Meeting #11 Wednesday June 4, 2025
Regular _X_ Special _____

AGENDA

Evans Town Board, Evans Town Hall, 8787 Erie Road, Angola, New York
www.townofevansny.gov

Item	Description	Disp.
I	Call the Meeting to Order	
II	Pledge of Allegiance	
III	Roll Call	
IV	Approval of the Minutes: May 21, 2025, Regular Town Board Meeting Minutes	
V	Communications:	
VI	Public Hearing & Bid Opening:	
VII	Committee & Department Head Reports:	
VIII	Town Clerk's Reports: Town Clerk Report $ 46,200.22 Interest $ 2.75 Greenspace Fee $ 0 Petty Cash $ 650.00	
IX	Old Business: 1.) Lead Agency - Special Use Permit Bed & Breakfast - Barret 2.) SEQR - Special Use Permit Bed & Breakfast - Barret 3.) Approval of Special Use Permit Bed & Breakfast - Barret	
X	Privilege of the Floor:	
XI	Resolutions: 1.) 4th of July Celebration- July 3rd Road Closures 2.) Appointment of Part Time Seasonal Lifeguards and Pool Gate Guards 3.) Budget Amendments - Highway 4.) Lake Erie Beach Trail Project Change Order 06 5.) Purchase of Tractor with Boom Mower - Highway 6.) Town of Evans Planning Board Appointment 7.) Town of Evans Play Courts Town Park Change Orders 8.) Budget Transfer - Tractor and Boom Mower 9.) Declare Lead Agency - Miller Estate 10.) SEQR - Negative Declaration -Miller Estate	
XII	Licenses:	
XIII	Audit of Bills:	
XIV	Adjournment to: Wednesday June 25, 2025 at 6:00pm for the Work Session and Regular Meeting immediately to follow.	

Open Meetings Law, Public Officers Law, Article 7, §106. Minutes.
Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. Get the Agenda and Meeting Packet sent to your email! Subscribe to the Town of Evans Legal Paper: http://www.observertoday.com/store/ (716)366-3000 click Newsletter Signup under the Quick Links

Evans Town Board

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

PRESENT:	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 2025 #183 Accept Minutes

Supervisor Ashton moved and Councilman Reitz seconded that the reading of the May 7, 2025 Town Board Meeting minutes be dispensed with and accepted as 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

RESOLUTION 2025 #184 Accept Quote for Fire Protection System Project

Supervisor Ashton moved and Councilman Reitz seconded;

WHEREAS, the Town of Evans desires to install fire protection systems at the Town of Evans Water Building, Senior Center Building and Highway Building; and

WHEREAS, the Town has received quotes for the above reference project, including a quote from Johnson Controls; and

WHEREAS, the Evans Town Board discussed the project at the May 7, 2025 Town Board Work Session;

NOW, THEREFORE, BE IT RESOLVED, the Evans Town Board accepts the quotes from Johnson Controls in the amounts of Water Building $21,400, Senior Center Building $17,600, and Highway Building $31,500; and

FURTHER, BE IT RESOLVED, the Evans Town Board hereby authorizes Johnson Controls, located at 6850 Main Street, Williamsville, NY 14221 for said Fire Protection System project; and

FURTHER, BE IT RESOLVED, that Supervisor Ashton is authorized to sign all documents pursuant to the above referenced project, upon the review 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 2025 #185 Appointment of Part Time Clerk - Court

Councilman Schraft moved and Councilman Reitz seconded;

WHEREAS, there is a vacancy for a part time Clerk in the Town of Evans Courts; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Julie Boedo, effective Friday, May 23, 2025, to the position of part time Clerk with the Town of Evans Courts, at an hourly rate of $17.05 as set forth in the 2025 reorganizational resolution; and

FURTHER, BE IT RESOLVED, all other relative issues, rules and regulations will be understood to all parties subject to Civil Service Law; and

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

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

RESOLUTION 2025 #186 Change Order #3 Dock Replacement and Reconfiguration

Councilman Wilson moved and Councilman Macko seconded;

WHEREAS, the Town of Evans, through a competitive Request for Proposals process, contracted with Fisher Associates to develop the Evans Parks and Sturgeon Point Marina Master Plan and Revitalization Study (the "Master Plan"); and

