

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 18, 2016 & Work Session of October 26, 2016	
V	Communications: Supervisor's Report - September 2016 Minor Subdivision Daniel & Sandra Clark, 195 Humboldt Ave	
VI	Privilege of the Floor on Meeting Agenda Items & Other Issues	
VII	Public Hearing & Bid Opening 7:10pm Public Hearing 2017 Angola Fire Protective District Proposed Contracts 7:10pm Public Hearing 2017 Tentative Budget	
VIII	Committee & Department Head Reports	
IX	Town Clerk Reports:	
X	Old Business:	
XI	Resolutions: 1) Enter Agreement w/ Angola Public Library 2) Advertise Public Hearing for Proposed Local Law #7 Override Tax Cap 3) Revenue Anticipation Note 4) Approve Deduct Change Order #3 5) Close Out and Final Acceptance of Contract 15-2 6) Dedication of Roads	
XII	Licenses:	
XIII	Audit of Bills:	
XIV	Adjournment to: Wednesday, November 9, 2016 at 6pm for a Work Session then to Wednesday, November 16, 2016 at 6pm for an Agenda Meeting then to 7pm for the Regular Town Board Meeting	

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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: | Jeanne Macko
Mary Hosler | Councilman
Supervisor |
| ALSO PRESENT: | Lynn Krajacic
Jennifer Farrell
Jeneen McSkimming
Paul Ryerse
Roberta Rappoccio
Mary Holl | Town Clerk
Town Attorney
Assessor
Code Enforcement Officer
Community Dev./Planning
Supervisor's Department |
| ABSENT: | Dennis Feldmann | Councilman |

RESOLUTION 2016 #458 Approve the Minutes

Supervisor Hosler moved and Councilman Macko seconded that the reading of the minutes of the meeting of October 5, 2016 be dispensed with and approved as submitted by the Town Clerk.

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

Communications

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.

RESOLUTION 2016 # 459 Adopt Findings of the Minor Subdivision Review Committee and Issue a SEQR Negative Declaration - Luce

Councilman Macko moved and Supervisor Hosler seconded,

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 A 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.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Absent
Councilman Macko	AYE
Supervisor Hosler	AYE

RESOLUTION 2016 # 460 Approve Luce Minor Subdivision

Councilman Macko moved and Supervisor Hosler seconded,

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.

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

RESOLUTION 2016 # 461 Open the Public Hearing

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

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

There was no one signed in or present wishing to speak in favor or opposed to the above subject at the Public Hearing.

RESOLUTION 2016 # 462 Close the Public Hearing

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

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

RESOLUTION 2016 # 463 Authorize Supervisor of Designee to Execute a Contract with ECCDBG

Councilman Macko moved and Supervisor Hosler seconded,

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

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

PRIVILEGE OF THE FLOOR

Ed Schneider had questions related to Lake Erie Beach Park and the progress on legal questions he has had for many years.

Barb McGowan has concerns about the Town’s finances and prior audits.

COMMITTEE AND DEPARTMENT HEAD REPORTS

Councilman Macko reminded residents that there will be a Document Shredding event on October 29, 2016 at the Town Hall from 10am to 2pm hosted by Lynn Krajacic, Town Clerk and is paid through a Grant.

Supervisor Hosler spoke about proposed Solar Farms in the Town of Evans and read an award letter for a Grant for Zombie properties.

RESOLUTION 2016 #464 Old Business

RE: Minor Subdivision Review - dividing a 30.20± acre parcel to create 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.

RESOLUTION 2016 # 465 Adopt Findings of the Minor Subdivision Review Committee and Issue a SEQR Negative Declaration - Bogulski

Supervisor Hosler moved and Councilman Macko seconded,

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 B 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.

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

RESOLUTION 2016 # 466 Approve Bogulski Minor Subdivision

Councilman Macko moved and Supervisor Hosler seconded,

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.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Absent
Councilman Macko	AYE
Supervisor Hosler	AYE

RESOLUTION 2016 #467 Supervisor and Town Attorney to Attend Association of Towns 2016 Personnel Management School

Councilman Macko moved and Supervisor Hosler seconded,

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: ADOPTED BY ROLL CALL

Councilman Feldmann	Absent
Councilman Macko	AYE
Supervisor Hosler	AYE

RESOLUTION 2016 #468 Appoint Part-Time Clerk

Supervisor Hosler moved and Councilman Macko seconded,

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.

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

RESOLUTION 2016 # 469 Set Public Hearing for Angola Fire Protective District

Councilman Macko moved and Supervisor Hosler seconded,

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.

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

RESOLUTION 2016 # 470 Set Public Hearing for 2017 Preliminary Budget

Supervisor Hosler moved and Councilman Macko seconded,

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.

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

RESOLUTION 2016 # 471 Levy Unpaid Erie County Water Authority, Erie County Backflow and Property Maintenance Charges to 2017 Tax Bills

Councilman Macko moved and Supervisor Hosler seconded,

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

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

RESOLUTION 2016 #472 Levy Unpaid Backflow Prevention-Eden

Supervisor Hosler moved and Councilman Macko seconded,

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

RESOLUTION 2016 # 473 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 - Absent
 Councilman Macko - AYE
 Supervisor Hosler - AYE

RESOLUTION 2016 #474 Appointment of Labor Relations Consultant

Councilman Macko moved and Supervisor Hosler seconded,

BE IT RESOLVED, that Thomas Dziedzic is hereby retained as the Labor Relations Consultant for the Town of Evans effective November 1, 2016 through December 31, 2017, at a rate of \$2,000 per month, payable in two separate disbursements of \$14,000 on or about July 1, 2017 and \$14,000 on or about January 15, 2018.

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

RESOLUTION 2016 #475 Appointment of Land Use Attorney

Supervisor Hosler moved and Councilman Macko seconded,

BE IT RESOLVED, that the firm Bond Schoeneck & King, PLLC, located at 200 Delaware Avenue, Buffalo, New York 14202 are hereby approved to be retained for land use issues as needed at an hourly municipality rate not to exceed \$230.00 per hour.

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

RESOLUTION 2016 #476 Audit of Bills

Councilman Macko moved and Supervisor Hosler seconded that all properly audited bills be paid out of their respective accounts per abstract #19 dated October 5, 2016 brought forth in the amount of \$212,641.82.

