

AGENDA

Evans Town Board
Evans Town Hall, 8787 Erie Road, Angola, New York

www.townofevans.org

Item	Description	Disposition
I	Call the Meeting to Order	
II	Pledge of Allegiance	
III	Roll Call	
IV	Approval of the Minutes: October 5, 2016	
V	Communications: 1.) Robert Rapp , Minor Subdivision Review Committee - Luce Minor Subdivision	
VI	Privilege of the Floor on Meeting Agenda Items & Other Issues	
VII	Public Hearing & Bid Opening Public Hearing Community Development Block Grant	
VIII	Committee & Department Head Reports	
IX	Town Clerk Reports:	
X	Old Business: 1.) Peter Bogulski minor subdivision SBL#205.00-4-18.111 located at 7532 Lake Shore Road, Derby	

XI	Resolutions: 1.)Supervisor & Town Attorney to attend Association of Towns 2016 Personnel Management School 2.)Appt of Part Time Clerk 3.)Schedule Public Hearing for Angola Protective Fire District funding 4.)Schedule Public Hearing for2017 Preliminary Budget 5.)Levy Unpaid Erie County Water Authority, Erie County Water Authority Surcharge, Total Backflow and Total Clean-Up Charges as provided on Evans Assessor's Master Computer Assessment Roll File 6.)Levy Unpaid Total Backflow Prevention as provided on Eden Assessor's Master Computer Assessment Roll File	
XII	Licenses:	
XIII	Audit of Bills:	
XIV	Adjournment to: Wednesday, October 26, 2016 at 6pm for a Work Session then to November 2, 2016 at 6pm for an Agenda Meeting then to 7pm for a Regular Town Board Meeting	

Evans Town Board

At a regular meeting of the Town Board of the Town of Evans, held at the Evans Town Hall, 8787 Erie Road, Angola New York there were:

- | | | |
|---------------|-------------------|-------------------------|
| PRESENT: | Dennis Feldmann | Councilman |
| | Jeanne Macko | Councilman |
| | Mary Hosler | Supervisor |
| | | |
| ALSO PRESENT: | Lynn Krajacic | Town Clerk |
| | Jennifer Farrell | Town Attorney |
| | Paul Ryerse | Code Enforcement |
| | Roberta Rappoccio | Community Dev./Planning |
| | Edward Michalski | Highway Superintendent |
| | Ernie Masullo | Chief of Police |
| | Theodore Catalano | Planning Board Chairman |

RESOLUTION 2016 #439 Approve the Minutes

Supervisor Hosler moved and Councilman Feldmann seconded that the reading of the minutes of the meeting of September 21, 2016 and the Work Session of September 28, 2016, be dispensed with and approved as submitted by the Town Clerk.

- | | | |
|--------------|----------------------|-----|
| VOTE RESULT: | ADOPTED BY ROLL CALL | |
| | Councilman Feldmann | AYE |
| | Councilman Macko | AYE |
| | Supervisor Hosler | AYE |

Communications

Roberta Rappoccio, RE: Minor Subdivision Review - dividing a 30.57± acre parcel to create a 29.3± acre parcel and a 1.0± acre parcel located at 7532 Lake Shore Rd., Derby, NY 14047, SBL# 205.00-4-18.111. Petitioner: Peter Bogulski, 665 Larkin Road, Derby, NY 14047.

RESOLUTION 2016 # 440 Table The Peter Bogulski Minor Subdivision

Supervisor Hosler moved and Councilman Feldmann seconded to Table the Peter Bogulski Minor Subdivision for further review.

- | | | |
|--------------|----------------------|-----|
| VOTE RESULT: | ADOPTED BY ROLL CALL | |
| | Councilman Feldmann | AYE |
| | Councilman Macko | AYE |
| | Supervisor Hosler | AYE |

Communications (con't)

Chief Ernie Masullo, Letter of Recognition to Lieutenant Michael E. Masullo, Patrolman Thomas Crupe, Patrolman Joseph LaRose and Junior Administrative Assistant Sandy Smaldino for the role they played in securing the Reaccreditation of the Town of Evans Police Department.