WHEREAS, as part of the Master Plan, Fisher Associates conducted a market study and created concept plans to reconfigure Sturgeon Point Marina docks and slips, remove deteriorated docks, replace aged fueling infrastructure, and install new modern floating docks with updated utilities, lighting, walkway connections and signage (the "Project"); and

WHEREAS, Fisher Associates has assisted in securing funding to implement the Project in the amount of $1,368,321 from NYS Department of State's Local Waterfront Revitalization Program with a total project cost of $1,824,428; and

WHEREAS, Fisher Associates has provided Change Order Request #3 dated May 16, 2025 for design development, permitting, bidding, and construction phase services of the Project in the amount of $178,000.

NOW, THEREFORE, BE IT RESOLVED, the Evans Town Board hereby approves the Evans Parks & Sturgeon Point Master Plan Change Order Request #3 in the amount of $178,000.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2025 #187 Change Order #4 South Creek Park Pool House Replacement

Councilman Reitz moved and Councilman Macko seconded

WHEREAS, the Town of Evans, through a competitive Request for Proposals process, contracted with Fisher Associates to develop the Evans Parks and Sturgeon Point Marina Master Plan and Revitalization Study (the "Master Plan"); and

WHEREAS, as part of the Master Plan, Fisher Associates conducted community engagement and created a concept site plan and building elevations for a new pool house and other site improvements at the John K. Thompson-South Creek Park Pool to meet ADA accessibility standards, provide modern amenities, improve quality of life for Evans residents, and help beautify the area (the "Project"); and

WHEREAS, Fisher Associates has assisted in securing funding to implement the Project in the amount of $603,583.50 from NYS Office of Parks, Recreation and Historic Preservation with a total project cost of $1,207,167; and

WHEREAS, Fisher Associates has provided Change Order Request #4 dated May 16, 2025 for design development, permitting, bidding, and construction phase services of the Project in the amount of $129,500.

NOW, THEREFORE, BE IT RESOLVED, the Evans Town Board hereby approves the Evans Parks & Sturgeon Point Master Plan Change Order Request #4 in the amount of $129,500.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2025 #188 Declare Lead Agency - Melody Meadows Estate Expansion

Councilman Macko moved and Councilman Reitz seconded,

WHEREAS, the Evans Planning Board and Town Board have before them a Rezone Application prepared by Tredo Engineers and Melody Meadow Estates ("the Applicant") for a proposed rezone of a 35.1 acre portion of vacant land from Residential Two Family (R-2) to Mobile Home Residential (MHR-5) for expansion to the current mobile home park with proposed roadway and sidewalk extension plans and layout for 75 new units located at 8930 Erie Rd., Angola, NY (SBL. 235.00-2-6.1); and

WHEREAS, the Town Board seeks to commence coordinated review of this action and seeks to act as Lead Agency pursuant to the requirements of the State Environmental Quality Review Act ("SEQR"), New York State Environmental Conservation Law, Article 8 and 6 NYCRR Part 617; and

WHEREAS, the Town Board determines that it is the most appropriate agency to oversee the coordinated review of the Project, and will provide written notification to involved and interested agencies, for the purpose of making a determination of significance under SEQR regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans does hereby declare its intent to be designated as Lead Agency for this Project; and

BE IT FURTHER RESOLVED, that the Town of Evans Planning Department is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing on or before noon on Friday, June 20, 2025.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2025 #189 Approve Town Licenses

Councilman Wilson moved and Councilman Schraft seconded,

1) Evans Community Events - July 3, 2025 Fireworks Celebration - Special Event

RESOLVED, that the aforesaid licenses be granted pertaining to the report of the Chief of Police and the Code Enforcement Officer.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2025 #190 Audit of the Bills

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

	AUDIT OF BILLS
DATE	5/22/2025
ABSTRACT NO.	10
VOUCHER NO.	16600 - 16696
CHECK NUMBERS	89040 - 89115
APPROVED AT	Board Meeting
DATE	5/21/2025
GENERAL	$162,410.41
PART TOWN	$19,650.89
HIGHWAY DB	$3,768.27
WATER	
CAPITAL PROJECTS	$52,902.61
SPECIAL DISTRICTS	$25.00
TOTAL	$238,757.18

