Evans Town Board

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

PRESENT:	Michael Schraft	Councilman
	John Wilson	Councilman
	Jeanne Macko	Councilman
	Laurie Reitz	Councilman
	Raymond Ashton	Supervisor
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Lisa Poch	Town Attorney

RESOLUTION 2024 #334 Accept Minutes

Supervisor Ashton moved and Councilman Macko seconded that the reading of the September 18, 2024 meeting minutes dispensed with and accepted as amended and submitted by the Town Clerk.

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

Communications

RESOLUTION 2024 #335 Supervisor's Report – June, July, August

Supervisor Ashton moved and Councilman Schraft seconded; the Supervisor's monthly report has been made to the Town Board and a copy was filed with the Town Clerk's office in accordance with Town Law for June, July and August.

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

William Smith, Evans Minor Subdivision Review Committee, RE: Minor Subdivision – dividing a 2.8 ± acre parcel at 6633 Erie Road (a.k.a. NYS Route 5), Derby, NY 14047, SBL# 193.13-2-15 to create two parcels; a 0.32 ± acre parcel and a 2.48 ± acre parcel. Petitioner: David Braasch, 6633 Erie Road, Derby NY 14047

RESOLUTION 2024 #336 SEQR Negative Declaration - Braasch

Councilman Schraft moved and Councilman Reitz 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 September 27, 2024, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the

David Braasch 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 David Braasch Minor Subdivision

(Addendum A SEQR Short Environmental Assessment Form),

a division of SBL# 193.13-2-15, dividing a 2.8 ± acre parcel to create:

1. a 0.32 ± acre parcel with 90.0 ± feet of frontage on Erie Rd. (a.k.a. NYS Route 5), and
2. a 2.48 ± acre parcel with 149.74 ± feet of frontage on Erie Rd.

Petitioner: David Braasch, 6633 Erie Road, Derby, 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 Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

RESOLUTION 2024 #337 Minor Subdivision Approval - Braasch

Councilman Macko moved and Councilman Reitz Seconded;

WHEREAS, the proposed subdivision was referred to the Erie County Department of Environment and Planning for a 239M Review as required; they offered no recommendation, stating the proposed action was determined to be of local concern, 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 David Braasch Minor Subdivision,

a division of SBL# 193.13-2-15, dividing a 2.8+ acre parcel to create:

1. a 0.32 ± acre parcel with 90.0 ± feet of frontage on Erie Rd., (a.k.a. NYS Route 5), and

2. a 2.48 ± acre parcel with 149.74 ± feet of frontage on Erie Rd.

Petitioner: David Braasch, 6633 Erie 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 Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

RESOLUTION 2024 #338 Sale Approval – 273 Dawn Avenue

Councilman Reitz moved and Councilman Wilson seconded;

WHEREAS, per resolution 2024 #265 regarding two (2) Town owned properties for sale in the Town of Evans which were bought from BENLIC:

273 Dawn Avenue, Angola, NY 14006 and 146 Potomac Avenue, Angola, NY 14006; and

WHEREAS, the Evans Town Board authorized the Town Clerk to advertise for bids for sale of the aforementioned properties in the Town of Evans, New York; and

WHEREAS, a bid was received and opened on September 4, 2024, in accordance with the Notice to Bidders previously authorized; and

WHEREAS, the highest bid with the most potential benefits for the sale of the above referenced properties was submitted for the purchase of 273 Dawn Ave Angola, NY 14006; and

WHEREAS, the Town of Evans' Code Enforcement Officer and Town Assessor have reviewed the proposal from Daryl Clark of 5757 Southwestern Blvd, Hamburg, NY 14075 and;

WHEREAS, the bid for submitted by Daryl Clark of 5757 Southwestern Blvd, Hamburg, NY 14075

was $5,000 for the property that is located at 273 Dawn Ave, Angola 14006;

NOW, THEREFORE, BE IT RESOLVED, that the aforementioned bid to purchase 273 Dawn Avenue, Angola, NY 14006 property in the Town of Evans, New York, by Daryl Clark of 5757 Southwestern Blvd, Hamburg, NY 14075 is hereby accepted by the Town of Evans Town Board, with a purchase amount of $5,000; and

BE IT FURTHER RESOLVED, that the Supervisor Ray Ashton is authorized to execute all bid award and/or contract documents for the purchase, upon the approval of the Town Attorney.

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

RESOLUTION 2024 #339 Reaffirm Climate Smart Communities Pledge

Councilman Schraft moved and Councilman Wilson Seconded;

WHEREAS, the Town of Evans believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come,

IT IS HEREBY RESOLVED that Town of Evans in order to reduce greenhouse gas emissions and adapt to a changing climate, reaffirms the commitment made on Nov 15, 2011 and supports the New York State Climate Smart Communities pledge, which comprises the following ten elements:

1) Build a climate-smart community.

2) Inventory emissions, set goals, and plan for climate action. Update Benchmarking Inventory by February 2025

3) Decrease energy usage and cost.

4) Shift to clean, renewable energy.

5) Use climate-smart materials management.

6) Implement climate-smart land use.

7) Enhance community resilience to climate change.

8) Support a green innovation economy.

9) Inform and inspire the public. 10) Engage in an evolving process of climate action.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

RESOLUTION 2024 #340 2024 Town of Evans Halloween Celebration

Councilman Wilson moved and Councilman Reitz Seconded;

WHEREAS, the Evans Town Board recognizes the celebration of Halloween in the Town of Evans for the year of 2024 on Thursday, October 31, 2024; and

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

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

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

RESOLUTION 2024 #341 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	10/3/2024
ABSTRACT NO.	18
VOUCHER NO.	15284 - 15360
CHECK NUMBERS	88003 - 88063
APPROVED AT	Board Meeting
DATE	10/2/2024

GENERAL	$133,926.09
PART TOWN	$7,700.42
HIGHWAY DB	$135,893.95
WATER	$28,118.76
CAPITAL PROJECTS	$141,319.62
SPECIAL DISTRICTS	$107,856.53
DEBT SERVICE	
TOTAL	$554,815.37

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

Public Hearing

NOTICE OF PUBLIC HEARING, TOWN OF EVANS

Please take notice, the Town Board of the Town of Evans, Erie County, NY will hold a Public Hearing on October 2, 2024 at 7:10 pm in the Court Room of the Evans Municipal Center (located at 8787 Erie Road, Angola, NY 14006) regarding the use of Federal Community Development funds in the Town of Evans.

The Town of Evans is eligible for a Federal Community Development Grant under Title 1 of the Housing and Community Development Act of 1974, as amended.
The purpose of the Hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate income persons in the Town of Evans.
Citizens are urged to attend this Public Hearing to make known their views and/or written proposals on the Town of Evans' selection of potential projects to be submitted for possible funding by the Federal Community Development Grant program.

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

Questions and comments may also be forwarded via USPS to the Evans Planning Office at 8787 Erie Road, Angola, NY 14006 or by email to planning@townofevans.org; any written questions or comments forwarded to the Planning Department will be included in the record of the Public Hearing. All parties of interest and citizens shall have an opportunity to be heard by the Town Board at the Public Hearing to be held aforesaid.

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

RESOLUTION 2024 #342 Open the Public Hearing

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

Edward Schneider spoke about potential projects for the Grant.

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

RESOLUTION 2024 #343 Close the Public Hearing

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

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

RESOLUTION 2024 #344 Adjournment

Supervisor Ashton moved and Councilman Reitz seconded to adjourn to Wednesday, October 16, 2024 at 6:00 pm for a Work Session and the Regular Meeting to follow.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	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
Town Clerk