Chief Ernie Masullo, Letter of Recognition to Lieutenant Peter Smith, Detective Bruce Green Jr., Patrolman Patrick Adler, Patrolman Nathan Miller, Patrolman Kenneth Kloss and Dispatcher Amy Valenti for the outstanding effort put forth in diffusing a situation involving a barricaded person in his residence.

PRIVILEGE OF THE FLOOR

Guy Cannonico Jr. spoke of his concerns regarding a 3 man Town Board. He is requesting the Board go back to a 5 person Town Board by referendum.

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 October 5, 2016 at 7:10 P.M. at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 for the consideration of the Empire State Development 2016 Restore NY Grant Application and Property Assessment List for the Point Breeze At-Risk Property Demolitions project.

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 2016 # 441 Close the Public Hearing

Supervisor Hosler moved and Councilman Feldmann seconded to open the Public Hearing.

VOTE RESULT: ADOPTED
 AYES - Feldmann, Macko, Hosler
 NAYS - none

There was no one signed in or present wishing to speak on the Grant application and Property Assessment List.

RESOLUTION 2016 # 442 Close the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to close the Public Hearing.

VOTE RESULT: ADOPTED
 AYES - Feldmann, Macko, Hosler
 NAYS - none

RESOLUTION 2016 # 443 Approve 2016 Restore NY Lake Erie Beach Demolition Project

Councilman Macko moved and Councilman Feldmann seconded,

BE IT RESOLVED, that the Town Board finds that the proposed 2016 Restore NY Lake Erie Beach Demolition Project is consistent with the Town of Evans 1999 Master Plan and the 2013 Local Waterfront Revitalization Plan; that the Restore NY funding and the Town contribution of a 10% match in cash is appropriate for the Point Breeze Demolition Project; that the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources;

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Feldmann AYE
 Councilman Macko AYE
 Supervisor Hosler AYE

PRIVILEGE OF THE FLOOR (con't)

Darlene Loretto, spoke in favor of the Wojda project in Point Breeze. She questioned which meeting she should attend to ask questions. She has concerns about park land being sold.

John O'Donnell, asked about public hearings for the proposed restaurant and spoke about concerns he had about park land being sold illegally and the delineation of Lake Erie Beach Park.

Ed Schneider, spoke out against a 5 person Board. He also spoke in favor of the restaurant project in Lake Erie Beach and is against any park land being used. He spoke of accidents that happened in that area.

COMMITTEE AND DEPARTMENT HEAD REPORTS

Councilman Macko announced a tree planting ceremony on October 27, 2016 at the Senior Center in honor of Julie Roach

Supervisor Hosler reported on the Tentative Budget that has been submitted and the spoke of the budget process and the Shred It event to be held on October 29, 2016 from 10am to 1pm.

RESOLUTION 2016 #444 Town Clerk's Reports

Supervisor Hosler moved and Councilman Macko seconded to accept the reports of the Town Clerk as presented for the month of September 2016:

Town Clerk Report for September	\$32,276.52
Interest for September	\$3.97
Greenspace Fees transferred to Trust & Agency Account	\$0.00

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Feldmann - AYE
 Councilman Macko - AYE
 Supervisor Hosler - AYE

RESOLUTION 2016 # 445 Set Public Hearing for Community Development Block Grant

Councilman Macko moved and Councilman Feldmann seconded,

WHEREAS: the Town of Evans will be applying for the Community Development Block Grant for the year 2016-2017, and

WHEREAS: the Evans Town Board authorizes the Town Clerk to advertise a public hearing on October 19, 2016 at 7:10pm for the purpose of eliciting citizen input regarding the Town’s Community Block Development Grant,

AND BE IT FURTHER RESOLVED: that the Evans Town Board authorize the Supervisor and/or appropriate Town Officials to sign, submit and execute a contract with Erie County Community Development Grant Program

AND FURTHER BE IT RESOLVED: that a certified copy of this resolution be given to the Supervisor’s Office

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Feldmann AYE
 Councilman Macko AYE
 Supervisor Hosler AYE