VOTE RESULT: ADOPTED BY ROLL CALL

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

PUBLIC HEARING

LEGAL NOTICE TOWN OF EVANS

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a Public Hearing on Wednesday, May 21st at 6:30 PM. via Zoom, to which a link will be provided

on the Town's website, and/or In-person Public Meeting to consider the adoption of Proposed Local Law #2 of the year 2025 to amend Chapter 200, Article VIII of the Evans Town Code regarding the permitting of ponds. Copies of the Proposed Local Law will be available for inspection by any interested person in the Office of the Town Clerk during normal business hours Monday, Tuesday, Thursday, Friday from 8am - 4pm, Wednesday from 9am - 5pm and the Town's website www.townofevansny.gov on or after May 8th, 2025. Questions and comments may be forwarded to the Planning Office by USPS or by email to wsmith@townofevans.org; any written questions or comments forwarded to the Planning Department will be included in the record of the Public Hearing. All parties in interest and citizens shall have an opportunity to be heard by the Town Board at the Zoom and/or In-Person Public Hearing to be held aforesaid.

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

RESOLUTION 2025 #191 Open the Public Hearing
Supervisor Ashton moved and Councilman George seconded to open the public hearing.

There was nobody wishing to speak in favor or opposition

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

RESOLUTION 2025 #192 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 2025 #193 Proposed Local Law #2 of 2025 - Declare Lead Agency - Ponds
Councilman Macko moved, and Councilman Wilson seconded,

WHEREAS, the Evans Town Board wishes to amend Chapter 200, Article VIII of the Evans Town Code regarding the permitting of ponds.; 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 #2 of the year 2025; and

FURTHER, BE IT 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 2025 #194 Proposed Local Law #2 of 2025 SEQR Negative Declaration - Ponds

Councilman Wilson moved and Councilman Macko seconded,

WHEREAS, the Evans Town Board wishes to amend Chapter 200, Article VIII of the Evans Town Code regarding the permitting of ponds.; 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 Proposed Local Law #2 of 2025; and

FURTHER, BE IT 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 2025 #195 Adoption of Proposed Local Law #2 as Local Law #1 of 2025 - Ponds

Councilman Schraft moved and Councilman Reitz seconded,

WHEREAS, the Evans Town Board held a public hearing on May 21st, 2025 for consideration of Proposed Local Law #2 of the year 2025 to amend Chapter 200, Article VIII of the Evans Town Code regarding the permitting of ponds.; and

WHEREAS, the Planning Board has reviewed the proposed Local Law #2 and recommended the code amendment for approval by unanimous vote at their April 23rd, 2025 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 #2 of the year 2025, as amended, be adopted as Local Law #1 of the year 2025; and

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

LEGAL NOTICE TOWN OF EVANS

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a Public Hearing on Wednesday, May 21st at 6:30 PM. via Zoom, to which a link will be provided on the Town's website, and/or In-person Public Meeting to consider the adoption of Proposed Local Law #3 of the year 2025 to amend Chapter 101. Article II. Street Excavations regarding the permitting of cuts made on or under Town roads. Copies of the Proposed Local Law will be available for inspection by any interested person in the Office of the Town Clerk during normal business hours Monday, Tuesday, Thursday, Friday from 8am - 4pm, Wednesday from 9am - 5pm and the Town's website www.townofevansny.gov on or after May 8th, 2025. Questions and comments may be forwarded to the Planning Office by USPS or by email to wsmith@townofevans.org; any written questions or comments forwarded to the Planning Department will be included in the record of the Public Hearing. All parties in interest and citizens shall have an opportunity to be heard by the Town Board at the Zoom and/or In-Person Public Hearing to be held aforesaid.

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

RESOLUTION 2025 #196 Open the Public Hearing
Supervisor Ashton moved and Councilman Macko seconded to open the public hearing.