**DATE: 10/20/16
ABSTRACT NO. 19
VOUCHER NO. 1726, 1736-1795, 1800-1804**

CHECK NUMBERS 75492-75547

Approved as per Board meeting 10/19/16 audit of bills

GENERAL	42,897.15
PART TOWN	1,423.53
HIGHWAY DA	
HIGHWAY	149,247.68
WATER	622.85
CAPITAL PROJECTS	
SPECIAL DISTRICTS	18,450.61
DEBT SERVICE	
COMM DEVELOPMENT	
TOTAL	\$ 212,641.82

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

RESOLUTION 2016 #477 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn to a Work Session on Wednesday, October 26, 2016 at 6pm then to Wednesday, November 2, 2016 at 6pm for an Agenda Meeting and Town Board meeting at 7pm.

VOTE RESULT: ADOPTED
 AYES - 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

Evans Town Board

At a Work Session 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:	Jennifer Farrell	Town Attorney
	Lynn Krajacic	Town Clerk
	Mary Holl	Supervisor's Dept.

Supervisor Hosler opened the Work Session.

RESOLUTION 2016-478 Enter Into Agreement with Penn Power Systems

Supervisor Hosler moved and Councilman Feldmann seconded,

BE IT RESOLVED, that the Town of Evans enter into an agreement with Penn Power Systems for maintenance and inspection of the emergency generator located at 8787 Erie Road from September 1, 2016 to August 31, 2018 in the amount of \$573.00 annually.

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

RESOLUTION 2016-479 Enter Into Agreement with WNY Imaging Systems

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, the Town of Evans Finance Department needs the technical application of a DMS Line (converts text into searchable PDF's) and OCR capability;

BE IT RESOLVED, that the Supervisor of the Town of Evans is authorized to execute an agreement with WNY Imaging Systems, 305 Cayuga Road, Buffalo, New York 14225, for a Digital Multifunctional Printer (Model Kyocera M354oidn) that will provide the above referenced technical applications, upon the approval of the Town attorney.

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

RESOLUTION 2016-480 Adjourn the Work Session

Councilman Feldmann moved and Councilman Macko seconded to adjourn the work session.

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

Communication

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.

September, 2016



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

rappoccio@townofevans.org

MARY K. HOSLER, *Supervisor*

DENNIS M. FELDMANN

Councilman

JEANNE M. MACKO

Councilwoman

October 26, 2016

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

RE: Minor Subdivision Review – dividing a 0.39± acre parcel to create a 0.17± acre parcel and a 0.22± acre parcel located at 195 Humboldt Avenue, Angola, NY 14006, SBL# 250.17-3-5.1.
Petitioner: Daniel & Sandra Clark, 3059 Niagara Falls Blvd., North Tonawanda, NY 14120.

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/Representative

Submitted by Supervisor Hosler for the November 2, 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 26, 2016, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Daniel & Sandra Clark 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 Daniel & Sandra Clark Minor Subdivision.

(Addendum _____ SEQR Short Environmental Assessment Form),

a division of SBL# 250.17-3-5.1, dividing a 0.39± acre parcel to create:

1. a 0.17± acre parcel with 80.00± feet of frontage on Humboldt Avenue, and
2. a 0.22± acre parcel with 102.44± feet of frontage on Humboldt Avenue and 95.00± feet of frontage on Utica Street.

Petitioner: Daniel & Sandra Clark, 3059 Niagara Falls Blvd, North Tonawanda, NY 14120

AND BE IT FURTHER

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

Submitted by Supervisor Hosler for the November 2, 2016, Town Board meeting:

WHEREAS, in a letter dated October 26, 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 Daniel & Sandra Clark Minor Subdivision, a division of SBL# 250.17-3-5.1, dividing a 0.39± acre parcel to create:

1. a 0.17± acre parcel with 80.00± feet of frontage on Humboldt Avenue, and
2. a 0.22± acre parcel with 102.44± feet of frontage on Humboldt Avenue and 95.00± feet of frontage on Utica Street.

Petitioner: Daniel & Sandra Clark, 3059 Niagara Falls Blvd, North Tonawanda, NY 14120

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

PLANNING DIVISION

8787 Erie Road • Angola, NY 14006-9600
(716) 549-0945 • FAX (716) 549-0979
e-mail: planning@townofevans.org

APPLICATION FOR MINOR SUBDIVISION

DATE: August 30, 2016

FILE # 16-08

TO BE COMPLETED BY APPLICANT

OWNER: NAME Daniel & Sandra Clark
ADDRESS 3059 Niagara Falls Blvd. North Tonawanda, NY 14120
PHONE/FAX (716) 432-5257

CONSULTANT: NAME Roscetti & DeCastro, P.C. Camille A. Sarkees, Esq.
ADDRESS 730 Main Street Niagara Falls, NY 14120
PHONE/FAX P (716) 282-1200 F (716) 282-5090

SUBDIVISION LOCATION 195 Humboldt Avenue
ZONING DISTRICT Residential SBL# 250.17-3-5.1

	<u>ROAD NAME</u>	<u>FRONTAGE</u>	<u>ACRES</u>
ORIGINAL LOT:	<u>195 Humboldt Avenue & Utica Street</u>	<u>182.447 +/- ft.</u> <u>95.00 +/- ft.</u>	<u>.39 +/- ac.</u>
PROPOSED LOTS:			
LOT # 1	<u>195 Humboldt Avenue</u>	<u>80 +/- ft.</u>	<u>0.17 +/- ac.</u>
LOT #2	<u>Humboldt Avenue & Utica Street</u>	<u>102.44 +/- ft.</u> <u>95.00 +/- ft.</u>	<u>0.22 +/- ac.</u>
LOT #3	<u></u>	<u></u>	<u></u>
LOT #4	<u></u>	<u></u>	<u></u>

APPLICATION SUBMITTAL APPOINTMENT 08/31/2016 FEE (First Lot) \$ 100.00
+\$50 per each additional lot FEE TOTAL \$ N/A
(Non-Refundable – Payable to Town of Evans)