RESOLUTION 2016 # 446 Recognize Erie County Yellow Dot Program

Councilman Feldmann moved and Supervisor Hosler seconded,

WHEREAS, the New York State Sheriff’s Association Yellow Dot Program was designed to help first responders provide life-saving medical attention during the “golden hour” after a crash or emergency event; and

WHEREAS, the Yellow Dot decal adhered to the driver’s side rear window of a vehicle will alert first responders that vital medical information for the driver and/or passenger is stored in the in the vehicle’s glove compartment; and

WHEREAS, the Yellow Dot Program can be also be utilized at a residence by placing the decal on an entry door(s) of a dwelling as to alert first responders that important medical information for one or more of the residents, within the dwelling, can be located in a clear plastic bag in the freezer compartment of the refrigerator; and

WHEREAS, Erie County Sheriff Timothy B. Howard and the sheriff's office has staff and resources dedicated to raising the awareness of the Yellow Dot program in the towns, villages and communities throughout Erie County; and

WHEREAS, the sheriff's office has encountered situations where a Yellow Dot decal has been helpful to first responders at the scene of an incident and contributed to the fast and proper triage of a victim.

NOW, THEREFORE, BE IT RESOLVED, the Town of Evans does hereby recognize the live-saving potential of the Yellow Dot program; and be it further

RESOLVED, that this Honorable Body declares the Town of Evans as a Yellow Dot community and encourages all citizens to sign-up for and participate in the live-saving program Yellow Dot Program.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann - AYE
Councilman Macko - AYE
Supervisor Hosler - AYE

RESOLUTION 2016 # 447 Temporarily Add a Signature on the Evans Senior Activity Fund Account

Supervisor Hosler moved and Councilman Macko seconded to rescind this resolution

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann - AYE
Councilman Macko - AYE
Supervisor Hosler - AYE

RESOLUTION 2016 # 448 Declare Surplus Vehicles

Councilman Macko moved and Councilman Feldmann seconded,

RESOLVED, that the following vehicles are hereby declared surplus equipment and will be sold at auction with proceeds to be deposited into the Town of Evans Savings Account;

- 2000 International Dump Truck - VIN #1HTGKAHR8YH276900
- 2002 Ford Explorer - VIN #1FMZU72K12ZD00630

FURTHER, BE IT RESOLVED the revenues associated with the sale of the above referenced equipment to be recognized into the appropriate general ledger account

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann - AYE
Councilman Macko - AYE
Supervisor Hosler - AYE

RESOLUTION 2016 # 449 Suspend the Rules of Order

Supervisor Hosler moved and Councilman Macko seconded to suspend the rules of order for the conduct of business for Evans Town Board meetings for the consideration of adoption of additional resolutions.

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Feldmann - AYE
 Councilman Macko - AYE
 Supervisor Hosler - AYE

RESOLUTION 2016 #450 Authorized Signer for Town of Evans Bank Accounts

Councilman Macko moved and Councilman Feldmann seconded,

WHEREAS, two signatures are required on all Town of Evans bank accounts for security and procedural purposes,

NOW, THEREFORE, BE IT RESOLVED, that Supervisor Mary K. Hosler and Deputy Supervisor Lynn Krajacic are designated as said signatories on all Town of Evans bank accounts

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Feldmann - AYE
 Councilman Macko - AYE
 Supervisor Hosler - Abstain

RESOLUTION 2016 #451 Grant Permission to Evans Justice to Submit Justice Court Assistance Program Grant

Councilman Feldmann moved and Supervisor Hosler seconded,

WHEREAS, the Town Justices request permission to submit the Justice Court Assistance Program grant to the New York Unified Court System for the year 2016-2017.

NOW THEREFORE BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to the Evans Justice Court to submit said grant application.