There was nobody wishing to speak in favor or opposition

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

RESOLUTION 2025 #197 Close the Public Hearing
Supervisor Ashton moved and Councilman Macko 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 2025 #198 Proposed Local Law #3 of 2025 - Declare Lead Agency - Road Cuts
Supervisor Ashton moved, and Councilman Wilson seconded,

WHEREAS, the Evans Town Board wishes to amend Chapter 101. Article II. Street Excavations regarding the permitting of cuts made on or under Town roads; 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 #3 of the year 2025; and

FURTHER, BE IT 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 2025 #199 Proposed Local Law #3 of 2025 SEQR Negative Declaration - Road Cuts
Councilman Schraft moved and Councilman Macko seconded,

WHEREAS, the Evans Town Board wishes to amend Chapter 101. Article II. Street Excavations regarding the permitting of cuts made on or under Town roads; 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 Proposed Local Law #3 of 2025; and

FURTHER, BE IT 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 2025 #200 Adoption of Proposed Local Law #3 as Local Law #2 of 2025 - Road Cuts
Councilman Wilson moved and Councilman Macko seconded,

WHEREAS, the Evans Town Board held a public hearing on May 21st, 2025 for consideration of Proposed Local Law #3 of the year 2025 to amend Chapter 101. Article II. Street Excavations regarding the permitting of cuts made on or under Town roads; and

WHEREAS, the Planning Board has reviewed the proposed Local Law #3 and recommended the code amendment for approval by unanimous vote at their April 23rd, 2025 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 #3 of the year 2025, as amended, be adopted as Local Law #2 of the year 2025; and

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

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

LEGAL NOTICE - TOWN OF EVANS

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 Wednesday, May 21, 2025 at 6:30pm 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 149-5(E) ("Property Maintenance Standards") with regard to approved garbage receptacles and bulk item pickup.

Summary of Proposed Law:
This addition is intended to amend the code to better describe the mechanism for residents to dispose of their trash and bulk items.

RESOLUTION 2025 #201 Open the Public Hearing
Supervisor Ashton moved and Councilman Macko seconded to open the public hearing.

There was nobody wishing to speak in favor or opposition

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

RESOLUTION 2025 #202 Close the Public Hearing
Supervisor Ashton moved and Councilman Macko seconded to close the public hearing.

WHEREAS, the Town Board of the Town of Evans is considering amending Town Code § 149-5(E), entitled "Property Maintenance Standards" to include to include a better explanation on the use of Town approved garbage receptacles and bulk item pickup; and

WHEREAS, the Town recognizes the importance of efficient and safe waste management disposal while maintaining clean neighborhoods; and

WHEREAS, the Town seeks amend the Town Code to establish the requirement its residents utilize Town approved and designated garbage receptacles for garbage collection, except that the last week of each month on their designated day, residents may further place out bulk items for disposal; and

WHEREAS, this proposed Code amendment is the product of discussions between and ultimate approval by the Planning Department and Building Department; and

WHEREAS, the proposed amendment further interprets and defines the existing code, and therefore constitutes a Type II Action under the State Environmental Quality Review Act (SEQRA) which does not require further review; and

WHEREAS, a duly scheduled public hearing was set for May 21, 2025, in order to amend the existing code by Local Law; and

WHEREAS, the Town Board of the Town of Evans held a public hearing with respect to the amendments and adoption of said Local Law on May 21, 2025 at 6:30 PM, at which time and place all persons were heard relative to this Code amendment; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans finds that the proposed Local Law No. 4 Amending Chapter 149-5(E) ("Property Maintenance Standards") of the Code of the Town of Evans be and hereby is adopted; and

BE IT FURTHER RESOLVED, that Local Law No. 3 of 2025 shall take effect twenty (20) days after filing with the Secretary of State of the State of New York, and

BE IT ENACTED by the Town Board of the Town of Evans adopts as follows:

SECTION 1. Chapter 149-5(E) ("Property Maintenance Standards") of the Evans Town Code is hereby amended to add the underlined words as follows:

149-5(E)(2) All garbage must be placed in Town designated containers and bins, except for the last full week of each month on your designated garbage day, residents may further place for pickup any individual bulk items.

