Meeting #18
Regular X Special _____

Wednesday October 4, 2023

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: September 20, 2023	
V	Communications: 1.) Minor Subdivision - dividing a 0.40± acre parcel at 431 Lakebreeze Rd., Angola NY, SBL# 234.19-6-38.211 to create two parcels; a 0.23± acre parcel and a 0.15± acre parcel. Petitioner: Julie Duffett, 431 Lakebreeze Rd., Angola, NY 14006	
VI	Public Hearing & Bid Opening: Federal Community Development Grant under Title 1 of the Housing and Community Development Act of 1974	
VII	Committee & Department Head Reports:	
VIII	Town Clerk's Reports:	
IX	Old Business: 1.) Part Time Dog Control Officer	
X	Privilege of the Floor:	
XI	Resolutions: 1.) Appointment of Full Time Police Officer 2.) Appoint of Regular Part Time (RPT) Laborer-Parks Dept. 3.) Authorize Emergency Demolition 4.) Change Order #1- Lake Shore Trail Project 5.) Preventive Maintenance Agreement (HVAC Equipment) 6.) Appointment on Ethics Committee 7.) Authorization to execute Rural Transit Van Service Agreement-2024-2025 8.) 2023 Town of Evans Halloween Celebration	
XII	Licenses:	
XIII	Audit of Bills:	
XIV	Adjournment to: Wednesday, October 18th, 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 #425 Accept Minutes

Deputy Supervisor George moved and Councilman Reitz seconded that the reading of the minutes of September 6, 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

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 September 20, 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 Solar Liberty Energy Systems, Inc. (dba "SL Evans, LLC") for a Special Use Permit for the development, construction and operation of two solar arrays, totaling approximately 10 Megawatt AC, located in the Solar Overlay District on Southwestern Boulevard, SBL# 207.00-4-11.11 (formerly two abutting parcels known as SBL#'s 207.00-4-21.1 and 207.00-4-11.1.) Questions and comments may be forwarded to the Planning Office by USPS to the Town of Evans Planning Department 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

RESOLUTION 2023 #426 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

Bill Henry, Cllimate Smart spoke in favor
Tom Allen and Laura Bieniek- spoke neither in favor or opposition
Theresa Mecca - spoke in opposition

RESOLUTION 2023 #427 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 #428 SEQR Lead Agency - Solar Liberty

Councilman Schraft moved and Councilman Reitz seconded;

WHEREAS, Solar Liberty Energy Systems, Inc., (DBA SL Evans, LLC) have requested a Special Use Permit for the purpose of development, construction and operation of two Type 1 Solar Photovoltaic Systems, producing a combined 10 MW AC of power, located on approximately 33 acres of undeveloped land located within the designated Solar Overly District on Southwestern Blvd. (AKA U.S. Route 20), SBL# 207.00-4-11.11 (formerly two abutting parcels known as SBL#'s 207.00-4-21.1 & 207.00-4-11.1); and

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

WHEREAS, the Planning Department conducted a coordinated review with all involved and interested agencies for the purpose of making a determination of significance under SEQR regulations; and

WHEREAS, the Town of Evans Planning Board has reviewed and approved the Site Plan Development Application and have found no apparent significant environmental concerns, and has recommended the issuance of a SEQR negative declaration; and

WHEREAS, the Town Board of the Town of Evans has reviewed the Project and has determined that the project 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 SL Evans, LLC Special Use Permit for the purpose of development, construction and operation of two Type 1 Photovoltaic Systems, producing a combined 10 MW AC of power, located on approximately 33 acres of undeveloped land located within the Solar Overlay District on Southwestern Blvd.

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 #429 Special Use Permit Approval - Solar Liberty

Deputy Supervisor George moved and Councilman Macko seconded;

WHEREAS, Solar Liberty Energy Systems, Inc., (DBA SL Evans, LLC) have requested a Special Use Permit for the purpose of development, construction and operation of two Type 1 Solar Photovoltaic Systems, producing a combined 10 MW AC of power, located on approximately 33 acres of undeveloped land located within the Solar Overlay District on Southwestern Blvd. (AKA U.S. Route 20), SBL# 207.00-4-11.11 (formerly two abutting parcels known as SBL#'S 207.00-4-21.1 & 207.00-4-11.1); and

