Evans Town Board

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

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

RESOLUTION 2023 #170 Accept Minutes

Deputy Supervisor George moved and Councilman Schraft seconded that the reading of the minutes of March 15, 2023 be dispensed with and accepted as submitted by the Town Clerk.

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

PUBLIC HEARING

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

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

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

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

RESOLUTION 2022 #171 Open the Public Hearing

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

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

There was nobody wishing to speak in favor or opposition

RESOLUTION 2022 #172 Close the Public Hearing

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

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

RESOLUTION 2023 #173 Determination of Non-Significance - Videoconferencing

Councilman Macko moved and Councilman Schraft seconded;

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

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

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

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

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

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

Councilman Macko moved and Councilman Schraft seconded;

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

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

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

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

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

Communications

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

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

Councilman Schraft moved and Deputy Supervisor George seconded;

WHEREAS, minor subdivisions are unlisted SEQR actions, and

WHEREAS, the Town Board of the Town of Evans desires the Town of Evans to be the Lead Agency for the SEQR process, and

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

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

WHEREAS, it has been determined that the subdivision of this property will not result in any significant environmental impacts regarding the SEQR process.

NOW THEREFORE BE IT RESOLVED, that the Town of Evans shall be the Lead Agency for the SEQR process for the above mentioned minor subdivision; and

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

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

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

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

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

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

RESOLUTION 2023 #176 Minor Subdivision Approval - Ferber Automotive

Councilman Macko moved and Councilman Reitz seconded;

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

WHEREAS, the Town of Evans Minor Subdivision Review Committee has completed a review and recommended approval, and

WHEREAS, the Evans Town Board, as Lead Agent, issued a negative declaration regarding the SEQR process.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby considers the findings of the Town of Evans Minor Subdivision Review Committee and approves the Ferber Automotive Corporation Minor Subdivision,

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

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

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

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

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

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

RESOLUTION 2023 #177 Town Clerk's Reports

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

Town Clerk Report	$29,564.95
Interest	$2.19
Greenspace Fee	$ 0
Petty Cash	$650.00

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

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

Councilman Schraft moved and Councilman Macko seconded;

BE IT RESOLVED, effective April 8, 2023, based on the current collective bargaining agreement and the recommendation of the Town of Evans Highway Superintendent Jack Fritz, the Evans Town Board accepts the promotion of Robert Strickler from Machine Equipment Operator Light to Machine Equipment Operator Heavy.

FURTHER, BE IT RESOLVED, effective April 8, 2023, the payroll department is directed to increase Mr. Strickler's hourly rate to $24.81 in accordance with the collective bargaining agreement; and

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

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

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

Councilman Macko moved and Councilman Reitz seconded;

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

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

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

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

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

Councilman Reitz moved and Councilman George seconded;

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

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

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

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

Councilman Schraft moved and Councilman Macko seconded;

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

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

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

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

This resolution shall be pro nunc tunc.

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

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

Councilman George moved and Councilman Schraft seconded;

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

Be it resolved, effective February 21, 2023, that resolution #2023-018 is hereby amended as follows:
Resolved, that the following individuals are authorized signatures for the following Town of Evans accounts with the Evans Bank, Angola, New York 14006:

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

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

This resolution shall be pro nunc tunc.

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

RESOLUTION 2023 #183 Award Bid for 2023 Emergency Tree Removal

Councilman Macko moved and Councilman Reitz seconded;

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

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

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

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

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

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

RESOLUTION 2023 #184 Award Bid for Sturgeon Point Marina Concessions

Councilman Reitz moved and Councilman George seconded,

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

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

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

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

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

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

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

RESOLUTION 2023 #185 Appointment of Personnel Director

Councilman Schraft moved Councilman Macko seconded,

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

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

Resolution failed for lack of a majority

RESOLUTION 2023 #186 Rotella Grant Management Services Contract

Councilman Macko moved Councilman Reitz seconded,

WHEREAS, the Town of Evans applies for numerous grants on a yearly basis; and
WHEREAS, successful grant applications are beneficial to the Town of Evans; and
WHEREAS, the Town of Evans desires to extend the contract between the Town of Evans and Rotella Grant Management;
BE IT RESOLVED, that Acting Deputy Supervisor Thomas George is hereby authorized to execute any all documents pursuant to Rotella Grant Management, 19 Jordy Court, Hamburg, NY 14075, for grant writing and administration services for 2023, at a rate of $1,800.00 per month plus any actual postage costs, when applicable.
BE IT FURTHER RESOLVED, this resolution is approved nunc pro tunc.

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

RESOLUTION 2023 #187 Suspend the Rules of Order

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

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

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

Councilman Reitz moved and Councilman George seconded;

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

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

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

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

Councilman George moved and Councilman Macko seconded;

WHEREAS, the Town of Evans Code Enforcement Office determines from time to time that certain properties are not in compliance with local and/or state laws, ordinances, codes, and regulations regarding the lack of upkeep of said properties; and

WHEREAS, certain work is needed on such properties (i.e. seasonal clean-up, grass cutting, board-up, etc.) when the owners of such properties fail to bring them into compliance with local and/or state laws, ordinances, codes, and regulations;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Evans hereby establishes payment rates for such work for various properties in the Town of Evans for the calendar year 2023 as set forth in the attached Schedule; and

BE IT FURTHER RESOLVED that the Code Enforcement Office is hereby authorized to advertise through the Town of Evans Facebook, Town of Evans Website and the Dunkirk Observer for interested parties for such property maintenance services for the calendar year 2023.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #190 Audit of Bills

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

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #191 Resume Work Session

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

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

RESOLUTION 2023 #192 Enter Executive Session

Councilman Schraft moved and Deputy Supervisor George seconded,

WHEREAS: the Evans Town Board wishes to enter Executive Session, and;

BE IT RESOLVED: that the public shall be excluded from discussion of and action upon hereinafter specified subject matter.

The general nature of the subject matter to be discussed as follows: General Matters Relating to Collective Bargaining under the Taylor Law.

NOW THEREFORE BE IT RESOLVED: Ken Farrell, Town Attorney is invited to attend the Evans Town Board Executive Session.

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

Open Meetings Law, Public Officers Law, Article 7, §106. Minutes.
Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.

These minutes are an unofficial copy unless the original signature of the Town Clerk is affixed below. The original official paper minutes are stored in the Town's vault.

Respectfully Submitted,

Lynn M. Krajacic RMC
Town Clerk

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

PAID
MAR 22 2023
Lynn M. Majdic
Evans Town Clerk

APPLICATION FOR MINOR SUBDIVISION

DATE: **FILE #** 23-08

TO BE COMPLETED BY APPLICANT

OWNER: NAME Dennis Valentic
STREET ADDRESS 1134 Backus Rd STATE N.Y.
CITY/ZIP Derby 14047 PH/FAX 716-628-0655
CELL # 716-628-0655 EMAIL ADDR denford1916@gmail.com

CONSULTANT: NAME _____
STREET ADDRESS _____ STATE _____
CITY/ZIP _____ PH/FAX _____
CELL # _____ EMAIL ADDR _____

SUBDIVISION LOCATION 1134 Backus Rd.
ZONING DISTRICT RA SBL# 221.00-5-1.1

	ROAD NAME	FRONTAGE	ACRES
ORIGINAL LOT:	Backus Rd	997.68	32.07
PROPOSED LOTS: LOT # 1	Backus Rd	34 feet	.35
LOT #2	Backus Rd	963.68	31.72
LOT #3			
LOT #4			

APPLICATION SUBMITTAL APPOINTMENT n/a FEE (First Lot) $ 100.00
+$50 per each additional lot FEE TOTAL $ 200.00
(Non-Refundable – Payable to Town of Evans)

DATE RCVD: 3-22-23 MATERIALS CHKD BY: 3-29-23
REVIEWED BY: dlw CKD BY: wbs
PB WORK SESSION DATE: n/a PB MEETING DATE: n/a
TOWN BOARD PUBLIC HEARING DATE: 4
TOWN BOARD RESOLUTION DATE: _____

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information

Name of Action or Project: Minor division

Project Location (describe, and attach a location map): 1134 Backus Rd Derby N.Y. 14047 997x1308x1146.32

Brief Description of Proposed Action: Dividing off 34' x 448' from 32 Acre main lot Located west from existing home

Name of Applicant or Sponsor:	Telephone: 716-628-0655
Dennis Valentic	E-Mail: DENFORD1916@gmail.com

Address: 1134 Backus Rd

City/PO:	State:	Zip Code:
Derby	N.Y.	14047

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☒	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:	☒	☐

3. a. Total acreage of the site of the proposed action? 32 acres
   b. Total acreage to be physically disturbed? 34' x 448' acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

5. ☐ Urban ☒ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban)
   ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):
   ☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☐	☒
b. Consistent with the adopted comprehensive plan?	☐	☐	☒

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☒

	NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		
If Yes, identify: _____	☑	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☒	☐
b. Are public transportation services available at or near the site of the proposed action?	☒	☐
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐

	NO	YES
9. Does the proposed action meet or exceed the state energy code requirements?		
If the proposed action will exceed requirements, describe design features and technologies:	☒	☐

	NO	YES
10. Will the proposed action connect to an existing public/private water supply?		
If No, describe method for providing potable water: _____	☐	☒

	NO	YES
11. Will the proposed action connect to existing wastewater utilities?		
If No, describe method for providing wastewater treatment: _____	☐	☒

	NO	YES
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	☑	☐
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☑	☐

	NO	YES
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☐	☑
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☒ Forest ☒ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ☐ Urban ☒ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Bald Eagle	☐	☑
16. Is the project site located in the 100-year flood plan?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	☒	☐
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☒	☐
If Yes, briefly describe: _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	☑	☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

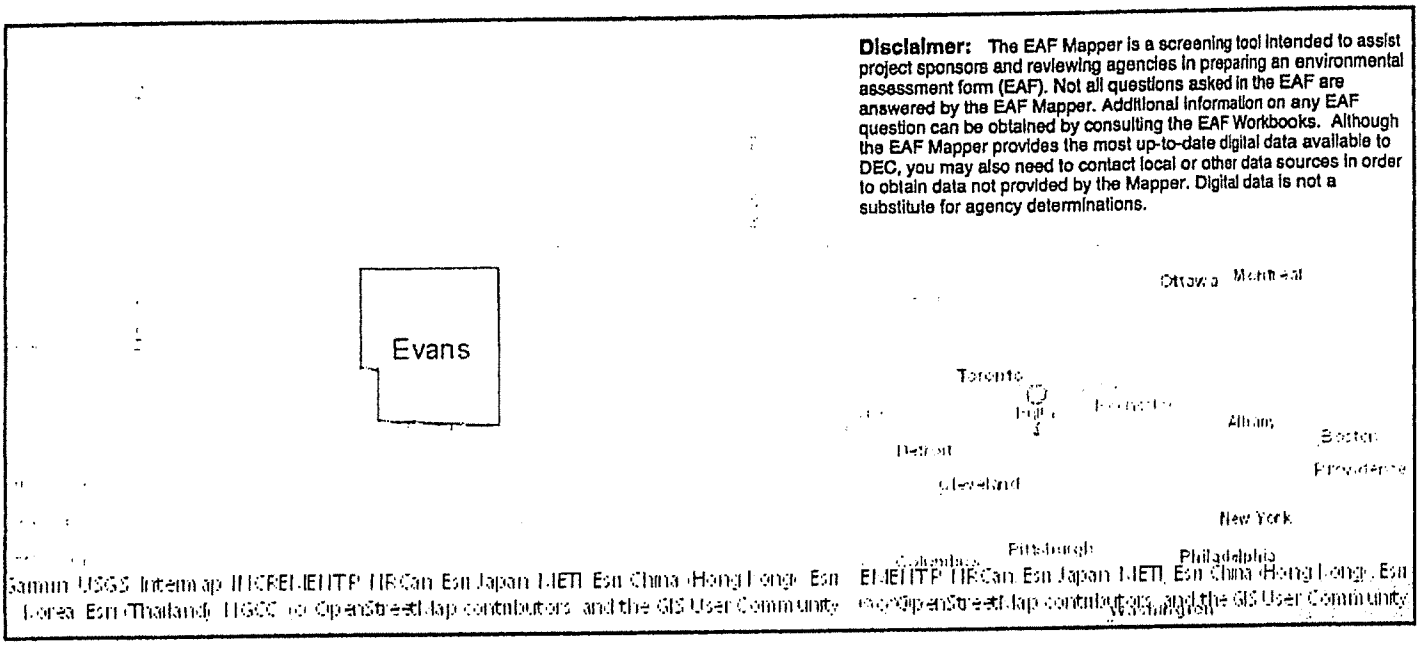
Applicant/sponsor/name: Dennis Valentic Date: 3/15/2023

Signature: _____ Title: Owner

PRINT FORM

EAF Mapper Summary Report

Monday, March 13, 2023 9:52 AM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Bald Eagle
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

OBSERVER

AFFIDAVIT OF PUBLICATION

Observer
10 E SECOND ST
(716) 366-3000

I, JAN HARRINGTON, of lawful age, being duly sworn upon oath, deposes and says that I am the CLERK of Observer, a publication that is a "legal newspaper" as that phrase is defined for the city of DUNKIRK, for the County of CHAUTAUQUA, in the state of New York, that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

PUBLICATION DATES:
18 Mar 2023

Notice ID: hHHlSGDkG1Y1roiSEx8l
Notice Name: LL #5 Videoconferencing

PUBLICATION FEE: $25.40

Jan Harrington
CLERK

VERIFICATION

STATE OF NEW YORK
COUNTY OF CHAUTAUQUA

Signed or attested before me on this

20 day of March, A.D. 2023.

Barbara J. Musso
Notary Public

BARBARA J. MUSSO
Notary Public, State of New York
Qualified in Chautauqua County
My Commission Expires 5/4/23

Legal Notice

NOTICE OF PUBLIC HEARING TOWN OF EVANS, NEW YORK

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

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

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

Dated: March 16, 2023
Mar 18, 2023