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

RESOLUTION 2025 #203 Adoption Proposed Local Law #4 Garbage Collection as Local Law #3 2025
Councilman Reitz moved and Councilman Schraft seconded

WHEREAS, the Town Board of the Town of Evans is considering amending Town Code § 149-5(E), entitled "Property Maintenance Standards" to include a better explanation on the use of Town approved garbage receptacles and bulk item pickup; and

WHEREAS, the Town recognizes the importance of efficient and safe waste management disposal while maintaining clean neighborhoods; and

WHEREAS, the Town seeks amend the Town Code to establish the requirement its residents utilize Town approved and designated garbage receptacles for garbage collection, except that the last week of each month on their designated day, residents may further place out bulk items for disposal; and

WHEREAS, this proposed Code amendment is the product of discussions between and ultimate approval by the Planning Department and Building Department; and

WHEREAS, the proposed amendment further interprets and defines the existing code, and therefore constitutes a Type II Action under the State Environmental Quality Review Act (SEQRA) which does not require further review; and

WHEREAS, a duly scheduled public hearing was set for May 21, 2025, in order to amend the existing code by Local Law; and

WHEREAS, the Town Board of the Town of Evans held a public hearing with respect to the amendments and adoption of said Local Law on May 21, 2025 at 6:30 PM, at which time and place all persons were heard relative to this Code amendment; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans finds that the proposed Local Law No. 4 Amending Chapter 149-5(E) ("Property Maintenance Standards") of the Code of the Town of Evans be and hereby is adopted; and

BE IT FURTHER RESOLVED, that Local Law No. 3 of 2025 shall take effect twenty (20) days after filing with the Secretary of State of the State of New York, and

BE IT ENACTED by the Town Board of the Town of Evans adopts as follows:

SECTION 1. Chapter 149-5(E) ("Property Maintenance Standards") of the Evans Town Code is hereby amended to add the underlined words as follows:

149-5(E)(2) All garbage must be placed in Town designated containers and bins, except for the last full week of each month on your designated garbage day, residents may further place for pickup any individual bulk items.

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

LEGAL NOTICE TOWN OF EVANS

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a Public Hearing on May 21st, 2025 at 6:30 P.M. via Zoom, to which a link will be provided on the Town of Evans website at www.townofevansny.gov, and/or In-person Public Meeting to consider the petition of Gina and William Barret for a Special Use Permit for a proposed bed-and-breakfast operation as well as a wellness and counseling business involving small group yoga and other personal training programs. 7176 Lake Shore Road, Derby, NY 14047. SBL# 205.00-1-1. Questions and comments may be forwarded to the Planning Office via email at wsmith@townofevans.org or mailed via USPS to the Town of Evans Planning Department at 8787 Erie Road, Angola, NY 14006; any written questions and/or comments forwarded to the Planning Office will be included in the record of the Public Hearing. All parties in interest and citizens shall have an opportunity to be heard by the Town Board 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 2025 #204 Open the Public Hearing

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

The following spoke in favor of the Barret Special Use Permit:
William Barret

The following spoke in opposition of the Barrett Special Use Permit:
Susan Kellogg
Thomas Scanlon
Michael Caffery
Patrick Zydel
Justin Kellogg
E.J. Snyder (on behalf of Scott Bielar)
C. Suddaby

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

RESOLUTION 2025 #205 Close the Public Hearing
Councilman Wiilson moved and Supervisor Ashton 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 2025 #206 Table Resolutions for Proposed Barret Special Use Permit
Supervisor Ashton moved, and Councilman Wilson seconded to Table all resolutions for the Barret Special Use Permit for further consideration.

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

RESOLUTION 2025 #207 Adjournment
Supervisor Ashton moved and Councilman Schraft seconded to adjourn to Wednesday May 21, 2025 at 6:00pm 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

TOWN OF EVANS

8787 Erie Road • Angola, NY 14006-9600

LYNN M. KRAJACIC, TOWN CLERK

Telephone (716) 549-8787

June 2, 2025

Raymond Ashton, Supervisor
8787 Erie Road
Angola, New York 14006

Dear Supervisor Ashton,

Per transfer through Evans Bank, $46,202.97 was transferred to the Town of Evans Savings & Green Space account.

This represents the following:

Town Clerk May 1, 2025 - May 31, 2025	$ 46,200.22
Interest Earned on Checking Account May 1, 2025 - May 31, 2025	$ 2.75
Greenspace Fees/Trust & Agency Account May 1, 2025 - May 31, 2025	$ 0
Petty Cash Fund Balance	$ 650.00

These funds were received by me as Town Clerk for the Town of Evans.