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Feldmann - AYE
 Councilman Macko - AYE
 Supervisor Hosler - AYE

RESOLUTION 2016 #452 Establish Bank Accounts for Senior Citizen Meal Monies and Fundraising

Supervisor Hosler moved and Councilman Feldmann seconded,

BE IT RESOLVED, that the Town of Evans shall establish a bank account for the collection of senior citizens meal monies for payment of meal services pursuant to the contract with Erie County; and

BE IT FURTHER RESOLVED, that the Town of Evans shall establish a bank account for collection of monies from senior fundraising efforts for senior events.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann - AYE
Councilman Macko - AYE
Supervisor Hosler - AYE

RESOLUTION 2016 #453 Audit of Bills

Councilman Macko moved and Councilman Feldmann seconded that all properly audited bills be paid out of their respective accounts per abstract #18 dated October 5, 2016 brought forth in the amount of \$104,739.35.

DATE: 10/6/16
ABSTRACT NO. 18
VOUCHER NO. 1649-1655, 1665-1719,1723-1725,1727-1735
CHECK NUMBERS 75422-75487
Approved as per Board meeting 10/5/16 audit of bills

GENERAL	56,626.50
PART TOWN	3,934.13
HIGHWAY DA	
HIGHWAY	5,376.20
WATER	14,748.55
CAPITAL PROJECTS	3,837.18
SPECIAL DISTRICTS	20,216.79
DEBT SERVICE	
COMM DEVELOPMENT	
TOTAL	\$ 104,739.35

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann - AYE
Councilman Macko - AYE
Supervisor Hosler - AYE

RESOLUTION 2016 #454 Executive Session

Supervisor Hosler moved and Councilman Feldmann 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: litigation and the employment history of a particular employee

NOW THEREFORE BE IT RESOLVED: Jennifer Farrell, Town Attorney and Lynn Krajacic, Town Clerk are invited to attend the Evans Town Board Executive Session.

VOTE RESULT: ADOPTED
 AYES: Feldmann, Macko, Hosler
 NAYS:

RESOLUTION 2016 #457 Adjournment

Councilman Macko moved and Councilman Feldmann seconded to adjourn to a Work Session on Wednesday, October 19, 2016 at 6pm then to Wednesday, October 26, 2016 at 6pm for an Agenda Meeting and Town Board meeting at 7pm.

VOTE RESULT: ADOPTED
 AYES - Feldmann, Macko, Hosler
 NAYS - none

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, New York 14006-9600 • www.townofevans.org

ROBERTA L. RAPPOCCIO

Director of Planning and Community Development

Telephone: (716) 217-3560

rrappoccio@townofevans.org

Comm #1

MARY K. HOSLER, *Supervisor*

DENNIS M. FELDMANN

Councilman

JEANNE M. MACKO

Councilwoman

October 14, 2016

Evans Town Board
Evans Municipal Center
8787 Erie Road
Angola, NY 14006

RE: Minor Subdivision Review – dividing a 18.70± acre parcel to create a 3.63± acre parcel and a 15.07± acre parcel located at 1582 Overhead Rd., Derby, NY 14047, SBL# 207.00-3-9.1.
Petitioner: Paul Luce, 1582 Overhead Rd., Derby, NY 14047.

Dear Town Board:

The Town of Evans Minor Subdivision Review Committee has reviewed the above-referenced petition for the division of lands and has recommended approval.

After further review, the committee also found that the subdivision of this property will not result in any significant environmental impacts regarding the SEQR process.

If you have any further questions regarding this matter, please feel free to contact me.

Sincerely,

Roberta L. Rappoccio
Evans Minor Subdivision Review Committee

cc: Town Attorney
Assessor
Code Enforcement Office
Applicant

Submitted by Supervisor Hosler for the October 19, 2016 Town Board meeting:

WHEREAS, minor subdivisions are unlisted SEQR actions, and

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

WHEREAS, in a letter dated October 14, 2016, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Paul Luce 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 Board of the Town of Evans adopts the findings of the Town of Evans Minor Subdivision Review Committee and issues a SEQR negative declaration for the Paul Luce Minor Subdivision.

(Addendum _____ SEQR Short Environmental Assessment Form),

a division of SBL# 207.00-3-9.1, dividing a 18.70± acre parcel to create:

1. a 3.63± acre parcel with 449.75± feet of frontage on Overhead Road, and
2. a 15.07± acre parcel with 240.19± feet of frontage on Overhead Road.

