Evans Town Board

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

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

RESOLUTION 2023 #193 Accept Minutes

Deputy Supervisor George moved and Councilman Schraft seconded that the reading of the minutes of April 5, 2023 be dispensed with and accepted as submitted by the Town Clerk.

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

Communications

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

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

Councilman Schraft moved and Deputy Supervisor George seconded;

WHEREAS, minor subdivisions are unlisted SEQR actions, and

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

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

WHEREAS, in a letter dated April 13, 2023, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Dennis Valentic Minor Subdivision, and

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

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

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

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

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

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

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

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

RESOLUTION 2023 #195 Minor Subdivision Approval - Valentic

Councilman Macko moved and Councilman Schraft seconded;

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

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

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

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

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

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

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

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

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

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

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

Councilman Schraft moved and Councilman Reitz seconded;

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

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

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

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

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

RESOLUTION 2023 #197 Designation of Personnel Director

Councilman Reitz moved and Councilman Schraft seconded;

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

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

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

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

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

Resolution Failed due to Lack of a Majority

RESOLUTION 2023 #198 Authorization for Emergency Demolition

Councilman Schraft moved and Councilman Macko seconded;

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

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

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

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

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

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

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

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

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

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

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

RESOLUTION 2023 #199 Approval of Electronic Signature

Councilman Reitz moved and Councilman Macko seconded;

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

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

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

Councilman Macko moved and Councilman Reitz seconded;

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

NAME	SALARY
Drew Eck	$15.20; and

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

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

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

Deputy Supervisor George moved and Councilman Reitz seconded;
WHEREAS, the Town Law grants the Town Board the authority to enact a Local Law concerning the use of public property by Town residents and promoting the public welfare and safety; and

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

WHEREAS, a copy of Proposed Local Law No. 6 of the Year 2023 was presented to each member of the Town Board;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans authorizes and directs the Town Clerk to publish a notice of public hearing for the purpose of hearing all persons interested in Proposed Local Law # 6 of the year 2023, to be held on Wednesday, May 3, 2023 at 7:10 p.m.; and

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

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

RESOLUTION 2023 #202 Designation of Broker of Record

Councilman Reitz moved and Deputy Supervisor George seconded,

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

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

Resolution Failed due to Lack of a Majority

RESOLUTION 2023 #203 Appointment of Park Time Clerk

Deputy Supervisor George moved Councilman Reitz seconded,
WHEREAS; a vacancy exists for a Part Time Clerk; and
BE IT RESOLVED; that the Town Board of the Town of Evans hereby appoints Lynn Wolf to Part Time Clerk for the Town of Evans, effective Monday, April 24, 2023 at a rate of $16.20 per hour, up to 19.5 hours per week.

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

Resolution failed for lack of a majority

RESOLUTION 2023 #204 Suspend the Rules of Order

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

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

RESOLUTION 2023 #205 Authorize Agreement for Supplemental Consultant Services for Right of Way Acquisition Costs for Culvert Pipe on Derby Road

Deputy Supervisor George moved and Councilman Reitz seconded;

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans authorizes Acting Supervisor Thomas George to execute a Supplemental Consultant Agreement with C & S Engineers, Inc for right-of-way incidentals and acquisition services in the lump sum amount of $22,900 and thereby increasing the total amount payable to C & S Engineers, Inc. from $134,000 to $156,900.

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

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

Councilman Reitz moved and Deputy Supervisor George seconded;

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

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

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

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

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

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

Councilman Schraft moved and Councilman Macko seconded;

BE IT RESOLVED, that Deputy Supervisor Thomas George is authorized to enter into a fixed rate contract for 12 months with New Wave Energy Corporation for energy supply services for electricity and natural gas, upon the approval of the Town Attorney.

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

RESOLUTION 2023 #208 Award Contract for New Municipal Website

Deputy Supervisor George moved and Councilman Reitz seconded;

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

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

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

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

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

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

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

Deputy Supervisor George moved and Councilman Reitz seconded;

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

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

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

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

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

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

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

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

Deputy Supervisor George moved and Councilman Reitz seconded;

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

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

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

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

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

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

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

RESOLUTION 2023 #211 Designation of Broker of Record

Councilman Schraft moved and Deputy Supervisor George seconded;

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

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

RESOLUTION 2023 #212 Approve Town Licenses

Councilman Schraft moved and Councilman Macko seconded,

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

RESOLVED, that the aforesaid licenses be granted pertaining to the report of the Chief of Police and the Department of Health where appropriate.

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

RESOLUTION 2023 #213 Audit of Bills

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

	AUDIT OF BILLS
DATE	4/20/2023
ABSTRACT NO.	8
VOUCHER NO.	12320 - 12385
CHECK NUMBERS	85574 - 85628
APPROVED AT	Board Meeting
DATE	4/19/2023
GENERAL	$54,509.95
PART TOWN	$185.45
HIGHWAY DB	$9,233.39
WATER	$1,102.32
CAPITAL PROJECTS	$512.97
SPECIAL DISTRICTS	$1,538.91
DEBT SERVICE	
TOTAL	$67,082.99

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #214 Enter Executive Session

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: 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

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:
14 Apr 2023

Notice ID: qtvDbe4OtQdGznorceza
Notice Name: Property Maintenance Services

PUBLICATION FEE: $20.05

Jan Harrington
CLERK

VERIFICATION

STATE OF NEW YORK
COUNTY OF CHAUTAUQUA

Signed or attested before me on this

17 day of April, 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

CONTRACTORS WANTED TOWN OF EVANS PROPERTY MAINTENANCE SERVICES

The Town of Evans is seeking eligible contractors to participate in the Town's Property Maintenance Program. Payment rates were approved by the Evans Town Board, by resolution, on February 16, 2022. Please refer to Property Maintenance 2023 information provided under the Code Enforcement Website Page on the Town of Evans website (townofevans.org) for the established payment rates.

All contractors interested in providing any of the following types of Property Maintenance services: Grass cutting, seasonal clean-up, board-up, emergency board-up, close up of in-ground pools and close up and/or removal of above ground pools and decks for the Town of Evans, please fill out the Property Maintenance application available on the Town of Evans website and submit required insurances no later than 11:00am on Thursday, April 27, 2023.

Apr 14, 2023

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:
21 Apr 2023

Notice ID: 5QJUuGUkjjWacQO6v0Mw
Notice Name: LL #6 Special Events License

PUBLICATION FEE: $20.49

Jan Harrington
CLERK

VERIFICATION

STATE OF NEW YORK
COUNTY OF CHAUTAUQUA

Signed or attested before me on this

24 day of April, A.D. 2023.

Barbara J. Musso
Notary Public

Legal Notices

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

PLEASE TAKE NOTICE, that there has been presented to the Town Board on April 5, 2023, for adoption proposed Local Law No. 6 of the Year 2023, establishing requirements for issuance and enforcement of licenses for special events. THEREFORE, pursuant to the Municipal Home Rule Law, the Town Board of the Town of Evans shall hold a Public Hearing on the aforesaid Local Law at the Town Hall, 8787 Erie Road, Angola, New York at 7:10 p.m. on the 3rd day of May 2023, at which time persons interested may be heard. Copies of the aforesaid proposed Local Law are available at the office of the Town Clerk for inspection and distribution to any interested person during business hours.

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

Apr 21, 2023

BARBARA J. MUSSO
Notary Public, State of New York
Qualified in Chautauqua County
My Commission Expires 5/24/23

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

APPLICATION FOR MINOR SUBDIVISION

DATE: **FILE #** 23-11

TO BE COMPLETED BY APPLICANT

OWNER: NAME William Melski & Michael Catanzaro
STREET ADDRESS 9154 Meadow Lane / 9149 Applewood St STATE NY
CITY/ZIP Angola, 14006 PH/FAX
CELL # 716-432-0113 EMAIL ADDR bmelski@yahoo.com / mikecatz420@yahoo.com

CONSULTANT: NAME
STREET ADDRESS STATE
CITY/ZIP PH/FAX
CELL # EMAIL ADDR
SUBDIVISION LOCATION Vacant Land between 9154 Meadow Lane and 9149 Applewood St, Angola. Frontage on Meadow
ZONING DISTRICT R1 SBL# 234.19-3-27

	ROAD NAME	FRONTAGE	ACRES
ORIGINAL LOT:	Meadow Lane	61.0 +/-	0.28 +/-
PROPOSED LOTS:			
LOT # 1	Meadow Lane	30.5 +/-	0.14 +/-
LOT #2	Meadow Lane	30.5 +/-	0.14 +/-
LOT #3			
LOT #4			

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

DATE RCVD: 4-10-23 MATERIALS CHKD BY: dw
REVIEWED BY: dw CKD BY: dw/dw
PB WORK SESSION DATE: n/a PB MEETING DATE: n/a
TOWN BOARD PUBLIC HEARING DATE: 5-3-23
TOWN BOARD RESOLUTION DATE: 5-3-23

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

William Melski & Michael Catanzaro

Name of Action or Project:
Minor Subdivision

Project Location (describe, and attach a location map):
Vacant land between 9154 Meadow Lane & 9149 Applewood St., Angola with road frontage on Meadow Lane

Brief Description of Proposed Action:
Dividing a 0.28+/- acre parcel with 61.0+/- feet of frontage on Meadow Lane into two lots; two 0.14+/- ac lots each with 30.5+/- feet of frontage on Meadow Lane.

Name of Applicant or Sponsor:	Telephone: 716-432-0113
William Melski	E-Mail: bmelski@yahoo.co,

Address:
9154 Meadow Lane

City/PO:	State:	Zip Code:
Angola	New York	14006

	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? 0.28+/- acres
   b. Total acreage to be physically disturbed? -0- acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.28+/- 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?	☑	☐
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: William Melski – Michael J Capanero Date: 4/10/2023

Signature: William J Melski [signature] Title:

PRINT FORM



Zoned: Single Family Residential (R1)

Melski, Wm J.
SBL# 234.19-3-27