MATERIALS CHECKED BY _____
PLANNING BOARD WORK SESSION _____
PLANNING BOARD MEETING DATE _____
TOWN BOARD PUBLIC HEARING DATE _____
TOWN BOARD RESOLUTION DATE _____

HUMBOLDT AVE
LIBERTY 6205 PG. 7/4
MC 1129
50'-WIDE

7069	7070	7071	7072	7073	7074	7075	7076	7077	7078	7079	7080	7081	7082	7083	7084	7085	7086	7087	7088	7089	7090
100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20
7142	7141	7140	7139	7138	7137	7136	7135	7134	7133	7132	7131	7130	7129	7128	7127	7126	7125	7124	7123	7122	7121
25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25
7113	7112	7111	7110	7109	7108	7107	7106	7105	7104	7103	7102	7101	7100	7099	7098	7097	7096	7095	7094	7093	7092
52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52
7113	7112	7111	7110	7109	7108	7107	7106	7105	7104	7103	7102	7101	7100	7099	7098	7097	7096	7095	7094	7093	7092
52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52
7113	7112	7111	7110	7109	7108	7107	7106	7105	7104	7103	7102	7101	7100	7099	7098	7097	7096	7095	7094	7093	7092
52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52	52

7132	7131	7130	7129	7128	7127	7126	7125	7124	7123	7122	7121	7120	7119	7118	7117	7116	7115	7114	7113	7112	7111
20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20
7132	7131	7130	7129	7128	7127	7126	7125	7124	7123	7122	7121	7120	7119	7118	7117	7116	7115	7114	7113	7112	7111
20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20
7132	7131	7130	7129	7128	7127	7126	7125	7124	7123	7122	7121	7120	7119	7118	7117	7116	7115	7114	7113	7112	7111
20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20
7132	7131	7130	7129	7128	7127	7126	7125	7124	7123	7122	7121	7120	7119	7118	7117	7116	7115	7114	7113	7112	7111
20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20

7176	7175	7174	7173	7172	7171	7170	7169	7168	7167	7166	7165	7164	7163	7162	7161	7160	7159	7158	7157	7156	7155
80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80
7176	7175	7174	7173	7172	7171	7170	7169	7168	7167	7166	7165	7164	7163	7162	7161	7160	7159	7158	7157	7156	7155
80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80
7176	7175	7174	7173	7172	7171	7170	7169	7168	7167	7166	7165	7164	7163	7162	7161	7160	7159	7158	7157	7156	7155
80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80
7176	7175	7174	7173	7172	7171	7170	7169	7168	7167	7166	7165	7164	7163	7162	7161	7160	7159	7158	7157	7156	7155
80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80

7288	7287	7286	7285	7284	7283	7282	7281	7280	7279	7278	7277	7276	7275	7274	7273	7272	7271	7270	7269	7268	7267
100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
7288	7287	7286	7285	7284	7283	7282	7281	7280	7279	7278	7277	7276	7275	7274	7273	7272	7271	7270	7269	7268	7267
100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
7288	7287	7286	7285	7284	7283	7282	7281	7280	7279	7278	7277	7276	7275	7274	7273	7272	7271	7270	7269	7268	7267
100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
7288	7287	7286	7285	7284	7283	7282	7281	7280	7279	7278	7277	7276	7275	7274	7273	7272	7271	7270	7269	7268	7267
100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

7267	7266	7265	7264	7263	7262	7261	7260	7259	7258	7257	7256	7255	7254	7253	7252	7251	7250	7249	7248	7247	7246
100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
7267	7266	7265	7264	7263	7262	7261	7260	7259	7258	7257	7256	7255	7254	7253	7252	7251	7250	7249	7248	7247	7246
100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
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100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
7267	7266	7265	7264	7263	7262	7261	7260	7259	7258	7257	7256	7255	7254	7253	7252	7251	7250	7249	7248	7247	7246
100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

8487	8486	8485	8484	8483	8482	8481	8480	8479	8478	8477	8476	8475	8474	8473	8472	8471	8470	8469	8468	8467	8466
90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90
8487	8486	8485	8484	8483	8482	8481	8480	8479	8478	8477	8476	8475	8474	8473	8472	8471	8470	8469	8468	8467	8466
90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90

Good: R-2

Clark, Daniel
850.14-3-51

7

2

4

3

(40' WIDE) Virginia St.

(40'-WIDE)

(40' WIDE)

(40' WIDE)

101-0000

MC 1129

LAKE ERIE BEACH SUBDIVISION

Utica St.

MC 1129

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.

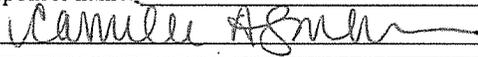
Part 1 - Project and Sponsor Information			
Name of Action or Project: Subdivision of 195 Humboldt Avenue			
Project Location (describe, and attach a location map): 195 Humboldt Avenue			
Brief Description of Proposed Action: resubdivide two (2) lots previously merged together.			
Name of Applicant or Sponsor: Camille A. Sarkees, Esq. on behalf of Daniel & Sandra Clark		Telephone: (716) 282-1200 E-Mail: casarkees@gmail.com	
Address: 730 Main Street			
City/PO: Niagara Falls		State: New York	Zip Code: 14301
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 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: Town of Evans Planning Board & Town of Evans Town Board			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		.41 acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.41 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?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<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	YES	
	<input checked="" type="checkbox"/>	<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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" 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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" 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	YES	
	<input checked="" type="checkbox"/>	<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	YES	
	<input checked="" type="checkbox"/>	<input 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 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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<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 checked="" 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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Camille A. Sarkees, Esq. Date: August 30, 2016

Signature: 

This Indenture made on *March 8, 2005*

Between

RICHARD G. CLARK and MARIE H. CLARK, his wife, residing at
112 Norwood Avenue, Buffalo, New York 14222

Grantor(s), and

DANIEL CLARK and SANDRA L. CLARK, his wife, residing at
3059 Niagara Falls Boulevard, North Tonawanda, New York
14120

Grantee(s).

Witnesseth that the said Grantor(s), in consideration of One and No More
Dollars (\$1.00 & no more)

lawful money of the United States, paid by the Grantee(s), do(es) hereby grant and release unto the
Grantee(s),
their successors and assigns forever.

All that Tract or Parcel of Land, situate in the Town of Evans, County of
Erie and State of New York; being part of Lot No. 87, Township 8, Range 9 of the
Holland Land Company's survey, more particularly described as follows:

Subdivision Lots Nos. 8347, 8348, 8349, 8350, 8351, 8352, 8352A, 8353, 8354 and
8355, as designated and delineated on a map entitled "Fourth Map of Lake Erie Beach"
in the County of Erie and State of New York, surveyed by Robert K. Williams, Angola,
New York, July 20, 1922, C.E., Angola, New York, July 20, 1922, and filed in the Erie
County Clerk's Office, March 15, 1923, under Cover No. 1129.

*Clark, Daniel + Sandra
Minor Subdivision
SBL# 250.14-3-5.1
Original lot*

Together with the appurtenances and all the estate and rights of the Grantor(s) in and to the said premises,

To have and to hold the above granted premises unto the said Grantee(s).

And, the said Grantor(s) do(es) covenant with said Grantee(s) as follows:

First. - That the Grantee(s) shall quietly enjoy the said premises.

Second. - That the Grantor(s) will forever WARRANT the title to said premises.

Third. - Subject to the trust fund provisions of section thirteen of the Lien Law.

In Witness Whereof, the said Grantor(s) has/have hereunto set his/hers/their hand(s) and seal(s) the day and year first above written.

In Presence of

(L.S.)

Richard G. Clark (L.S.)
RICHARD G. CLARK

(L.S.)

Marie H. Clark (L.S.)
MARIE H. CLARK

State of New York, County of Niagara ss.:

On *March 8, 2005* before me, the undersigned, personally appeared Richard G. Clark and Marie H. Clark

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

[Signature]
(signature and office of individual taking acknowledgment)

ANTHONY D. PARONE
Notary Public, State of New York
Qualified in Niagara County
My commission expires Nov. 30, 20 *06*

Read

WARRANTY WITH LIEN COVENANT

RICHARD G. CLARK and
MARIE H. CLARK, his wife

TO

DANIEL CLARK and SANDRA L. CLARK,
his wife

Dated, *March 8, 2005*

THE STATE OF NEW YORK

County of _____ AD.

RECORDED ON THE

..... day of

at o'clock

in Liber of Deeds

at Page and examined

CLERK

PLEASE RECORD AND RETURN TO:

SURVEY NOTES

1. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 1709, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.
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7. SURVEY PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY FACTS THAT MAY ARISE THEREON.
8. NO STAKES SET PER CONTRACT.

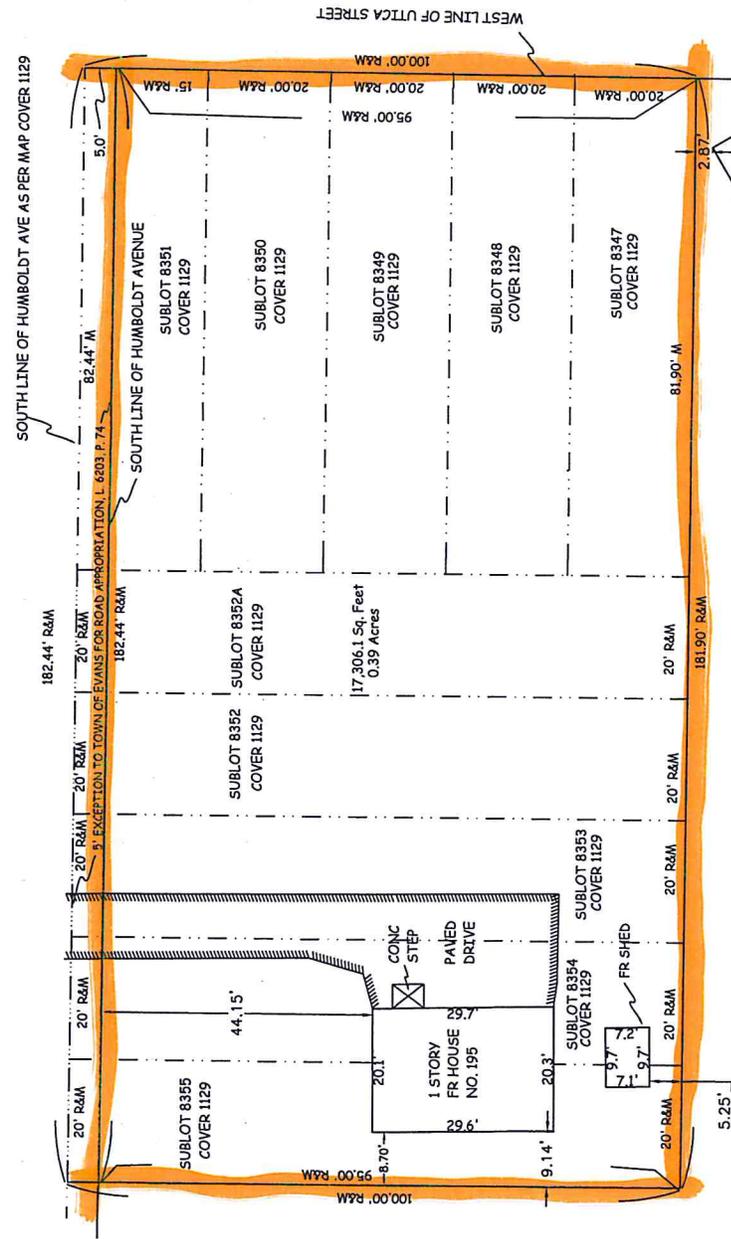
[Handwritten Signature]

195 HUMBOLDT AVENUE

DRAWN	DATE	PART OF LOT 87 T-8 R-9	
FMM	07/24/13	TOWN OF EVANS	
APPROVED	DATE	ERIE COUNTY	
FMM	07/24/13	NEW YORK STATE	
SCALE	SHEET	PROJECT NO.	
1" = 20'		2013421	

*Minor Subdivision - SBL # 850-17-3-5-1
Plat Daniel & Sandra Prinsival Lot*

HUMBOLDT (50.0' WIDE) AVENUE



LEGEND

- These standard symbols will be found in the drawing.
- SET IRON PIPE
 - EXISTING IRON PIPE
 - ⊕ UTILITY POLE
 - CENTERLINE
 - BOUNDARY LINE
 - X- FENCE
 - E- OVERHEAD UTILITY LINE
 - DRIVE

AMENDED 08/17/16



MANGUSO LAND SURVEYING, P.C.
572 TUSCARORA RD.
ANGOLANY 14005
PHONE 716-549-4717 FAX 716-549-4717
LIC NO 049775-1
EMAIL OFFICE@MANGUSO.LANDSURVEYING.COM
SUCCESSOR TO THE RECORDS OF
WILLIAM C. BUCKLAND L.S.
NORMAN B. JOHNSON L.S.
WILSON M. HUNTER L.S.