WHEREAS, notice of the proposed Special Use Permit was duly advertised and notice provided in writing to owners of land immediately adjacent to the Project extending 500-feet therefrom and of that directly opposite thereto extending 500-feet from the street frontage; and

WHEREAS, the Town Board of the Town of Evans has held a public hearing on September 20, 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 project is in accordance with the Town's zoning regulations.
- The project is consistent with the Evans-Angola Comprehensive Plan.
- The project promotes the use of clean energy in the Town.
- The project will constitute the use of underutilized property.
- The project is not expected to result in any significant adverse impacts; and

WHEREAS, the Planning Board would also like to recommend that the following conditions be placed on the approval of this action:

- Approval and execution of the Payment in Lieu of Taxes Agreement between the Town of Evans, Lake Shore Central School District, Erie County and SL Evans, LLC.
- Approval and execution of the Host Community Agreement between the Town of Evans and SL Evans, LLC.
- Approval and execution of the Decommissioning Plan between the Town of Evans and SL Evans, LLC, including without limitation a decommissioning bond.
- Submittal and approval of a Fire Suppression Plan to be coordinated with the North Evans Volunteer Fire Company, Inc.

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans grants a Special Use Permit to Solar Liberty Energy Systems, Inc. (DBA SL Evans, LLC) for the purpose of development, construction and operation of two Type 1 Solar Photovoltaic Systems, producing a combined 10 MW AC of power, located on approximately 33 acres of undeveloped land located within the Solar Overlay District on Southwestern Blvd. (AKA U.S. Route 20), SBL# 207.00-4-11.11 (formerly two abutting parcels known as SBL#'S 207.00-4-21.1 & 207.00-4-11.1).

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.

VOTE RESULT: ADOPTED BY ROLL CALL

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

OLD BUSINESS

RESOLUTION 2023 #430 Remove Items 1 from Old Business

Councilman Schraft moved and Councilman Macko seconded to remove item 1- Filling Seats on Ethics Committee from Old Business.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #431 Filling Seats on Ethics Committee

Councilman Schraft moved and Councilman Macko seconded;

WHEREAS, the Town formed an Ethics Committee in 2018 and we have open seats on the committee;

NOW, THEREFORE BE IT RESOLVED, the following individuals be appointed to the Town of Evans Ethics Committee pending a Town background check:

Anthony Barone Chandra Shaver Ken Jurek Garnet Cedro

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #432 Lake Erie Beach Volunteer Fire Company Elected Membership

Councilman Schraft moved and Councilman Reitz seconded;

WHEREAS, Lake Erie Beach Volunteer 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 Beach Volunteer Fire Company, Inc. during the September 7, 2023 General Membership Meeting;

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

Olivia Pfluerger

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #433 Appointment of Full Time Court Clerk

Councilman Reitz moved and Councilman Macko seconded;

RESOLVED, effective Monday, October 2, 2023, the Town Board of the Town of Evans does hereby accepts Town Justice Cooper's appointment of Kristen Meyer as Clerk to Town Justice Glascott, for the remainder of the 2023 year, with salary and benefits as set forth in the IBEW #41 collective bargaining agreement; and

FURTHER, BE IT RESOLVED, a copy of this resolution be given to the HR/Payroll Department.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #434 Budget Transfer Police

Councilman Macko moved and Councilman Reitz 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 Scheduling Software:

Transfer From:		
A.3120.210.00	Equipment - Information Technology	$5,805.00
Transfer To:		
A.3120.420.00	Professional & Technical Services - Information Technology	$5,805.00

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #435 Suspend the Rules of Order

Deputy Supervisor George moved and 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 #436 BENLIC Acquisition

Councilman Macko moved and Councilman Reitz seconded,

WHEREAS, on November 20, 2019, the Town of Evans passed a resolution requesting the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) acquire, 273 Dawn and 146 Potomac Avenue in the Town of Evans on behalf of the Town at any subsequent Erie County Tax Foreclosure Auction; and

WHEREAS, the Town has targeted 273 Dawn and 146 Potomac Avenue for future CDGB funded demolition projects; and

WHEREAS, on December 15, 2021, the Town of Evans adopted Resolution 2021-456 directing the removal/demolition of all unsafe structures on sixteen (16) listed properties pursuant to Evans Town Code, Chapter 74, Unsafe Buildings, including 273 Dawn and 146 Potomac Avenue; and

WHEREAS, BENLIC acquired 273 Dawn and 146 Potomac Avenue pursuant to Resolution #2022- 31 and now seeks to sell the property to the Town via quit claim deed, each for the value of $1.00 and no more; and

WHEREAS, Town funds have been identified as available for this purchase and can accommodate this purchase price; and
WHEREAS, pursuant to 6NYCRR Part 617 (State Environmental Quality Review Act - SEQRA), the Town of Evans has begun review of the environmental impact of the aforementioned acquisition; and

WHEREAS, the Planning Board of the Town of Evans has been determined to be the lead agency for the proposed acquisition; and

WHEREAS, the Planning Board of the Town of Evans has conducted a coordinated review with any involved agencies and addressed any comments received by such involved agencies as a result; and

WHEREAS, the Town Board finds that the requirements of SEQRA have been completed and herein issues a negative declaration; and

NOW, THEREFORE, BE IT RESOLVED, the Town of Evans hereby officially authorizes the Deputy Supervisor to execute all documents necessary for the acquisition of 273 Dawn (SBL 250.14-2-21) and 146 Potomac Avenue (SBL 250.17-7-18.1) in the Town of Evans from the Buffalo Erie Niagara Land Improvement Corporation for the purchase price of $1.00 each.

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

RESOLUTION 2023 #437 Advertise for Public Hearing for Community Development Block Grant

Councilman Macko moved and Councilman Reitz seconded,

WHEREAS, the Town of Evans will be applying for a Community Development Block Grant for the year 2024-2025; and

WHEREAS, the Evans Town Board authorizes the Town Clerk to advertise a public hearing on October 4, 2023 at 7:10pm for the purpose of soliciting citizen input regarding the Town's Community Block Development Grant;

THEREFORE, BE IT RESOLVED, that the Evans Town Board authorize the Supervisor and/or appropriate Town Officials to sign, submit and execute a contract with Erie County Community Development Grant Program; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be given to the Office of Planning and Community Development.

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

RESOLUTION 2023 #438 Part Time Clerk Appointment - Supervisor's Office

Councilman Reitz moved and Councilman Schraft seconded,

BE IT RESOLVED, effective September 21, 2023 the following individual is hereby appointed as Part-Time Clerk for the Town of Evans Supervisor's Office, working up to 19.5 hours per week, at the hourly rate indicated below;

NAME	SALARY
Kathleen Buckley	$16.20 per hour; and

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

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

RESOLUTION 2023 #439 Amend Resolution 2023-362 - Haley

Councilman Macko moved and Councilman Reitz seconded,

BE IT RESOLVED, effective immediately, that the Evans Town Board amend resolution 2023-362 to approve provisional appointment of Alex Haley as Assistant Code Enforcement Officer for Erie County Civil Service compliance purposes, with no additional compensation; and

FURTHER BE IT RESOLVED, that all other terms and conditions resolution 2023-362 remain as previously resolved.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #440 Audit of Bills

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

AUDIT OF BILLS	
DATE	9/21/2023
ABSTRACT NO.	17
VOUCHER NO.	13159 - 13233
CHECK NUMBERS	86266 - 86329
APPROVED AT	Board Meeting
DATE	9/20/2023
GENERAL	$55,404.99
PART TOWN	$22,168.04
HIGHWAY DB	$25,612.06
WATER	$0.00
CAPITAL PROJECTS	$7,650.00
SPECIAL DISTRICTS	$360,092.76
DEBT SERVICE	
TOTAL	$470,927.85

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #441 Adjournment

Deputy Supervisor George moved and Councilman Macko seconded to adjourn to Wednesday, October 4, 2023 at 5:30pm for a Work Session and the Regular Meeting to follow. This meeting was adjourned in Memory of Zachary Patrick Davis.

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

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

October 2, 2023

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

RE: Minor Subdivision – dividing a 0.40± acre parcel at 431 Lakebreeze Rd., Angola NY, SBL# 234.19-6-38.211 to create two parcels; a 0.23± acre parcel and a 0.15± acre parcel. Petitioner: Julie Duffet, 431 Lakebreeze Rd., 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
John Strychalski, 425 Lakebreeze Rd., Angola

Comm 1
Pg 2

Submitted for the October 4, 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 October 2, 2023, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Julie Duffett 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 Julie Duffett Minor Subdivision
(Addendum_____SEQR Short Environmental Assessment Form),

a division of SBL# 234.19-6-3.211, dividing a 0.40± acre parcel to create:

1. a 0.23± acre parcel with 50± feet of frontage on Lakebreeze Rd., SBL# 234.19-3-26; and
2. a 0.15± acre parcel to be annexed to an adjacent parcel owned by John Strychalski, SBL# 234.19-6-38.212; once divided, buyer agrees to annex both parcels to his main parcel at 425 Lakebreeze Rd., SBL# 234.19-6-43 to form a 0.52± acre parcel with 50.0± feet of frontage on Lakebreeze Rd., and 154.37± feet of frontage on Woodside Road.

Petitioner: Julie Duffett, 431 Lakebreeze Road, Angola, NY 14006

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

Comm 1
Pg 3

Submitted for the October 4, 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, at the request of Erie County Sewer, it has been documented that Mr. Strychalski, as the buyer of the newly formed 0.15± acre parcel, will not be adding any structure on the property that will require an Erie County sewer connection; and

WHEREAS, the buyer of the newly formed 0.15± acre parcel, has filed an Annexation Approval Agreement with the Town, confirming his agreement to annex the newly formed 0.15± acre parcel and his existing adjoining parcel, known as SBL# 234.19-6-38.212, to his main parcel at 425 Lakebreeze Rd., SBL# 234.19-6-43, thus forming a 0.52± acre parcel; 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 Julie Duffett Minor Subdivision,

a division of SBL# 234.19-6-38.211, dividing a 0.40± acre parcel to create:

3. a 0.23± acre parcel with 50± feet of frontage on Lakebreeze Rd., SBL# 234.19-3-26; and
4. a 0.15± acre parcel to be annexed to an adjacent parcel owned by John Strychalski, SBL# 234.19-6-38.212; once divided, buyer agrees to annex both parcels to his main parcel at 425 Lakebreeze Rd., SBL# 234.19-6-43 to form a 0.52± acre parcel with 50.0± feet of frontage on Lakebreeze Rd., and 154.37± feet of frontage on Woodside Road.

Petitioner: Julie Duffett, 431 Lakebreeze Road, Angola, NY 14006

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

NOTICE OF PUBLIC HEARING

TOWN OF EVANS

Please take notice, the Town Board of the Town of Evans, Erie County, NY will hold a Public Hearing on October 4, 2023 at 7:10 pm in the Court Room of the Evans Municipal Center (located at 8787 Erie Road, Angola, NY 14006) regarding the use of Federal Community Development funds in the Town of Evans.

The Town of Evans is eligible for a Federal Community Development Grant under Title 1 of the Housing and Community Development Act of 1974, as amended.

The purpose of the Hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate income persons in the Town of Evans.

Citizens are urged to attend this Public Hearing to make known their views and/or written proposals on the Town of Evans' selection of potential projects to be submitted for possible funding by the Federal Community Development Grant program.

The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities. The meeting room is wheelchair accessible. Those needing special arrangements should call the Town of Evans at (716) 549-3600. The Hearing may also be attended via a Zoom link which can be found on the Town's website.

Questions and comments may also be forwarded via USPS to the Evans Planning Office at 8787 Erie Road, Angola, NY 14006 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 of interest and citizens shall have an opportunity to be heard by the Town Board at the Public Hearing to be held aforesaid.

By order of the Town Board of the Town of Evans

Lynn M. Krajacic

Town Clerk

Res 1

RESOLUTION – APPOINTMENT OF FULL TIME POLICE OFFICER

Submitted for the October 4, 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; Luke Bullard has successfully interviewed and passed all aspects of the Town of Evans Police Department Background check and is currently ranked #1 on the Town of Evans Civil Service list; and

WHEREAS; Luke Bullard is currently enrolled in the Erie County Police Academy, and is successfully passing all aspects into the 8 weeks of training;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints, Luke Bullard, to the position of Full Time Police Officer with the Town of Evans Police Department, effective 10/07/2023, and is subject to the successful completion of the Erie County Police Training Academy and Erie County Civil Service approval; 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:

Res 2

RESOLUTION – Appointment of Regular Part Time (RPT) Laborer – Parks Department

WHEREAS; a vacancy exists for an RPT Laborer in the Parks Department; and

WHEREAS; Daniel Almendinger is currently a Seasonal Laborer in the Parks Department;

NOW, THEREFORE, BE IT RESOLVED; that the Town Board of the Town of Evans hereby appoints Daniel Almendinger to the position of RPT Laborer at a rate of $16.20 effective October 5, 2023.

ROLL CALL VOTE:

Res 3

RESOLUTION – AUTHORIZATION FOR EMERGENCY DEMOLITION

WHEREAS, there was a structure fire at 339 Central Avenue, Angola, NY 14006 on Friday, June 26, 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 339 Central Avenue, Angola, NY 14006 (SBL #234.19-5-36); 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 339 Central Avenue, Angola, NY 14006 at a total cost of $15,000; 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.

ROLL CALL VOTE:

Res 4

RESOLUTION - CHANGE ORDER APPROVAL - LAKE SHORE TRAIL

WHEREAS, the Town of Evans and S. St. George Enterprises, Inc. entered into a contract regarding the Lake Shore Trail project; and

WHEREAS, the following conditions are the circumstances for Change Order No. 1 pursuant to the above referenced project;

1. Extended Substantial Completion Date
2. Change in Scope from 10ft path to 6ft path
3. Reduction in project value due to change in scope
4. Adjustment to unit pricing due to change in scope;

NOW, THEREFORE, BE IT RESOLVED, that the Evans Town Board authorizes Change Order No. 1 to reduce the aforementioned contract amount in the amount of $10,500.00.

FURTHER, BE IT RESOLVED, that Deputy Supervisor Thomas George is authorized to sign any and all documents pursuant to Change Order No. 1.

ROLL CALL VOTE:

Res 5

RESOLUTION – PREVENTIVE MAINTENANCE AGREEMENT (HVAC EQUIPMENT)

BE IT RESOLVED; that Deputy Supervisor Thomas George is hereby authorized to execute any and all documents pursuant to the Preventive Maintenance Agreement with Tri R Mechanical, 150 Empire Drive, West Seneca, NY 14224, upon the approval of the Town Attorney; and

FURTHER BE IT RESOLVED; inspections will be scheduled four (4) times per year (cooling Spring/Summer and heating Fall/ Winter) to include Town of Evans Municipal Building located at 8787 Erie Road and Town of Evans Senior Center located at 999 Sturgeon Point Road at a cost not to exceed $6,280.00 per year (per the above referenced buildings – total amount $12,560.00 per year) for the period of October 1, 2023 through September 30, 2024; and

FURTHER BE IT RESOLVED; inspections will be scheduled two (2) times per year (May and October) to include the Town of Evans Pool located at 1525 South Creek Road at a cost not to exceed $1,235.00 per year for the May and October preventive maintenance checks.

ROLL CALL VOTE:

Res 6

RESOLUTION – APPOINTMENT TO ETHICS COMMITTEE

WHEREAS, the Town formed an Ethics Committee in 2018 and we have an open seat on the committee;

NOW, THEREFORE, BE IT RESOLVED, the following individual is hereby appointed to the Town of Evans Ethics Committee:

Bonita Anticola

ROLL CALL VOTE:

Res 7

RESOLUTION – AUTHORIZATION TO EXECUTE RURAL TRANSIT VAN SERVICE, INC. 2024-2025 CDBG YEAR

WHEREAS, Rural Transit Service, Inc. continues to provide a valuable service to the residents of the Town of Evans;

BE IT RESOLVED, the Deputy Supervisor of the Town of Evans is authorized to execute an agreement with Rural Transit Service, Inc. for van services for the 2024-2025 CDBG year, upon the approval of the Town Attorney for the Town of Evans.

ROLL CALL VOTE:

Res 8

RESOLUTION – 2023 TOWN OF EVANS HALLOWEEN CELEBRATION

WHEREAS, the Evans Town Board recognizes the celebration of Halloween in the Town of Evans for the year of 2023 on Tuesday, October 31, 2023; and

WHEREAS, the citizens of the Town of Evans may choose to participate by leaving an outside light on during the hours of 6:00pm to 8:00pm to insure the safety of the children in their Trick or Treat travels;

NOW, THEREFORE, BE IT RESOLVED, that a copy of this resolution be published by the Town Clerk in the Angola Pennysaver and be published on the Town of Evans website.

ROLL CALL VOTE: