Evans Town Board

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

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

RESOLUTION 2023 #279 Enter Executive Session

Deputy Supervisor George moved and Councilman Macko seconded,

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

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

The general nature of the subject matter to be discussed as follows: employment history of a particular Individual.

NOW THEREFORE BE IT RESOLVED: Ken Farrell, Town Attorney, John Flading, Code Enforcement Officer and Kelly Kent, Human Resources, are invited to attend the Evans Town Board Executive Session.

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

Public Hearing

NOTICE OF PUBLIC HEARING re Certification of Nonconformance

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

Summary of Proposed Law:

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

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

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

RESOLUTION 2023 #280 Open the Public Hearing

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

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

There was nobody wishing to speak in favor or opposition

RESOLUTION 2023 #281 Close the Public Hearing

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

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

RESOLUTION 2023 #282 SEQR Lead Agency - Local Law #7 - Certificate of Nonconformance

Deputy Supervisor George moved and Councilman Schraft seconded;

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

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans shall be the Lead Agency for the SEQR process for proposed Local Law #7 of the year 2023; and

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #283 SEQR Negative Declaration - Local Law #7 - Certificate of Nonconformance

Councilman Schraft moved and Councilman Macko seconded;

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

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

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans issues a negative declaration for Local Law #7 of 2023; and

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #284 Approval of Local Law #7 of 2023 - Certificate of Nonconformance

Councilman Macko moved and Councilman Schraft seconded;

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

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

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

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

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

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

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

RESOLUTION 2023 #285 Accept Minutes

Deputy Supervisor George moved and Councilman Macko seconded that the reading of the minutes of June 7, 2023 be dispensed with and accepted as submitted by the Town Clerk.

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

Communications

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

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

Councilman Schraft moved and Councilman Reitz seconded;

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

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

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

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

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

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

Councilman Schraft moved and Councilman Reitz seconded;

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

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

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

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

RESOLUTION 2023 #288 Town Clerk's Reports

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

Town Clerk Report	$29,776.92
Interest	$ 2.07
Greenspace Fee	$ 2,100.00
Petty Cash	$ 650.00

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

Old Business

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

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

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

RESOLUTION 2023 #290 Appointment of Code Enforcement Officer

Councilman Macko moved and Councilman Reitz seconded,

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

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

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

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

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

RESOLUTION 2023 #291 Appointment of Economic Advisory Committee Members

Councilman Schraft moved and Councilman Macko seconded;

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

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

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

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

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

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

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

Councilman Macko moved and Councilman Reitz seconded,

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

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

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

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

Councilman Reitz moved and Councilman Macko seconded;

WHEREAS, a bid opening was held on Thursday, March 9, 2023 at 2:00pm at the Evans Town Hall located at 8787 Erie Road, Angola, New York 14006 for the Town of Evans Collection, Hauling and Processing of Municipal Solid Waste, Bulk Waste and Recyclables; and

WHEREAS, the Town Board of the Town of Evans accepted and awarded the bid presented by Modern Disposal Services, Inc., Option #2, for the provision of services for the Town of Evans' Collection, Hauling and Processing of Municipal Solid Waste, Bulk Waste and Recyclables; and

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

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

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

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

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

NOW, BE IT RESOLVED, that Deputy Supervisor Thomas George is authorized to execute all necessary contract documents with Rehrig Pacific Company, upon the approval of the Town Attorney.

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

RESOLUTION 2023 #294 Authorization for Emergency Demolition 704 Bennett Road

Deputy Supervisor George moved and Councilman Reitz seconded;

WHEREAS, there was a structure fire at 704 Bennett Road, Angola, NY 14006 on Friday, June 9, 2023; and

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

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

WHEREAS, the Code Enforcement Officer did make contact with the members of the Town Board to authorize a Declaration of Emergency Demolition for the building located at 704 Bennett Road, Angola, NY 14006 (SBL #220.00-1-34.1); and

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

BE IT RESOLVED, that pursuant to Chapter 74, Buildings, Unsafe, of the Evans Town Code, the Evans Town Board hereby approves the earlier referenced Declaration of Emergency and authorizes that Geiter Done of WNY, Inc. to proceed with the emergency demolition of 704 Bennett Road, Angola, NY 14006 at a total cost of $26,000; and

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

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

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

RESOLUTION 2023 #295 Lake Erie Beach Volunteer Fire Company Members

Councilman Schraft moved and Councilman Reitz seconded;

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

WHEREAS, each candidate was interviewed thoroughly and found to meet or exceed the qualifications;
and
WHEREAS, the following candidates were elected into membership of the Lake Erie Volunteer Fire Company, Inc. during the June 1, 2023 General Membership Meeting;

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

William Radder
Vincent Skorupski

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #296 Budget Amendment - Highway

Councilman Schraft moved and Councilman Macko seconded;

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

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

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

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

Increase:

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

Decrease:

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

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

RESOLUTION 2023 #297 Budget Amendment - Police

Councilman Reitz moved and Councilman Schraft seconded;

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

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

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

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

Increase:

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

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

RESOLUTION 2023 #298 Budget Amendment - Finance

Deputy Supervisor George moved and Councilman Macko seconded;

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

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Evans hereby authorizes the Supervising Accountant to make the following budget transfer to reappropriate funds for costs associated with the AED purchase for Town:

Transfer From:

AA.01990.0400.00	Contingent	$21,140

Transfer To:

AA.01620.0410.00	Equipment	$21,140

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

RESOLUTION 2023 #299 Budget Amendment - Highway

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

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

RESOLUTION 2023 #300 Budget Amendment - Town Clerk

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS, the Town is obligated by general municipal law to maintain a balanced budget; NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Evans hereby authorizes the Supervising Accountant to make the following budget transfer to reappropriate funds for costs associated with Vital Records Preservation:

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

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

RESOLUTION 2023 #301 Part Time Dog Control Officer

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

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

RESOLUTION 2023 #302 Suspend the Rules of Order

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #303 Appointment of Seasonal Part Time Lifeguards/ Gate Guards

Councilman Schraft moved and Deputy Supervisor George seconded;

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

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #304 Appointment of Seasonal Part Time Gate Guards

Deputy Supervisor George moved and Councilman Schraft seconded;

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

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #305 Declare Surplus - Parks Department

Councilman Macko moved and Councilman Schraft seconded;

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

2018 Ford Explorer VIN #1FM5K8AR6JGB12043

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #306 Declare Surplus - Police Department

Councilman Schraft moved and Councilman Macko seconded;

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

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

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

2019 Ford Explorer PI VIN #1FM5K8AR0KGB44102

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #307 Declare Surplus - Police Department

Deputy Supervisor George moved and Councilman Macko seconded;

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

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #308 Declare Surplus - Police Department

Deputy Supervisor George moved and Councilman Macko seconded;

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

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

Kenwood TK7360HV-5: SN: B2301022

VOTE RESULT: ADOPTED BY ROLL CALL

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

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

Councilman Macko moved and Councilman Reitz seconded;

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

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

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

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

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

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #310 Approval of 2023 Marina Fees

Deputy Supervisor George moved and Councilman Schraft seconded;

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

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

Councilman Schraft moved and Councilman Reitz seconded;

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

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

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

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

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

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

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

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

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

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

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

Councilman Reitz moved and Councilman Macko seconded;

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

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

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

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

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

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

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

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

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

RESOLUTION 2023 #313 Town Licenses

Councilman Schraft moved and Deputy Supervisor George seconded,

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

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

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

RESOLUTION 2023 #314 Audit of Bills

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

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

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

RESOLUTION 2023 #315 Adjournment

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

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

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

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

Respectfully Submitted,

Lynn M. Krajacic RMC
Town Clerk

Attachment A

2023 Marina fees

	2022 rates	5% 2023 rate	Prorated	
18 ft	$ 772	$ 811	$ 516	
20 ft	$ 883	$ 927	$ 590	
22 ft	$ 1,106	$ 1,161	$ 739	
24 ft	$ 1,215	$ 1,276	$ 812	
28 ft (with electric)	$ 1,576	$ 1,655	$ 1,053	
30 ft (with electric)	$ 1,764	$ 1,852	$ 1,179	
40 ft (with electric)	$ 2,389	$ 2,508	$ 1,596	
Jet Ski only (based on slip size)	varies	varies	varies	
Extra Jet Ski (in slip 20ft or larger)	$ 100	$ 100	$ 64	
Dry Dock (price per foot)	$ 24	$ 24	$ 15	(minimum $200)
Daily Launch Pass	$ 15	$ 15	$ 15	
Senior/Veterans Daily Launch Pass	$ 10	$ 10	$ 10	
Season Launch Pass	$ 175	$ 175	$ 110	
Senior/Veterans Season Launch Pass	$ 110	$ 110	$ 70	
Overnight Wet Slip	$ 50	$ 50	$ 50	
Overnight Dry Slip	$ 25	$ 25	$ 25	
Bait	varies	varies	varies	
Ice-8lbs	varies	varies	varies	
Gas	varies	varies	varies	
Waitlist (per boat length)	$ 25	$ 25	$ 25	