SURVEY NOTES

1. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP REQUIRES A LICENSED LAND SURVEYOR'S SEAL AS A VIOLATION OF SECTION 1709, SUB-DIVISION 1, OF THE NEW YORK STATE EDUCATION LAW.
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6. THE LOCATION OF ENDEARGROUND ENCROACHMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND OFTEN MUST BE ESTIMATED. IF ANY ENDEARGROUND IMPROVEMENTS OR ENCROACHMENTS EXIST OR ARE SHOWN, THE IMPROVEMENTS OR ENCROACHMENTS ARE NOT COVERED BY THIS CERTIFICATE.
7. SURVEY PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY FACTS THAT MAY ARISE THEREAFTER.
8. NO STAKES SET PER CONTRACT.

[Handwritten Signature]

195 HUMBOLDT AVENUE MINOR SUBDIVISION

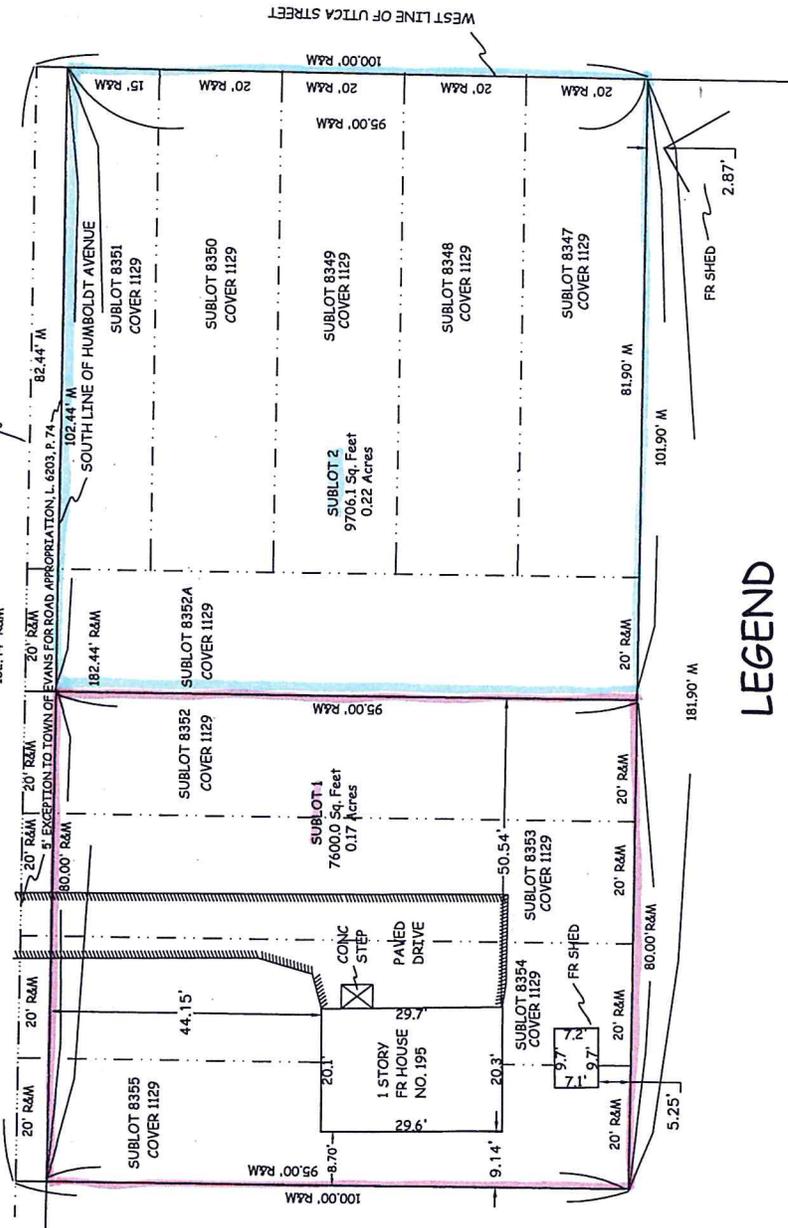
DRAWN	DATE	PART OF LOT 87 T-8 R-9
FMM	07/24/13	TOWN OF EVANS
APPROVED	DATE	ERIE COUNTY
FMM	07/24/13	NEW YORK STATE
SCALE	SHEET	PROJECT NO.
1" = 20'		2013421 MINOR SUBDIVISION

*Minor Subdivision - SB# 2250.17-3-51
Mark Daniel v. Sander D. - - - - - 1/2/13*

HUMBOLDT (50.0' WIDE) AVENUE

SOUTH LINE OF HUMBOLDT AVE AS PER MAP COVER 1129

UTICA (40.0' WIDE) STREET



LEGEND

- These standard symbols will be found in the drawing.
- SET IRON PIPE
 - EXISTING IRON PIPE
 - UTILITY POLE
 - CENTERLINE
 - BOUNDARY LINE
 - X- FENCE
 - E- OVER-HEAD UTILITY LINE
 - DRIVE

AMENDED 08/17/16



MANGUSO LAND SURVEYING, P.C.
572 TUSCARORA RD.
ANGOLANY, 14006
PHONE 716-599-4717 FAX 716-549-4717
LIC NO 049775-1
SUCCESSOR TO THE RECORDS OF
WILLIAM C. BUCKLAND L.S.
NORMAN B. JOHNSON L.S.
WILSON M. HUNTER L.S.



