessity to purchase 95 Gallon trash totes for distribution to Town residents in order to comply with the specifications of the awarded bid; and

WHEREAS, the implementation of utilization of the totes will commence for the Town of Evans on Monday, October 2, 2023; and

WHEREAS, quotes were obtained for the purchase of the above referenced trash totes; and

WHEREAS, Rehrig Pacific Company is the lowest quote, which includes the purchase, freight, assembly and distribution at a cost of $398,600.00; and

WHEREAS, Rehrig Pacific Company's quote falls under a SOURCEWELL Cooperative purchasing contract;

NOW, BE IT RESOLVED, that Deputy Supervisor Thomas George is authorized to execute all necessary contract documents with Rehrig Pacific Company, 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 #294 Authorization for Emergency Demolition 704 Bennett Road

Councilman George moved and Councilman Reitz seconded;

WHEREAS, there was a structure fire at 704 Bennett Road, Angola, NY 14006 on Friday, June 9, 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, 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 704 Bennett Road, Angola, NY 14006 (SBL #220.00-1-34.1); 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 704 Bennett Road, Angola, NY 14006 at a total cost of $26,000; and

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 and Town of Evans Assessor.

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

RESOLUTION 2023 #295 Lake Erie Beach Volunteer Fire Company Members

Councilman Schraft moved and Councilman Reitz 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 June 1, 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.;

William Radder
Vincent Skorupski

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #296 Budget Amendment - Highway

Councilman Schraft moved and Councilman Macko seconded;

WHEREAS, the Town of Evans Town Board approved the 2023 budget on November 16, 2022 by resolution 2022-425; and,

WHEREAS, the Town finds it necessary to amend the 2023 budget to recognize the receipt of funds associated with NYS Department of Transportation,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby amends the 2023 budget; and,

BE IT FURTHER RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Supervising Accountant to make the following budget amendments:

Increase:

DB3501.01	$25,487
DB5112.230.01 (CHIPS)	$25,487
DB3501.02	$8,416
DB5112.230.02 (PAVENY)	$8,416

Decrease:

DB3501.03	$8,439
DB5112.230.03 (EWR)	$8,439
DB3501.04	$15
DB5112.230.04 (POP)	$15
AA.02770.0000.03	$7,862
AA.03120.0120.03	$7,862

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

RESOLUTION 2023 #297 Budget Amendment - Police

Councilman Reitz moved and Councilman Schraft seconded;

WHEREAS, the Town of Evans Town Board approved the 2023 budget on November 16, 2022 by resolution 2022-425; and,

WHEREAS, the Town finds it necessary to amend the 2023 budget to recognize the receipt of funds associated with the DEA Task Force,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby amends the 2023 budget; and,

BE IT FURTHER RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Supervising Accountant to make the following budget amendments:

Increase:

AA.02770.0000.03	$7,862
AA.03120.0120.03	$7,862

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

RESOLUTION 2023 #298 Budget Amendment - Finance

Councilman George moved and Councilman Macko seconded;

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 AED purchase for Town:

Transfer From:		
AA.01990.0400.00	Contingent	$21,140
Transfer To:		
AA.01620.0410.00	Equipment	$21,140

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

RESOLUTION 2023 #299 Budget Amendment - Highway

Councilman Schraft moved and Deputy Supervisor George seconded to Table the resolution.

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

RESOLUTION 2023 #300 Budget Amendment - Town Clerk

Councilman Schraft moved and Councilman Macko seconded,

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 Vital Records Preservation:

Transfer From:		
AA.01410.0431.00	General Fund	$850
Transfer To:		
AA.01410.0413.00	General Fund	$850

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

RESOLUTION 2023 #301 Part Time Dog Control Officer

Deputy Supervisor George moved and Councilman Macko seconded to Table this resolution.

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

RESOLUTION 2023 #302 Suspend the Rules of Order

Deputy Supervisor George moved Councilman Schraft 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 #303 Appointment of Seasonal Part Time Lifeguards/ Gate Guards

Councilman Schraft moved and Councilman George seconded;

BE IT RESOLVED, effective immediately, the following individuals are hereby appointed as Part Time Seasonal Lifeguards/Gate Guards, for a five (5) month period, working up to 39 hours per week, at the hourly rates indicated:

NAME	TITLE	HOURLY RATE
Alexander Bauer	Seasonal Head Lifeguard	$17.00
Paris Smith	Seasonal Lifeguard (Captain)	$16.00
Alexander Hassan	Seasonal Lifeguard (Captain)	$16.00
Izze Marchitte	Seasonal Lifeguard (Captain)	$16.00
Mitch Kiefer	Seasonal Lifeguard	$15.50
Jake Hopkins	Seasonal Lifeguard	$15.50
Jacob Siegel	Seasonal Lifeguard	$15.50
Sophie Lehnen	Seasonal Lifeguard	$15.50
Amber O'Neil	Seasonal Lifeguard	$15.50
Callum Irwin	Seasonal Lifeguard	$15.50
Joseph Redman	Seasonal Lifeguard	$15.50
Katie Matson	Seasonal Lifeguard	$15.50
Amelya Kilby	Seasonal Lifeguard	$15.50
Jillian Guziec	Seasonal Lifeguard	$15.50
Sophia Rupp	Seasonal Lifeguard	$15.50
Luke Hopkins	Seasonal Lifeguard	$15.50
Joshua Ninan	Seasonal Lifeguard	$15.50
Blake Hageman	Seasonal Lifeguard	$15.50
Malea Reilly	Seasonal Lifeguard	$15.50
Kelsey Dynas	Seasonal PT Gate Guard	$14.20
Alyssa Michalawski	Seasonal PT Gate Guard	$14.20