Petitioner: Paul Luce, 1582 Overhead Road, Derby, NY 14047

AND BE IT FURTHER

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

*For Town Board
use should
they so choose
② do*

Submitted by Supervisor Hosler for the October 19, 2016, Town Board meeting:

WHEREAS, in a letter dated October 14, 2016, 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 adopts the findings of the Town of Evans Minor Subdivision Review Committee and approves the Paul Luce Minor Subdivision,

a division of SBL# 207.00-3-9.1, dividing a 18.70± acre parcel to create:

1. a 3.63± acre parcel with 449.75± feet of frontage on Overhead Road, and
2. a 15.07± acre parcel with 240.19± feet of frontage on Overhead Road.

Petitioner: Paul Luce, 1582 Overhead Road, Derby, NY 14047

AND BE IT FURTHER

RESOLVED, that a copy of this resolution be given to the Planning Office, the Assessor's Office and the Code Enforcement Office.



TOWN OF EVANS

MARY K. HOSLER, *Supervisor*

8787 Erie Road • Angola, New York 14006-9600 • www.townofevans.org

DENNIS M. FELDMANN
Councilman

ROBERTA L. RAPPOCCIO

Director of Planning and Community Development

Telephone: (716) 217-3560

rrappoccio@townofevans.org

JEANNE M. MACKO
Councilwoman

APPLICATION FOR MINOR SUBDIVISION

DATE: 10-7-16

FILE # 16-11

TO BE COMPLETED BY APPLICANT

OWNER: NAME Paul Luce
ADDRESS 1582 Overhead Rd., Derby, NY 14047
PHONE/FAX (716) 713-5823

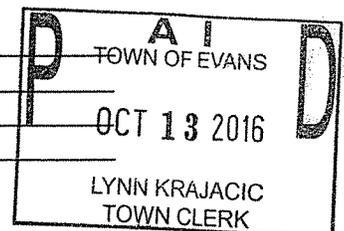
CONSULTANT: NAME Musacchio & Pyle
ADDRESS 215 W. Main St., POB 230, Gowanda NY 14070
PHONE/FAX 716-532-3351

SUBDIVISION LOCATION 1582 Overhead Rd., Derby, NY 14047
ZONING DISTRICT R-1 SBL# 207.00-3-9.1

	ROAD NAME	FRONTAGE	ACRES
ORIGINAL LOT:	<u>Overhead Rd.</u>	<u>689.94 +/- ft. Combined</u>	<u>18.70 +/-</u>
PROPOSED LOTS: <u>1582</u>			
LOT #1	<u>Overhead Rd.</u>	<u>449.75 +/- ft.</u>	<u>3.63 +/-</u> } <u>Parcels A+B Combined</u>
LOT #2	<u>Overhead Rd.</u>	<u>240.19 +/- ft.</u>	<u>15.07 +/-</u> } <u>Parcel C</u>
LOT #3	_____	_____	_____
LOT #4	_____	_____	_____

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

MATERIALS CHECKED BY dw/RR
PLANNING BOARD WORK SESSION n/a
PLANNING BOARD MEETING DATE n/a
TOWN BOARD PUBLIC HEARING DATE 10-19-16
TOWN BOARD RESOLUTION DATE _____