*Clark, Daniel + Sandra
Minor Subdivision
SBL# 250.17-3-5.1
Sublot 'I'*

Sublot 1 of the Humboldt Subdivision

All that tract or parcel of land situated in the Town of Evans, County of Erie and State of New York, being part of lot 87, Township 8 and Range 9 of the Holland Land Company's survey and further described as follows:

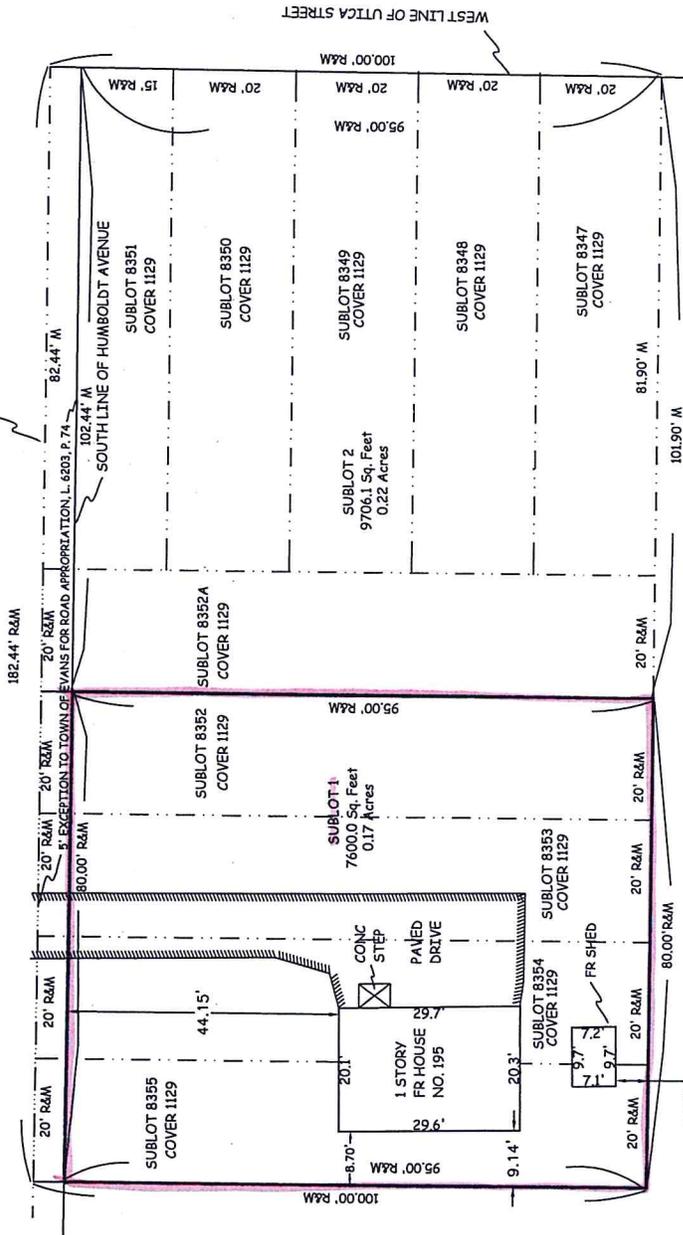
Being sublots 8352, 8353, 8354 and 8355 as designated and delineated on a map entitled "Fourth Map of Lake Erie Beach" in the County of Erie and State of New York, surveyed by Robert K. Williams, Angola, New York, July 20, 1922, C.E., Angola, New York, and filed in Erie County Clerk's Office, March 15, 1923 under Map Cover no. 1129

SURVEY NOTES

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6. THE LOCATION OF UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND OFTEN MUST BE ESTIMATED. IF ANY UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS EXIST OR ARE SHOWN, THE IMPROVEMENTS OR ENCROACHMENTS ARE NOT COVERED BY THIS CERTIFICATE.
7. SURVEY PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY FACTS THAT MAY ARISE THEREON.
8. NO STAKES SET PER CONTRACT

HUMBOLDT (50.0' WIDE) AVENUE

SOUTH LINE OF HUMBOLDT AVE AS PER MAP COVER 1129



LEGEND

These standard symbols will be found in the drawing.

- SET IRON PIPE
- EXISTING IRON PIPE
- ⊙ UTILITY POLE
- CENTERLINE
- BOUNDARY LINE
- X- FENCE
- E- OVERHEAD UTILITY LINE
- DRIVE

AMENDED 08/17/16

MANGUSO LAND SURVEYING, P.C.
 572 TUSCARORA RD.
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 SUCCESSOR TO THE RECORDS OF
 WILLIAM C. BOCKLAND L.L.S.
 NORMAN B. JOHNSON L.L.S.
 WILSON M. HUNTER L.L.S.

195 HUMBOLDT AVENUE

SUBLOT 1

DRAWN	DATE	PART OF LOT 87 T-8 R-9	
FMM	07/24/13	TOWN OF EVANS	
APPROVED	DATE	ERIE COUNTY	
FMM	07/24/13	NEW YORK STATE	
SCALE	SHEET	PROJECT NO.	
1" = 20'		2013421 SUBLOT 1	