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #304 Appointment of Seasonal Part Time Gate Guards

Councilman George moved and Councilman Schraft seconded;

BE IT RESOLVED, the following individuals are on call and will be hired only in the event that the Marina opens for the 2023 season and are hereby appointed as Part Time Seasonal Gate Guards, for a five (5) month period, working up to 39 hours per week, at the hourly rates indicated:

NAME	TITLE	HOURLY RATE
Robert Sikorski	Gate Guard	$14.20
Jack Kurtzult	Gate Guard	$14.20
Theresa Ames	Gate Guard	$14.20
Scott Sexton	Gate Guard	$14.20
Bryce Coyle	Gate Guard	$14.20
Michael Mye	Gate Guard	$14.20
Andrew Inglut	Gate Guard	$14.20
Timothy Shea	Gate Guard	$14.20
Kevin Rivera	Gate Guard	$14.20
Joseph Sliwinski	Gate Guard	$14.20

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #305 Declare Surplus - Parks Department

Councilman Macko moved and Councilman Schraft seconded;

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

2018 Ford Explorer VIN #1FM5K8AR6JGB12043

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #306 Declare Surplus - Police Department

Councilman Schraft moved and Councilman Macko seconded;

BE IT RESOLVED, the following Police Department vehicles are hereby declared surplus equipment and will be sold at auction with proceeds being deposited in the Town's General Fund account:

2017 Ford Explorer PI VIN #1FM5K8AR6HGC66567
2019 Chevrolet Tahoe PPV VIN #1GNSKDEC1KR385345;

FURTHER, BE IT RESOLVED, the following Police Department vehicle is hereby declared surplus equipment and will be transferred to the Parks Department for their use:

2019 Ford Explorer PI VIN #1FM5K8AR0KGB44102

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #307 Declare Surplus - Police Department

Councilman George moved and Councilman Macko seconded;

BE IT RESOLVED, the following Police Department equipment is nearing end of life and hereby declared surplus equipment:

HAVIS Docking Station – DS PAN 421 – SN: 0316-P420-3029
Brother PocketJet 6 Printer – SN: U62863-J0G632568
L-Tron 3310G Scanner SN: 15284B3DC4 and SN: 15204B03FA

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #308 Declare Surplus - Police Department

Councilman George moved and Councilman Macko seconded;

BE IT RESOLVED, the following Police Department equipment is hereby declared surplus equipment and will be transferred to the Highway Department for their use:

Kenwood TK-7180-K Radios: SN: B8610031, SN: B1200113, SN: B9210032, SN: C0110100, SN: C0110101

Kenwood TK7360HV-5: SN: B2301022

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #309 Enter Agreement with Erie County for Maintenance of Town of Evans Shoreline Trail Multi-Use Pathway, Phase III

Councilman Macko moved and Councilman Reitz seconded;

WHEREAS, Erie County and the Town of Evans desire to define maintenance responsibilities for the Town of Evans Shoreline Trail Multi-Use Pathway - Phase III (hereinafter referred to as "PROJECT"); and

WHEREAS, the structures and other trail elements requiring maintenance are described on the final plans for the PROJECT, as approved by the New York State Department of Transportation; and

WHEREAS, the location of said PROJECT is illustrated on Exhibit A, which is attached hereto; and

WHEREAS, the maintenance responsibilities of the Town are limited to those portions of the Trail located within the Lake Shore Road right-of-way, while the portion traversing Wendt Beach Park is the responsibility of Erie County, as illustrated in Exhibit A;

NOW, THEREFORE, BE IT RESOLVED, in consideration of the mutual premises the parties do mutually agree to jointly maintain the Town of Evans Shoreline Trail Multi-Use Pathway - Phase III; and

BE IT FUTRTHER RESOLVED, the Town Board hereby authorizes the acting Deputy Supervisor Thomas George to execute this Agreement on behalf of the Town.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #310 Approval of 2023 Marina Fees

Councilman George moved and Councilman Schraft seconded;

BE IT RESOLVED, the Town Board of the Town of Evans hereby approves the following Marina fees for the 2023 Season:
See attachment "A"

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #311 SEQR Negative Declaration - Preliminary Plat Approval for the Proposed The Bay at Saint Vincent Major Subdivision

Councilman Schraft moved and Councilman Reitz seconded;

WHEREAS, the Eagle Associates of Niagara Frontier, Inc. ("the Applicant") was granted Preliminary Plat Approval for the proposed The Bay at Saint Vincent Major Subdivision ("the Project"); and