Short Environmental Assessment Form

Part 1 - Project Information

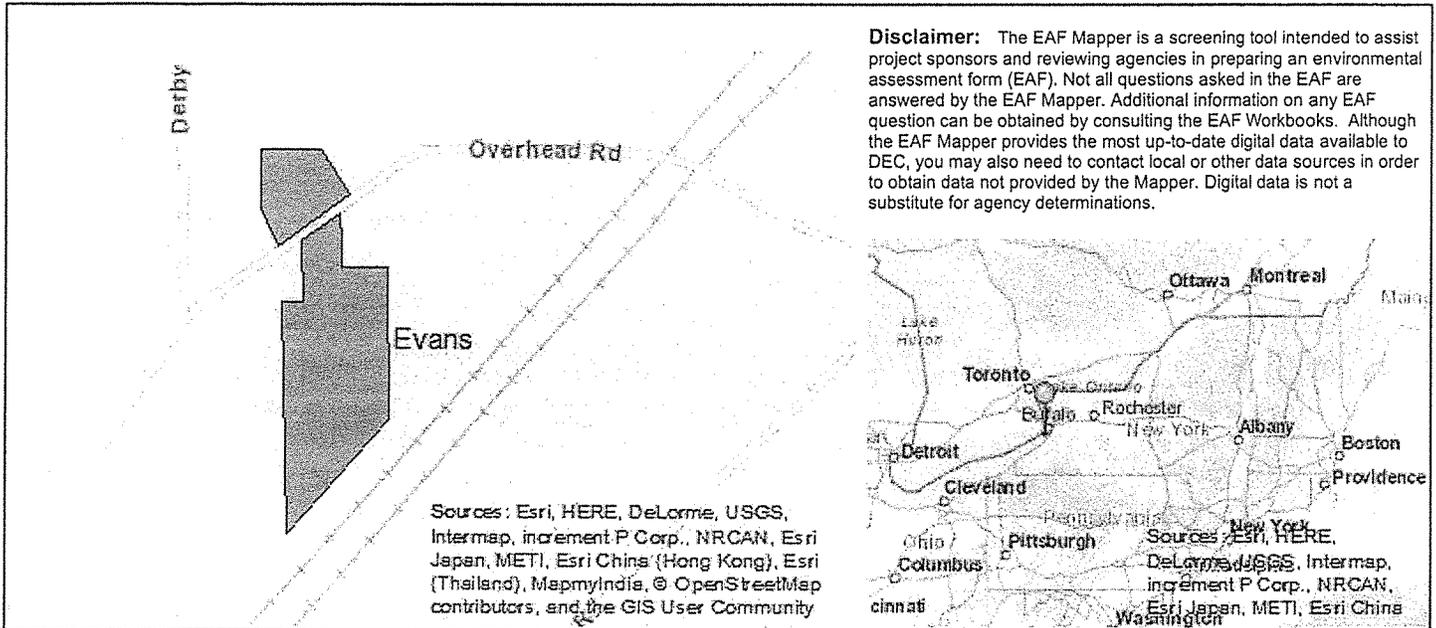
Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Paul M. Luce			
Name of Action or Project: Minor Subdivision			
Project Location (describe, and attach a location map): 1582 Overhead Road, Derby, NY 14047			
Brief Description of Proposed Action: Minor Subdivision of Parcel - dividing an 18.7+/- acre parcel into two lots; lot to be divided by Overhead Road.			
Name of Applicant or Sponsor: Paul M. Luce		Telephone: 716-713-5823	
		E-Mail:	
Address: 1582 Overhead Road			
City/PO: Derby		State: New York	Zip Code: 14047
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.			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		18.7 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?		18.7 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>No Change - Already connected on house side</u>	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
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: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
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?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
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? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	



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

Notes

Type	Text
Parcel	3/12/12 split from 207.00-3-9 for 2012 roll jar Per the Pennysaver of 06-19-2016 for sale \$249,900 with Metro Roberts. d.e.c.

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 October 19, 2016 at 7:10 pm at the Evans Town Hall, 8787 Erie Road, Angola, New York regarding the use of Federal Community Block Development Funds in the Town of Evans.

The Town of Evans is eligible for a Federal Community Block Development Grant under Title 1 of the Housing and Community Act, of 1974, as amended.

The purpose of the hearing is to provide an opportunity for citizens to express community development 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 meeting to make known their views and/or written proposals on the Town of Evans selection of potential projects to be submitted for possible funding under the Federal Community Block Development Grant Program.

The hearing will also present a review of prior Community Block Development projects and expenditures and discussion of eligible activities. The meeting room is wheelchair accessible.

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

PH

RESOLUTION 2016

Authorize Supervisor or his Designee to Execute Contract with Erie County Community Development Block Grant Program

WHEREAS, the Town of Evans held a public hearing on October 19, 2016 at 7:10 p.m. for the purpose of eliciting citizen input regarding the Town's Community Block Development Grant application or applications; and

WHEREAS, at such public hearing whatever input was received regarding such application or applications; and

WHEREAS such input has been duly considered

NOW THEREFORE BE IT RESOLVED that the Supervisor of the Town of Evans, or her designee, is hereby authorized and directed to sign, submit and execute a contract with Erie County Community Development Block Grant (ECCDBG) program for the following projects upon approval of ECCDBG.

- 1) South Creek - John K. Thompson Pool ADA Improvement Project
- 2) Comprehensive Plan - Town-wide and in combination with the Village of Angola
- 3) Rural Transit Program

ADOPTED BY ROLL CALL

Councilman Feldmann
Councilwoman Macko
Supervisor Hosler



TOWN OF EVANS

8787 Erie Road • Angola, New York 14006-9600 • www.townofevans.org

ROBERTA L. RAPPOCCIO

Director of Planning and Community Development

Telephone: (716) 217-3560

rrappoccio@townofevans.org

OB
MARY K. HOSLER, *Supervisor*

DENNIS M. FELDMANN

Councilman

JEANNE M. MACKO

Councilwoman

September 30, 2016

Evans Town Board
Evans Municipal Center
8787 Erie Road
Angola, NY 14006

RE: Minor Subdivision Review – dividing a 32.20± acre parcel to create three new lots: a 29.3± acre parcel; a 1.0± acre parcel and a 1.85 acre lot located at 7532 Lake Shore Rd., Derby, NY 14047, SBL# 205.00-4-18.111 and SBL# 205.00-4-18.112. Petitioner: Peter Bogulski, 665 Larkin Rd., Derby, NY 14047.

Dear Town Board:

The Town of Evans Minor Subdivision Review Committee has reviewed the above-referenced petition for the division of lands and has recommended approval.

After further review, the committee also found that the subdivision of this property will not result in any significant environmental impacts regarding the SEQR process.

If you have any further questions regarding this matter, please feel free to contact me.

Sincerely,

Roberta L. Rappoccio
Evans Minor Subdivision Review Committee

cc: Town Attorney
Assessor
Code Enforcement Office
Applicant

OB
A

Submitted by Supervisor Hosler for the October 5, 2016 Town Board meeting:

WHEREAS, minor subdivisions are unlisted SEQR actions, and

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

WHEREAS, in a letter dated September 30, 2016, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Peter Bogulski 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 Board of the Town of Evans adopts the findings of the Town of Evans Minor Subdivision Review Committee and issues a SEQR negative declaration for the Peter Bogulski Minor Subdivision.

(Addendum _____ SEQR Short Environmental Assessment Form),

a division of SBL# 205.00-4-18.111, dividing a 32.20± acre parcel to create:

1. a 29.3± acre parcel with 566.95± feet of frontage on Lake Shore Road, 528.98± feet of frontage on Sturgeon Point Rd. and 49.85± feet of frontage on Larkin Road, and
2. a 1.0± acre parcel with 200.00± feet of frontage on Lake Shore Road, and
3. a 1.85± acre parcel with 120± feet of frontage on Larkin Road

Petitioner: Peter Bogulski, 665 Larkin Road, Derby, NY 14047

AND BE IT FURTHER

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

OB
B

Submitted by Supervisor Hosler for the October 5, 2016, Town Board meeting:

WHEREAS, in a letter dated September 30, 2016, 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 adopts the findings of the Town of Evans Minor Subdivision Review Committee and approves the Peter Bogulski Minor Subdivision,

a division of SBL# 205.00-4-18.111, dividing a 32.20± acre parcel to create:

1. a 29.3± acre parcel with 566.95± feet of frontage on Lake Shore Road, 528.98± feet of frontage on Sturgeon Point Rd. and 49.85± feet of frontage on Larkin Road, and
2. a 1.0± acre parcel with 200.00± feet of frontage on Lake Shore Road, and
3. a 1.85± acre parcel with 120.00± feet of frontage on Larkin Road

Petitioner: Peter Bogulski, 665 Larkin Road, Derby, NY 14047

AND BE IT FURTHER

RESOLVED, that a copy of this resolution be given to the Planning Office, the Assessor's Office and the Code Enforcement Office.

Res #1

RESOLUTION – 2016 Personnel Management School

BE IT RESOLVED, that Supervisor Mary Hosler and Town Attorney Jennifer Farrell, Esq. are authorized to attend the 2016 Association of Towns 2016 Personnel Management School to be held on November 14, 2016 in Rochester, New York and;

BE IT FURTHER RESOLVED, all reasonable expenses incurred being a town charge be paid in accordance with the rules and regulations governing travel and education.

Vote Result:

Councilman Feldmann _____

Councilwoman Macko _____

Supervisor Hosler _____

Res #2

RESOLUTION - PART-TIME CLERK

RESOLVED, that Lauren Hamm is hereby appointed as a part-time clerk for the Town of Evans, effective immediately and that she be compensated at a rate of \$9.25 per hour.

ROLL CALL VOTE:

Councilman Feldmann

Councilwoman Macko

Supervisor Hosler

Res #3

RESOLUTION – SET PUBLIC HEARING FOR ANGOLA FIRE PROTECTIVE DISTRICT

WHEREAS, the Angola Protective Fire District has been duly established as a Fire Protection District within the Town of Evans; and

WHEREAS, Town Law requires the Town of Evans to provide fire protection within said Fire District;

NOW, THEREFORE BE IT RESOLVED, that pursuant to Section 184 of Town Law that a Public Hearing be held with reference to the furnishing of such fire protection for the Angola Fire Protective District which shall be held on 2nd day of November, 2016 at 7:10pm and that notice of such hearing shall be published in the official newspaper of the Town of Evans.

ROLL CALL VOTE:

Councilman Feldmann

Councilwoman Macko

Supervisor Hosler

Res #4

RESOLUTION – SET PUBLIC HEARING FOR 2017 PRELIMINARY BUDGET

BE IT RESOLVED, that in accordance with Article 8, Section 108 of Town Law, that a Public Hearing be held to hear those individuals wanting to discuss the Preliminary Budget on Wednesday, November 2, 2016 at 7:10pm at the Evans Town Hall; and

BE IT FURTHER RESOLVED, that the Town Clerk advertise said Public Hearing in accordance with Town Law.

ROLL CALL VOTE:

Councilman Feldmann

Councilwoman Macko

Supervisor Hosler

RESOLUTION – LEVIED UNPAID ECWA, ECWA SURCHARGE, BACKFLOW,
CLEAN-UP

BE IT RESOLVED, in accordance with New York State Town Law, Section 198, the Evans Town Board has opted to enforce various unpaid accounts for water, sewer, refuse and other unpaid town services as indicated below; and

BE IT FURTHER RESOLVED, in light of the aforementioned, the Erie County Legislature shall levy in such sums as indicated below and against the applicable properties as provided for on the Town of Evans assessor's master computer assessment roll file:

TOTAL ERIE COUNTY WATER AUTHORITY	\$15,664.96
TOTAL ERIE COUNTY WATER AUTHORITY SURCHARGE	\$ 6,704.44
TOTAL BACKFLOW	\$14,234.92
TOTAL CLEAN-UP CHARGES	\$55,749.82

ROLL CALL VOTE:

Councilman Feldmann

Councilwoman Macko

Supervisor Hosler

RESOLUTION – LEVIED UNPAID BACKFLOW

BE IT RESOLVED, in accordance with New York State Town Law, Section 198, the Evans Town Board has opted to enforce various unpaid accounts for water, sewer, refuse and other unpaid town services as indicated below; and

BE IT FURTHER RESOLVED, in light of the aforementioned, the Erie County Legislature shall levy in such sums as indicated below and against the applicable properties as provided for on the Town of Eden assessor's master computer assessment roll file:

TOTAL BACKFLOW PREVENTION	\$13,209.00
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ROLL CALL VOTE:

Councilman Feldmann

Councilwoman Macko

Supervisor Hosler