Minor Subdivision SBL#250.17-3-5-1.
 Mark, Daniel & Sandra Hunter

*Clark, Daniel & Sandra
Minor Subdivision
JBL# 250.17-3-5.1
Sublot '2'*

Sublot 2 of the Humboldt Subdivision

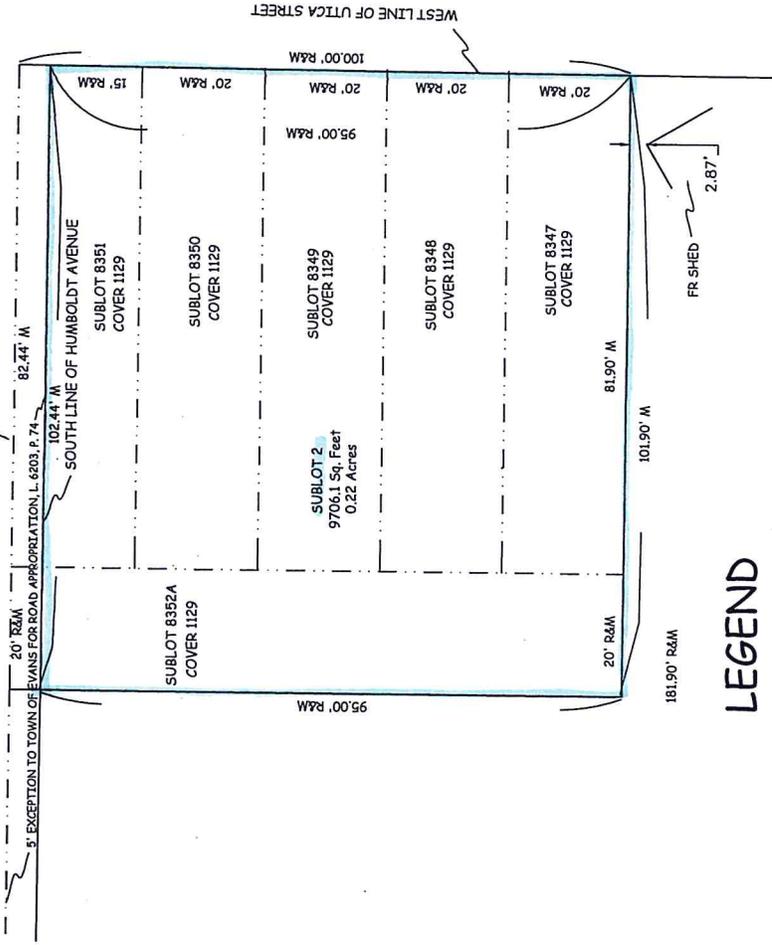
All that tract or parcel of land situated in the Town of Evans, County of Erie and State of New York, being part of lot 87, Township 8 and Range 9 of the Holland Land Company's survey and further described as follows:

Being sublots 8347, 8348, 8349, 8350, 8351 and 8352A was designated and delineated on a map entitled "Fourth Map of Lake Erie Beach" in the County of Erie and State of New York, surveyed by Robert K. Williams, Angola, New York, July 20, 1922, C.E., Angola, New York, and filed in Erie County Clerk's Office, March 15, 1923 under Map Cover no. 1129



HUMBOLDT (50.0' WIDE) AVENUE

SOUTH LINE OF HUMBOLDT AVE AS PER MAP COVER 1129



UTICA (40.0' WIDE) STREET

LEGEND

- These standard symbols will be found in the drawing.
- SET IRON PIPE
 - EXISTING IRON PIPE
 - ⊕ UTILITY POLE
 - CENTERLINE
 - BOUNDARY LINE
 - X- FENCE
 - E- OVER-HEAD UTILITY LINE
 - DRIVE

AMENDED 08/17/16



SURVEY NOTES

1. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP READING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 1709, SUB-DIVISION 1, OF THE NEW YORK STATE EDUCATION LAW
2. REPRODUCTION OF THIS DOCUMENT WITHOUT PERMISSION OF THE AUTHOR AND/OR COPYRIGHT HOLDER IS OBTAINED.
3. ONLY BOUNDARY SURVEY MAPS WITH THE SURVEYOR'S EMBOSSED SEAL ARE BINDING IN LAW AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND OPINION.
4. A COPY OF THIS DOCUMENT WITHOUT A PROPER APPLICATION OF THE SURVEYOR'S EMBOSSED SEAL SHOULD BE ASSUMED TO BE AN UNAUTHORIZED COPY.
5. ONLY TITLE SURVEYS BOUNDING THE MARKS EMBOSSED SEAL SHOULD BE RELIED UPON SINCE OTHER THAN EMBOSSED SEAL COPIES MAY CONTAIN UNAUTHORIZED AND UNRELIABLE MODIFICATIONS, DELETIONS, ADDITIONS, AND CHANGES.
6. THE LOCATION OF UNEMBOSSED ENCROACHMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND OFTEN MUST BE ESTIMATED. IF ANY UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS EXIST OR ARE SHOWN, THE IMPROVEMENTS OR ENCROACHMENTS ARE NOT COVERED BY THIS CERTIFICATE.
7. SURVEY PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY FACTS THAT MAY ARISE THEREON.
8. NO STAKES SET PER CONTRACT

[Handwritten signature]

V/L HUMBOLDT AVENUE SUBLOT 2

DRAWN FMM	DATE 07/24/13	PART OF LOT 87 T-8 R-9 TOWN OF EVANS
APPROVED FMM	DATE 07/24/13	ERIE COUNTY NEW YORK STATE
SCALE 1" = 20'	SHEET 2013421	PROJECT NO. SUBLOT 2

*Minor Subdivision - SBL# 250 17-3-5-1
Mark Samuel v. Andrea (PRINTED)*

MANGUSO LAND SURVEYING, P.C.
572 TUSCARORA RD.
ANGOLANY 14006
PHONE 716-549-4717 FAX 716-549-4717
LIC NO 049775-1
EMAIL OFFICE@MANGUSO.LANDSURVEYING.COM
SUCCESSOR TO THE RECORDS OF
WILLIAM C. BUCKLAND L.S.
NORMAN B. JOHNSON L.S.
WILSON M. HUNTER L.S.

**Notice of Public Hearing
Town of Evans**

Notice is hereby given that a public hearing will be held by the Town Board of the Town of Evans, Erie County, New York at the Evans Town Hall, 8787 Erie Road, Angola, New York at 7:10 pm on **Wednesday, November 2, 2016**, in accordance with Section 184 of the Town Law and all other applicable statutes, for the purpose of considering proposed contracts with the Village of Angola and the Village of Angola Fire Company, Evans Center Fire Company, Lake Erie Beach Fire Company and Highland Hose Fire Company for fire protection and/or emergency ambulance service to be furnished by said fire departments to the Angola Fire Protection District established in the Town of Evans upon the following general term:

A.) The fire department shall answer and attend upon all calls in said Angola Protective Fire District.

B.) For such service said fire departments shall receive the following amount:

Angola Fire Company
\$12,000 Emergency Ambulance Service
\$35,000 Fire Protection

Lake Erie Beach Fire Company
\$15,000 Emergency Ambulance Service
\$242,570 Fire Protection

Evans Center Fire Company
\$15,000 Emergency Ambulance Service
\$242,570 Fire Protection

Highland Hose Fire Company
\$15,000 Emergency Ambulance Service

The contract is for the period of January 1, 2017 through December 31, 2017 and such other incidental terms as may be necessary or proper in connection with such contract.

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 – ANGOLA FIRE PROTECTION

BE IT RESOLVED, that the Town Board enter into an agreement with the Angola Fire Company, Evans Center Fire Company, Highland Hose Fire Company and the Lake Erie Beach Fire Company for emergency services for the calendar year 2017 per advertised amounts.

ROLL CALL VOTE:

Councilman Feldmann

Councilwoman Macko

Supervisor Hosler

**Town of Evans
Notice of Public Hearing
on
Preliminary Budget
Year 2017**

Notice is hereby given that the Preliminary Budget of the Town of Evans, Erie County, New York for the fiscal year beginning January 1, 2017 has been completed and filed in the office of the Town Clerk at 8787 Erie Road, Angola, New York where it is available for inspection by any interested person during regular business hours Monday, Tuesday, Thursday, Friday 8:00 a.m. to 4:00 p.m. and Wednesday from 9:00 a.m. to 5:00 p.m. Paper copies will be available at the Town Clerk's Office at a cost of \$15.00 per Town Board resolution or can be viewed and printed out at no cost at www.townofevans.org.

Further notice is hereby given, that the Town Board of the Town of Evans, pursuant to all applicable statutes, will meet and review the Preliminary Budget at the Evans Town Hall, 8787 Erie Road, Angola, New York and hold a public hearing at 7:10 pm on **Wednesday, November 2, 2016**, and that at such hearing any person may be heard in favor or against the preliminary budget as compiled and for or against any item or items therein contained.

And further notice is given pursuant to Section 108, of the Town Law that the proposed salaries of the following Town Officers are hereby specified as follows, to wit:

Supervisor	\$40,000
Budget Officer	\$15,000
Councilmen (2) each	\$15,300
Town Clerk	\$56,365
Registrar of Vital Statistics	7,935
Superintendent of Highways	\$69,383
DPW Superintendent	\$ 5,000
Drainage Officer	<u>\$ 3,000</u>
Town Justices (2) each	\$22,819

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

RESOLUTION SUBMITTED FOR THE NOVEMBER 2, 2016 BOARD MEETING

WHEREAS, the Angola Public Library provides a valuable service to the residents of the Town of Evans,

NOW THEREFORE BE IT RESOLVED, that the Supervisor of the Town of Evans is authorized to execute an agreement with the Angola Public Library for the 2016 year, at a cost of \$2,250.00, upon the approval of the Town Attorney.

ROLL CALL VOTE:

Councilman Feldmann

Councilwoman Macko

Supervisor Hosler

Res 2

RESOLUTION – Proposed Local Law #7 of 2016

BE IT RESOLVED that the Town Clerk be authorized to advertise for a public hearing on Proposed Local Law #7 of 2016. The proposed local law seeks to override the tax levy limit established in General Municipal Law §3-c. The hearing is to be scheduled for November 16, 2016, at 7:10 p.m. local time.

ROLL CALL VOTE:

Councilman Feldmann _____
Councilman Macko _____
Supervisor Hosler _____

Res 4

**RESOLUTION
AUTHORIZATION OF CHANGE ORDER NO. 3
ROADWAY PROJECT, PHASE 3
CONTRACT 15-2**

WHEREAS, New Frontier Excavating and Paving, Inc. was retained by the Town of Evans to complete Contract No. 15-2, Roadway Project, Phase 3, and

WHEREAS, New Frontier Excavating and Paving, Inc. has completed the project in general conformance with the Contract Plans and Specifications,

WHEREAS, Wendel and New Frontier Excavating and Paving, Inc. have finalized and agreed to all contract pay item quantities,

NOW THERE FOR BE IT RESOLVED, that the Evans Town Board authorizes Change Order No. 3 for a deducted amount of \$118,008.01.

Res 5

**RESOLUTION
FINAL CLOSEOUT RESOLUTION
ROADWAY ACCESS IMPROVEMENTS
CONTRACT 15-2**

WHEREAS, New Frontier Excavating & Paving, Inc. was retained by the Town of Evans to complete Contract No. 15-2, Roadway Access Improvements, and

WHEREAS, Wendel, the Town Engineer, has determined that New Frontier Excavating & Paving, Inc. has completed the project in general conformance with the Contract Plans and Specifications,

NOW THEREFORE BE IT RESOLVED, that the Town of Evans accepts the final pay request and Release of Liens provided by New Frontier Excavating & Paving, Inc.

BE IT FURTHER RESOLVED, that the Town of Evans authorizes full contract payment and release of all retained monies.

BE IT FINALLY RESOLVED, that the Maintenance Bond will remain in effect for a two (2) year period from September 20, 2016.

Res 6

**RESOLUTION
DEDICATE PORTIONS OF LAUREL STREET, LANCASTER AVENUE,
THEODORE AVENUE, WALDEN AVENUE AND LAKE BREEZE ROAD**

WHEREAS, that the Town of Evans has completed roadway improvements on:

1. Laurel Street - 595 LF west from Waterman Street to turn around, and
2. Lancaster Avenue - 1,230 LF east from Lake Shore Road to Redwing Road, and
3. Theodore Avenue - 630 LF east from NY Route 5 to turn around, and
4. Walden Avenue - 640 LF east from NY Route 5 to turn around, and
5. Lake Breeze Road - 1,550 LF from Old Lakeshore Rd to Central Avenue, and

WHEREAS, these roads have been constructed to New York State Department of Transportation and Town of Evans design standards,

NOW THEREFORE BE IT RESOLVED, that the Town of Evans Highway Superintendent is authorized to maintain these roads and add them to the Town of Evans roadway inventory, and

BE IT FURTHER RESOLVED, that the Town of Evans Supervisors office is authorized to inform the following agencies of these improvements, the Town of Evans Police Department, the Lake Erie Beach Fire Company, the Angola Fire Company, US Post Office, Erie County Emergency Services and the refuse and recycling companies currently under contract with the Town of Evans.