Best Regards,

Lynn Krajacic

Lynn Krajacic
Town Clerk

Cc: Finance Dept
Councilman Wilson
Councilman Schraft
Councilman Macko
Councilman Reitz

Res 1

RESOLUTION - 4TH OF JULY, 2025 (to be held on July 3, 2025) LAKE ERIE BEACH CELEBRATION

WHEREAS, the 4th of July celebration in the Lake Erie Beach/Point Breeze area brings several thousand people to this community to honor our nation's birth; and

WHEREAS, the public safety responsibility for those people enjoying the celebration, those people residing in this celebration area, and the people who will transverse this area, are a responsibility that is best served through the following road closures;

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby authorizes the closing of Kennedy Avenue and Eisenhower Road from Lake Shore Road to Quebec Street, the closing of Eastwood Avenue from Lake Shore to Northfield Street, the closing of Northfield from Eastwood Avenue to Kennedy Ave, the closing of Garfield Avenue from Lake Shore to Oakland Street and the closing of Oakland from Garfield Ave to Kennedy Ave, for the purpose of providing public safety to all participants, residents, and traffic beginning at 7 p.m. on the 3rd of July, in addition to all other public safety measures as set forth under the Code of the Town of Evans; and

BE IT FURTHER RESOLVED, that there will be no vehicles allowed in Lake Erie Beach Park beginning at 4 a.m. July 3rd through 7 a.m. July 4th; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to publish this resolution in the Angola Pennysaver and the Dunkirk Observer, the official paper of the Town of Evans.

ROLL CALL VOTE:

Supervisor/Town Clerk – Please add at the bottom of the Pennysaver ad in bold letters:

IT IS ILLEGAL TO PARK ON SIDEWALKS IN THE TOWN OF EVANS

Res 2

RESOLUTION – APPOINTMENT OF PART-TIME SEASONAL LIFEGUARDS/POOL GATE GUARDS

BE IT RESOLVED, effective immediately, the following individuals are hereby appointed as Part Time Seasonal Lifeguards/Pool Gate Guards for a five (5) month period, working up to 39.5 hours per week, at the hourly rates indicated:

NAME	TITLE	HOURLY RATE
Alexander Bauer	Head Lifeguard	$20.00
Paris Smith	Lifeguard (Captain)	$19.00
Izzy Marchitte	Lifeguard (Captain)	$19.00
Sophia Rupp	Lifeguard (Captain)	$19.00
Mitch Kiefer	Lifeguard	$18.00
Jake Hopkins	Lifeguard	$18.00
Jacob Siegel	Lifeguard	$18.00
Sophie Lehnen	Lifeguard	$18.00
Cailum Irwin	Lifeguard	$18.00
Joseph Redman	Lifeguard	$18.00
Malea Reilly	Lifeguard	$18.00
Kate Kennedy	Lifeguard	$18.00
Kyrie Buffalo	Lifeguard	$18.00
Emily Ginnitti	Lifeguard	$18.00
Claire Smaldino	Lifeguard	$18.00
Kathryn Justinger	Lifeguard	$18.00
Thomas Antonio	Lifeguard	$18.00
Megan Stickler	Lifeguard	$18.00
Nathan Skibinski	Lifeguard	$18.00
Faith Vela	Lifeguard	$18.00
Olivia Sannes	Lifeguard	$18.00
Isabelle Knowes	Lifeguard	$18.00
Kelsey Dynas	Gate Guard	$16.05
Alyssa Michalewski	Gate Guard	$16.05

ROLL CALL VOTE:

Res 3

RESOLUTION – BUDGET AMENDMENTS – HIGHWAY

WHEREAS, the Town of Evans Town Board approved the 2025 budget on November 13, 2024 by resolution #2024-388; and,

WHEREAS, the Town finds it necessary to amend the 2025 budget to adjust to NYS DOT Official Apportionments for percentage increase approved by DOT and CHIPS rollover amount from 2024;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby amends the 2025 budget; and,

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

From Account	To Account	Approved Appropriation	Change	Amended Appropriations
DB.3501.01	DB.5112.230.01	$226,322.00	+ $156,668.78	$382,990.78
DB.3501.02	DB.5112.230.02	$ 51,151.00	+ $ 24.27	$ 51,175.27
DB.3501.03	DB.5112.230.03	$ 42,590.00	+ $ .23	$ 42,590.23
DB.3501.04	DB.5112.230.04	$ 34,100.00	+ $ 16.85	$ 34,116.85

ROLL CALL VOTE:

Res 4

RESOUTION - TOWN OF EVANS TOWN BOARD LAKE ERIE BEACH TRAIL PROJECT CHANGE ORDER 06

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

WHEREAS, the following conditions are the circumstances for Change Order 06 pursuant to the above referenced project; 1. Final Balancing Change Order to account for quantities required to complete the project per plan;

NOW, THEREFORE, BE IT RESOLVED, the Evans Town Board authorizes Change Order 06 to increase the aforementioned contract amount in the amount of $272,991.20; and

FURTHER, BE IT RESOLVED, that Supervisor Ray Ashton is authorized to sign any and all documents pursuant to Change Order 06.

ROLL CALL VOTE:

Res 5

RESOLUTION – PURCHASE OF TRACTOR WITH BOOM MOWER – HIGHWAY DEPARTMENT

WHEREAS, the Highway Department is in need of a Tractor with a mid-mount Boom Mower; and equipment; and

WHEREAS, the quote for the above referenced equipment is a Sourcewell quote;

BE IT RESOLVED, the Evans Town Board hereby authorizes the purchase of the Bengal Series Tractor with mid-mount Boom Mower based on the Sourcewell quote through Tiger Mowers (orders@tigermowers); and

FURTHER, BE IT RESOLVED, that the Town Board of the Town of Evans authorizes Supervisor Ray Ashton to execute all documentation pursuant to the purchase of the above referenced equipment, upon the approval of the Town Attorney; and

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

ROLL CALL VOTE:

Res 6

RESOLUTION – TOWN OF EVANS PLANNING BOARD APPOINTMENT

WHEREAS, there is a vacancy on the Evans Planning Board; and

WHEREAS, Kevin Hassen is a resident of the Town of Evans with extensive commercial real estate experience; and

WHEREAS, Kevin Hassen has agreed to serve as a member of the Planning Board; and

WHEREAS, the appointment of Kevin Hassen to fill the remainder of the term previously held by Melissa Keller.

NOW, THEREFORE, BE IT RESOLVED, that the Evans Town Board hereby appoints Kevin Hassen as a member of the Evans Planning Board for a term which will expire on December 31, 2026.

ROLL CALL VOTE:

Res 7

RESOLUTION - TOWN OF EVANS PLAY COURTS (EVANS TOWN PARK) CHANGE ORDERS

WHEREAS, the Town of Evans and Anastasi Trucking, Inc. entered into a contract to complete the Town of Evans Play Courts (Evans Town Park) Project;

NOW, THEREFORE, BE IT RESOLVED, that the Evans Town Board authorizes 4 Change Orders to the project to increase the aforementioned contract amount in the amount of $21,613.86.

ROLL CALL VOTE:

Res 8

RESOLUTION – BUDGET TRANSFER

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 Director of Finance to make the following budget transfer for the purchase of tractor with boom mower attachment costs:

Transfer From:

DB.00917.0000.000	Unallocated Fund Balance	$197,727.00

Transfer To:

DB.5110.220.00	Equipment – Highway Machinery And Motor Vehicles	$197,727.00

ROLL CALL VOTE:

Res 9

Submitted for the June 4th, 2025 Town Board meeting:

Resolution – Lead Agency – Minor Subdivision – Miller Estate

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 May 29th, 2025, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the James Miller Estate 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 James Miller Estate Minor Subdivision, a division of SBL# 237.00-4-34.111, dividing a 53.2 ± acre parcel to create 2 parcels. Petitioner: Yvonne Downs, Executrix, estate of James Miller.

Res 10

Submitted for the June 4th, 2025 Town Board meeting:

Resolution – SEQR – Minor Subdivision – Miller Estate

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

WHEREAS, the Evans Town Board, as Lead Agency, 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 James Miller Estate Minor Subdivision,

a division of SBL# 237.00-4-34.111, dividing a 53.2 ± acre parcel to create:

1. A 52 ± acre parcel with 950 ± feet of frontage on New Jerusalem Rd, and
2. A 1.2 ± acre parcel to be annexed to the adjoining parcel at 1943 New Jerusalem Rd (SBL 237.00-4-35.21) to form a 64.7± -acre parcel with 1,420 ± feet of frontage on New Jerusalem Rd.

Petitioner: Yvonne Downs, Executrix, estate of James Miller.