WHEREAS, the Project involves the creation and development of 22 residential lots and supporting infrastructure on the 15.97 +/- acre parcel located at 8462 Lake Shore Rd (SBL# 220.00-1-22); and

WHEREAS, the Evans Town Board declared intent to serve as SEQR Lead Agency on the Project at their October 21, 2020 meeting and initiated a 30-day coordinated review with involved agencies; and

WHEREAS, per Section 178-6.b of the Town Code pertaining to procedures for obtaining subdivision approval, the Planning Board carefully reviewed the Preliminary Plat for compliance with SEQR requirements and made their recommendation to the Town Board; and
WHEREAS, the Town Board determined that the Project would not have any potentially significant adverse environmental impacts, and accordingly on February 2, 2022 the Town Board issued a negative declaration for the Project and granted conditional preliminary plat approval including a condition requiring the Applicant to provide a letter of no adverse effect from the New York State Historic Preservation Office ("SHPO"), prior to disturbing the ground or buildings on Site; and

WHEREAS, thereafter the Applicant engaged in an extensive consultation with SHPO, the NYSDEC, and the Seneca Nation of Indians and is in the process of finalizing a Letter of Resolution with SHPO and NYSDEC that permits Eagle Associates to proceed with the Project on the Site subject to certain conditions and additional requirements, all to be set forth fully in the attached Letter of Resolution between the Applicant, SHPO, and the NYSDEC, and will include the Applicant's commitment to photographic documentation of the structures on Site and to erect signage that outlines the historical significance of the Site, in addition to the Applicant's completion of extensive fieldwork as part of a SHPO approved Phase III/data recovery plan to identify, collect and mitigate impacts to pre-contact/indigenous artifacts found on Site; and

WHEREAS, Applicant's extensive consultation with NYSDEC and SHPO allowed more than six months to pass after the February 2, 2022 Preliminary Plat Approval; and

WHEREAS, the Town Board's thorough reanalysis of the Environmental Information, together

with a full consideration of the resubmitted Preliminary Plat and the Supplemental Environmental Information, confirms that the Project will not result in significant adverse environmental impacts.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town Board of the Town of Evans reissues a negative declaration in accordance with SEQR requirements for The Bay at Saint Vincent Major Subdivision located at 8462 Lake Shore Road (SBL# 220.00-1-22).

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

RESOLUTION 2023 #312 Preliminary Plat Re-Approval for the Proposed The Bay at Saint Vincent Major Subdivision - Eagle Associates

Councilman Reitz moved and Councilman Macko seconded;

WHEREAS, on February 2, 2022, the Town Board approved the Preliminary Plat for the proposed The Bay at Saint Vincent Major Subdivision ("the Project"); and

WHEREAS, the Project involves the creation and development of 22 residential lots and supporting infrastructure on the 15.97 +/- acre parcel located at 8462 Lake Shore Rd (SBL# 220.00-1-22); and

WHEREAS, Code Section 178-6.b(G)(1) provides that an applicant shall submit the final plat and all related materials to the Planning Office within six months of the date of the approval of the preliminary plat by the Town Board, and otherwise requires resubmission of the preliminary plat for Town Board reapproval where more than six months pass prior to the applicant's submission of a final plat; and

WHEREAS, the Eagle Associates of Niagara Frontier, Inc. ("the Applicant") has resubmitted the application for Preliminary Plat Approval for the Project; and

WHEREAS, the Applicant has made no changes to the previously approved Preliminary Plat.

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby reapproves the Preliminary Plat for The Bay at Saint Vincent Major Subdivision with the following conditions:

- The Applicant shall continue to work with the Town Engineer and Planning Director and any involved agencies to achieve Final Plat approval.
- The Applicant shall provide an executed copy of the attached letter of resolution signed by all involved parties prior to Final Plat approval.

AND, BE IT FURTHER RESOLVED, that a copy of this resolution is sent 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 #313 Town Licenses

Councilman Schraft moved and Councilman George seconded,

1) Graycliff Conservancy 6472 Lake Shore Road, Derby NY 14047 - Live Band Commercial
2) Graycliff Conservancy 6472 Lake Shore Road, Derby NY 14047 - Special Event

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 #314 Audit of Bills

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

	AUDIT OF BILLS
DATE	6/22/2023
ABSTRACT NO.	12
VOUCHER NO.	12685 - 12768
CHECK NUMBERS	85876 - 85947
APPROVED AT	Board Meeting
DATE	6/21/2023
GENERAL	$135,618.49
PART TOWN	$243.91
HIGHWAY DB	$344,644.18
WATER	$12,118.28
CAPITAL PROJECTS	$849,930.89
SPECIAL DISTRICTS	$25.00
DEBT SERVICE	
TOTAL	$1,342,580.75

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

RESOLUTION 2023 #315 Adjournment

Deputy Supervisor George moved and Councilman Schraft seconded to adjourn to Tuesday, July 11, 2023 8am for Audit of the Bills only and then to Wednesday, July 19, 2023 at 6:00pm for a Work Session and the Regular Meeting to follow.

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

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 (Zoom)
ALSO PRESENT:	Lynn Krajacic	Town Clerk

RESOLUTION 2023 #316 Road Closures - July 3rd Lake Erie Beach

Councilman Macko moved and Councilman Schraft seconded,

WHEREAS, the 4th of July celebration in the Lake Erie Beach/Point Breeze area brings several thousand people to this community to honor our nation's birth; and

WHEREAS, the public safety responsibility for those people enjoying the celebration, those people residing in this celebration area, and the people who will transverse this area, are a responsibility that is best served through the following road closures;

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby authorizes the closing of Kennedy Avenue and Eisenhower Avenue from Lake Shore Road to Quebec Street, the closing of Eastwood Avenue from Lake Shore Road to Northfield Street, the closing of Northfield Street from Eastwood Avenue to Kennedy Ave, the closing of Garfield Avenue from Lake Shore Road to Oakland Street and the closing of Oakland Street from Garfield Ave to Kennedy Ave, for the purpose of providing public safety to all participants, residents, and traffic beginning at 7pm on the 3rd of July, in addition to all other public safety measures as set forth under the Code of the Town of Evans; and

BE IT FURTHER RESOLVED, that there will be no vehicles allowed in Lake Erie Beach Park beginning at 4am July 3rd through 7am July 4th; and

BE IT FURTHER RESOLVED, THAT THE Town Clerk is hereby authorized and directed to publish this resolution in the Angola Pennysaver and the Dunkirk Observer, the official paper of the Town of Evans.

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

RESOLUTION 2023 #317 Waiver of Additional Service Fees

Councilman Schraft moved and Councilman Macko seconded;
BE IT RESOLVED, the Town Board does hereby grant a waiver of the additional service fees, determined by the Town Departments, for the 2023 Lake Erie Beach 4th of July Celebration, to be held on Monday, July 3, 2023.

FURTHER BE IT RESOLVED, a copy of this resolution be given to the appropriate Town Departments.

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

RESOLUTION 2023 #318 Town Licenses

Councilman Schraft moved and Councilman Reitz seconded,

1) Evans Community Events Inc. 9566 Lake Shore Road, Angola - Special Events
2) Matt Shaw D/B/A Skylighters of NY LLC 9566 Lake Shore Road, Angola - Fireworks

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 #319 Adjournment

Deputy Supervisor George moved and Councilman Schraft seconded to adjourn to Tuesday, July 11, 2023 8am for Audit of the Bills only.

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.

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Respectfully Submitted,

Lynn M. Krajacic RMC
Town Clerk

DRAFT

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:	Alex Haley	Deputy Town Clerk

RESOLUTION 2023 #320 Audit of Bills

AUDIT OF BILLS

DATE	7/11/2023
ABSTRACT NO.	12 -B
VOUCHER NO.	12769 - 12843
CHECK NUMBERS	85948 - 86007
APPROVED AT	Board Meeting
DATE	7/11/2023
GENERAL	$153,600.61
PART TOWN	$141,680.57
HIGHWAY DB	$19,187.17
WATER	$4,974.77
CAPITAL PROJECTS	
SPECIAL DISTRICTS	$116,798.32
DEBT SERVICE	
TOTAL	**$436,241.44**

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #321 Adjournment

Councilman Macko moved and Deputy Supervisor George seconded to adjourn to Wednesday July 19th at 6:00PM.

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.

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Respectfully Submitted,

Lynn M. Krajacic RMC
Town Clerk

Alex Haley
Deputy Town Clerk

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
	Ken Farrell	Town Attorney

RESOLUTION 2023 #322 Set Public Hearing Improvements made to Certain Water Districts

Councilman Schraft moved and Deputy Supervisor George seconded,

WHEREAS, the Town Board (the "Town Board") of the Town of Evans (the "Town") is considering authorizing certain improvements to the facilities serving the Town of Evan's Water District Nos. 1, 1X, 1XX, 2, 2X, 3, 4 and 5 (collectively, the "Districts"), consisting of the replacement and installation of water mains throughout the Districts, at a maximum estimated cost of $13,525,000 (the "Project"), all as more particularly described in an engineering report dated July 2023 prepared by CPL Engineers, engineers duly licensed by the State of New York (the "Engineers"), prepared at the direction of the Town Board and on file for inspection with the office of the Town Clerk; and

WHEREAS, the Town Board now intends to conduct a public hearing in accordance with Section 202-b of the Town Law with respect to undertaking the Project at such estimated maximum cost.

NOW THEREFORE, BE IT RESOLVED, by the Town Board as follows:

Section 1. A public hearing shall be held at a public meeting of the Town Board to be held on July 27, 2023 at 9:00 a.m. at the Town of Evans Town Hall, 8787 Erie Road, Angola, New York 14006, to consider if it is in the public interest to undertake the Project at an estimated maximum cost of $13,525,000 and to hear all persons interested in the subject thereof; and it is

Section 2. The Town Clerk is hereby directed to cause notice of such public hearing to be published in *The Dunkirk Observer* and posted on the Town Bulletin Board at 8787 Erie Road, Angola, New York 14006 in the manner prescribed by Section 193 of Town Law.

Section 3. This resolution shall take effect immediately.

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

RESOLUTION 2023 #323 Adjournment

Deputy Supervisor George moved and Councilman Schraft seconded to adjourn to Wednesday July 19th at 6:00PM for Work Session and a Regular Meeting to follow.

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

DRAFT

Comm 1

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.

April, 2023

Comm 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.

May, 2023

PH 1
Pg 1

LEGAL NOTICE
TOWN OF EVANS

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold an **In-Person Public Hearing on July 19, 2023** at **7:10 P.M.** at the Evans Town Hall, 8787 Erie Road, Angola NY 14006 (with Zoom access listed on the Town website when available) to consider the petition of Christian D. DelPrince for a Special Use Permit for the construction of a 5,000± building for the operation of a Motor Vehicle Sales business at 1621 Eden Evans Center Road, Angola, NY 14006, SBL# 236.00-1-12. Questions and comments may be forwarded to the Planning Office by USPS or by email to planning@townofevans.org; any written questions or comments forwarded to the Planning Department will be included in the record of the Public Hearing. All parties in interest and citizens shall have an opportunity to be heard by the Town Board either In-person or via Zoom at the Public Hearing to be held aforesaid.

By Order of the Town Board of the Town of Evans
Lynn M. Krajacic
Town Clerk

PH1
Pg 2

Submitted for the July 19, 2023 Evans Town Board meeting:

RESOLUTION – Christian DelPrince/Duncan Motors Special Use Permit – Lead Agency

WHEREAS, the Evans Planning Board unanimously recommended approval of the Christian DelPrince, d.b.a. Duncan Motors Special Use Permit for the operation of a Motor Vehicle Sales business to be located at 1621 Eden Evans Center Rd., Angola, NY, SBL# 236.00-1-12; and

WHEREAS, the Town Board of the Town of Evans desires to be Lead Agency for the SEQR process regarding Special Use Permits.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans shall be the Lead Agency for the SEQR process for the Christina DelPrince/Duncan Motors Special Use Permit;

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

PH1
Pg 3

Submitted for the July 19, 2023 Evans Town Board meeting:

RESOLUTION – Christian DelPrince/Duncan Motors Special Use Permit – SEQR

WHEREAS, the Evans Planning Board unanimously recommended approval of the Christian DelPrince, d.b.a. Duncan Motors Special Use Permit for the operation of a Motor Vehicle Sales business to be located at 1621 Eden Evans Center Rd., Angola, NY, SBL# 236.00-1-12; and

WHEREAS, the Town Board of the Town of Evans has declared Lead Agency for the SEQR process, and

WHEREAS, the Town Board of the Town of Evans has reviewed the Environmental Assessment Form for this property and has determined that the issuance of a Special Use Permit will not result in any significant impacts to the environment.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans issues a negative declaration in accordance with the SEQR requirements for the Christian DelPrince/Duncan Motors Special Use Permit for the purpose of the operation of a Motor Vehicle Sales business to be located at 1621 Eden Evans Center Rd., Angola, NY, SBL# 236.00-1-12.
(Addendum ____ SEQR Short Environmental Assessment Form).

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

PH 1
Pg 4

Submitted for the July 19, 2023 Evans Town Board meeting:

RESOLUTION – Christian DelPrince/Duncan Motors Special Use Permit – Approval

WHEREAS, Christian DelPrince has requested a Special Use Permit for the purpose of operating a Motor Vehicle Sales business to be located at 1621 Eden Evans Center Rd., Angola, NY, SBL# 236.00-1-12, and

WHEREAS, notice of the proposed Special Use Permit was duly advertised and notice provided in writing to all addresses occurring within 100-feet; and

WHEREAS, the Town Board of the Town of Evans has held a public hearing on July 19, 2023 for consideration of said Special Use Permit, and

WHEREAS, the Town of Evans Planning Board has recommended the issuance of a Special Use Permit of said property based on the following reasons:

- The action is consistent with the Town of Evans Zoning Code.
- The project constitutes the use of a currently underutilized property.
- The action is not expected to result in any significant adverse impacts.

WHEREAS, the Planning Board also recommends that the following conditions be placed on the approval of this action:

1. The site must be developed and maintained in accordance with the site plan as approved by the Town of Evans Planning Board on July 12, 2023.
2. This SUP shall be for the display of up to 102 vehicles and placed in accordance with the site plan.
3. All vehicles must be displayed in the paved area that is to be striped properly per the approved site plan.
4. This Special Use Permit shall be for a one (1) year period. Applicant may apply for renewal.

WHEREAS, the Town Board of the Town of Evans has issued a SEQR negative declaration for this action.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans grants a Special Use Permit to Christian DelPrince, d.b.a. Duncan Motors, for the purpose of the operation of a Motor Vehicle Sales business to be located at 1621 Eden Evans Center Rd., Angola, NY, SBL# 236.00-1-12, with the above noted conditions;

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

Res 1

RESOLUTION – APPOINTMENT OF FULL TIME POLICE OFFICER

Submitted for the July 19, 2023 Board Meeting

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

WHEREAS, Darien Hafii is currently a Part Time Police Officer with the Town of Evans Police Department and worked previously with the Town of Cheektowaga as a Police Officer;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Darien Hafii, effective Saturday July 22, 2023, to the position of Full 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 and Evans Police Benevolent Association collective bargaining agreement; and

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

ROLL CALL VOTE:

Authorized by _____

Chief of Police

Res 2

RESOLUTION – APPOINTMENT OF FULL TIME POLICE OFFICER

Submitted for the July 19, 2023 Board Meeting

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

WHEREAS, a canvass and interview process of the Town of Evans Civil Service list was conducted; and

WHEREAS, James Castle has successfully interviewed and passed all aspects of the Town of Evans Police Department background check and is a United States Navy Veteran;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Evans hereby appoints, James Castle to the position of Full Time Police Officer with the Town of Evans Police Department, effective July 24, 2023, and is subject to the successful completion of the Erie County Police Training Academy; 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; and

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

ROLL CALL VOTE:

Authorized by _____

Chief of Police

Res 3

RESOLUTION – ACCEPT SERVICE PROPOSAL FOR TOWN OF EVANS SENIOR CENTER

WHEREAS, the Town of Evans has a preventative maintenance service contract John W. Danforth Company ("Danforth") for the Town of Evans; and

WHEREAS, due to the 2022 Winter storms, the Town of Evans Senior Center's outside refrigeration piping lines are in need of repair; and

WHEREAS, John W. Danforth Company ("Danforth") has submitted the service project proposal scope and pricing overview in the amount of $3,868.00;

NOW, THEREFORE, BE IT RESOLVED, that Evans Town Board accepts the above referenced service project proposal for the repair of the Town of Evans Senior Center's refrigeration piping lines; and

FURTHER, BE IT RESOLVED, Deputy Supervisor Thomas George is authorized to execute all necessary documents with John W. Danforth Company pursuant to this project, if necessary.

ROLL CALL VOTE:

Res 4.

RESOLUTION - Appointment of Full Time Truck Driver – Highway Department

WHEREAS, there is a vacant position at the Town of Evans Highway Department for a full-time truck driver; and

WHEREAS, Drew Eck has passed and obtained his CDL Class B license; and

WHEREAS, Drew Eck is currently a part-time seasonal laborer for the Town of Evans Highway Department;

NOW, THEREFORE, BE IT RESOLVED, effective Monday, July 24, 2023, the Evans Town Board hereby acknowledges Drew Eck's appointment to the position of full-time truck driver; and

FURTHER, BE IT RESOLVED, effective Monday, July 24 2023, the payroll department is directed to increase Mr. Eck'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 employee is 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 – APPOINTMENT OF PART TIME GATE GUARD – SHAWNA JOHN

BE IT RESOLVED, effective July 20, 2023, the following individual is hereby appointed as Part Time Gate Guards, working up to 19.5 hours per week, at the hourly rates indicated:

NAME	TITLE	HOURLY RATE
Shawna John	Part Time Gate Guard	$14.20

FURTHER, BE IT RESOLVED, a copy of this resolution is to be given to the Human Resource Department and Parks Department.

ROLL CALL VOTE:

Res 6

RESOLUTION – APPOINTMENT OF PART TIME GATE GUARD

BE IT RESOLVED, effective July 17, 2023, the following individual is hereby appointed as Part Time Gate Guards, working up to 19.5 hours per week, at the hourly rates indicated:

NAME	TITLE	HOURLY RATE
Thomas Trevean	Part Time Gate Guard	$14.20

FURTHER, BE IT RESOLVED, this resolution is considered nunc pro tunc; and

FURTHER, BE IT RESOLVED, a copy of this resolution is to be given to the Human Resource Department and Parks Department.

ROLL CALL VOTE:

Res 7

RESOLUTION – APPOINTMENT OF POLICE MATRON(S)

Submitted for the July 19, 2023 Board Meeting

WHEREAS, there are openings for part time/on call basis Police Matrons to aid in the arrest processing of female offenders; and

WHEREAS, interviews were conducted, and Police Department background checks were completed on Karen Schiedel, Peggy Muscarella, and Aubrey Burkley;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Karen Schiedel, Peggy Muscarella, and Aubrey Burkley, effective immediately, to the position of part time Police Matron with the Evans Police Department at a salary of $15.00 per hour; and

FURTHER, BE IT RESOLVED, all other relative issues, rules and regulations will be understood to all parties subject to Civil Service Law; and

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

ROLL CALL VOTE:

Authorized by _____

Chief of Police

Res 8

RESOLUTION – SET ADMINISTRATIVE FEE FOR ADDITIONAL REFUSE CART PURSUANT TO TOWN OF EVANS CONTRACT WITH MODERN DIPOSAL COLLECTION, HAULING AND PROCESSING OF MUNICIPAL SOLID WASTE, BULK WASTE AND RECYCLABLES

WHEREAS, the Town Board of the Town of Evans entered into a contract with Modern Disposal on May 17, 2023 to provide the Town with services for the Collection, Hauling and Processing of Municipal Solid Waste, Bulk Waste and Recyclables; and

WHEREAS, pursuant to the aforementioned contract, the Town of Evans may elect to add administration fees for residents requesting an additional cart;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Evans hereby establishes and sets the administrative fee for residents requesting an additional cart at the sum of $100.00 per year.

ROLL CALL VOTE:

Res 9

RESOLUTION – Waiver of Application and Service Fees

WHEREAS, Highland Hose Volunteer Fire Company, Inc. is hosting the Southwestern Firemen's Convention, which will take place over the weekend of August 2 through and including August 5, 2023;

BE IT RESOLVED, the Town Board does hereby grant a waiver of the application and service fees (Special Events License August 2 through August 5, Live Band permit August 4 and Live Band permit August 5, 2023), determined by the Town Departments, for the 2023 Southwestern Firemen's Convention.

FURTHER BE IT RESOLVED, a copy of this resolution be given to the appropriate Town Departments.

ROLL CALL VOTE:

Res 10

RESOLUTION – APPOINTMENT OF PART TIME ASSISTANT CODE ENFORCEMENT OFFICER

WHEREAS; a vacancy exists for a Part Time Assistant Code Enforcement Officer;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Adam Czyz to Part Time Assistant Code Enforcement Officer, effective July 20, 2023, at an hourly rate of $21.40 per hour, up to 19.5 hours per week;

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

ROLL CALL VOTE:

Res 11

Town of Evans

AUTHORIZING RESOLUTION

July 19, 2023

For Department of State's Local Waterfront Revitalization Program

Sturgeon Point Marina Dock Replacement and Reconfiguration Project

WHEREAS, the Town Board desires to apply for financial assistance from the Department of State's Local Waterfront Revitalization Program to complete the Town of Evans's Sturgeon Point Marina Dock Replacement and Reconfiguration Project; and

WHEREAS, the Town Board commits to providing the required local matching funds to insure the timely implementation of the proposed project.

NOW, THEREFORE BE IT RESOLVED, that the Town Board authorizes and submits an application for the Department of State's Local Waterfront Revitalization Program funds for the Sturgeon Point Marina Dock Replacement and Reconfiguration Project in the amount not to exceed $000,000 with a 75% grant amount of $000,000 and will match the project total with 25% of $00,000 of Town Funds; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Deputy Supervisor to sign all documents and agreements related to the Department of State's Local Waterfront Revitalization Program application; and

BE IT FURTHER RESOLVED, that Thomas George, as Deputy Supervisor of the Town of Evans, is hereby authorized and directed to file an application to the Department of State's Local Waterfront Revitalization Program, in a total project amount of $000,000 and upon approval of said request to enter into and execute a project agreement with the Department of State's Local Waterfront Revitalization Program for such financial assistance to the Town of Evans for the proposed Sturgeon Point Marina Dock Replacement and Reconfiguration Project.

ROLL CALL VOTE:

Res 12

Town of Evans

AUTHORIZING RESOLUTION

July 19, 2023

New York State Office of Parks, Recreation and Historic Preservation

Sturgeon Point Marina Dock Replacement and Reconfiguration Project

RESOLVED, that the Town of Evans is applying for financial assistance from the New York State Office of Parks, Recreation and Historic Preservation ("OPRHP") under the Title 9 of the Environmental Protection Act of 1993 for the purpose of funding the Sturgeon Point Marina Dock Replacement and Reconfiguration Project; and

RESOLVED, that the Town of Evans is authorized and directed to accept these grant funds in an amount not to exceed $000,000.00 for the project described in the grant application, (50% of the total project cost of $000,000.00); and

RESOLVED, that the Town of Evans is authorized and directed to agree to the terms and conditions of the Master Contract with OPRHP for such, the Sturgeon Point Marina Dock Replacement and Reconfiguration Project;

RESOLVED, the Town of Evans commits to providing the required 50% local matching funds for the proposed project;

RESOLVED, that the Town of Evans is authorized and directed to agree to the terms and conditions of any required deed of easement granted to OPRHP that affects title to real property owned by the municipality and improved by the grant funds, which may be a duly recorded public access covenant, conservation easement, and/or preservation covenant; and

RESOLVED, that the governing body of the municipality delegates signing authority to execute the Master Contract and any amendments thereto, any required deed of easement, and any other certifications to the individual(s) who hold(s) the following elected or appointed municipal office(s) or employment position title(s): the Town of Evans, Deputy Supervisor, Thomas George.

ROLL CALL VOTE:

Res 13

Town of Evans

AUTHORIZING RESOLUTION

July 19, 2023

For Department of State's Local Waterfront Revitalization Program

Updates to the LWRP

WHEREAS, the Town Board desires to seek funding for continued Updates to the Evans Local Waterfront Revitalization Program; and

WHEREAS, the Town Board desires to apply for financial assistance from the NYS Department of State; and

WHEREAS, the Town Board commits to providing the required local matching funds to insure the timely implementation of the proposed project.

NOW, THEREFORE BE IT RESOLVED, that the Town Board authorizes and submits an application for the Department of State's Local Waterfront Revitalization Program funds for the Updates to the LWRP in the amount not to exceed $____ which equals 75% grant funding of the total project cost of $____and will match the project total with 25% or a minimum of $____ of Town Funds; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Deputy Supervisor to sign all documents and agreements related to the Department of State's Local Waterfront Revitalization Program application; and

BE IT FURTHER RESOLVED, that Thomas George, as Deputy Supervisor of the Town of Evans, is hereby authorized and directed to file an application to the Department of State's Local Waterfront Revitalization Program, in a total project amount of $____ and upon approval of said request to enter into and execute a project agreement with the Department of State's Local Waterfront Revitalization Program for such financial assistance to the Town of Evans for the proposed Sturgeon Point Marina Dock Replacement and Reconfiguration Project.

ROLL CALL VOTE:

Res 14

Municipal Resolution for NYS Water Infrastructure Improvement Act - 2023 NYS Water Grant

Authorizing and Match Resolution

WHEREAS, the Town of Evans, after thorough consideration of the various aspects of the problem and review of available data, has hereby determined that certain work, as described in its NYS Drinking Water Infrastructure Grant Program application and attachments, to address the repair and maintenance of the Water System Improvements - Phase 1, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project and address said compliance requirements; and

WHEREAS, the NYS Environmental Facilities Corporation (EFC) authorizes State assistance to municipalities for drinking water quality improvement projects by means of a contract, and the Town of Evans deems it to be in the public interest and benefit under this law to enter into a contract therewith.

NOW, THEREFORE, BE IT RESOLVED BY the Evans Town Board, that:

1. Thomas George, Deputy Supervisor, or his representative or successor in office, is the representative authorized to act on behalf of the Evans Town Board in all matters related to State assistance under the New York State Environmental Facilities Corporation (EFC) and/or any applicable State grant provisions.

2. Deputy Supervisor, or his representative, is also authorized to make an application in the amount of $13,525,000.00 which the Town is requesting the maximum of $5,000,000 of the total project cost in grant funding;

3. The Town of Evans Town Board agrees to fund its portion of the cost of the Project, of $8,525,000 by way of a General Obligation Bond or a series of Bond Anticipation Notes, and that funds will be made available to initiate the Project efforts within 12 months of written approval of its application by the NYS Department of Health and the New York State Environmental Facilities Corporation authority;

4. The one certified copy of this Resolution be prepared and sent to the Albany office of the NYS Environmental Facilities Corporation; and

5. This Resolution takes effect immediately.

CERTIFICATION OF RECORDING OFFICER

That the attached Resolution is a true and correct copy of the Resolution, as regularly adopted at a legally convened meeting of the Evans Town Board duly held on the ___ day of July, 2023; and further, that such Resolution has been fully recorded in the _____ in my office.

In Witness thereof, I have hereunto set my hand this _____ day of _____, 2023

Signature of Recording Officer_____

Title of Recording Officer_____

Res 15

Town of Evans
AUTHORIZING RESOLUTION
July 19, 2023

For New York State Department of Environmental Conservation's Non-Agricultural Nonpoint Source Planning Grant Program for:
Big Sister Creek Corridor Management Study

WHEREAS, the Town Board desires to pursue funding opportunities to enhance resilience, mitigate flooding, reduce erosion and improve water quality along areas of Big Sister Creek; and

WHEREAS, the Town Board desires to create a plan to identify projects that embody best practices in watershed management, and that are ready for construction and future implementation funding through the NYS Department of Environmental Conservation's Water Quality Improvement Project grant program or other funding opportunities; and

WHEREAS, the Town Board desires to apply for financial assistance from New York State Department of Environmental Conservation's Non-Agricultural Nonpoint Source Planning Grant Program through the CFA (Consolidated Funding Application); and

WHEREAS, the Town Board commits to providing the required local matching funds to ensure the timely implementation of the proposed project.

NOW, THEREFORE BE IT RESOLVED, that Thomas George, as Deputy Supervisor of the Town of Evans, is hereby authorized and directed to accept funds from the New York State Department of Environmental Conservation in an amount not to exceed $50,000 and enter into and execute a project agreement with the State for such financial assistance to the Town of Evans; and

BE IT FURTHER RESOLVED, that upon approval of the application for financial assistance that the Town make available $5,000 in matching funds to satisfy the requirements of the funding program; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Deputy Supervisor to sign all documents and agreements related to the New York State Department of Environmental Conservation's Non-Agricultural Nonpoint Source Planning Grant application.

ROLL CALL VOTE:

Res 16

RESOLUTION – APPOINTMENT TO COMMUNITY EVENTS COMMITTEE

BE IT RESOLVED, effective immediately, Ellen Conrad is hereby appointed to the Town of Evans Community Events Committee.

ROLL CALL VOTE: