

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
Jeanne Macko
Mary Hosler | Councilman
Councilman
Supervisor |
| ALSO PRESENT: | Lynn Krajacic
Jennifer Farrell
Jeneen McSkimming
Paul Ryerse
Roberta Rappoccio
Patrick Conrad
Ernie Masullo
Dennis Glascott
Mary Holl | Town Clerk
Town Attorney
Assessor
Code Enforcement Officer
Community Dev./Planning
Parks Crew Chief
Police Chief
Judge
Supervisor's Department |

RESOLUTION 2016 #481 Approve the Minutes

Supervisor Hosler moved and Councilman Feldmann seconded that the reading of the minutes of the meeting of October 19, 2016 and October 26, 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

The Supervisor's Monthly Report has been made to the Town Board and a copy was filed with the Town Clerk's Office.

Communication 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.

RESOLUTION 2016 # 482 Adopt Findings of the Minor Subdivision Review Committee and Issue a SEQR Negative Declaration - Clark

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 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 A 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.

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

RESOLUTION 2016 # 483 Approve Clark Minor Subdivision

Supervisor Hosler moved and Councilman Feldmann seconded,

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.

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

PUBLIC HEARING

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 2016 #484 Open the Public Hearing

Supervisor Hosler moved and Councilman Macko 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 in favor or opposed to the above subject at the Public Hearing.

RESOLUTION 2016 #485 Close the Public Hearing

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

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

RESOLUTION 2016 #486 Enter into Agreement with the Fire Departments

Supervisor Hosler moved and Councilman Feldmann seconded,

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.

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

PUBLIC HEARING

Town of Evans
Notice of Public Hearing
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	\$ 3,000
Town Justices (2) each	\$22,819

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

RESOLUTION 2016 #487 Open the Public Hearing

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

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

The following spoke in opposition regarding the 2017 Preliminary Budget:
Stan Radwan Cheri Hahn Anita Burke Ed Schneider

RESOLUTION 2016 #488 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

PRIVILEGE OF THE FLOOR

Legislator Mills spoke about various programs that Erie County offers and the 2017 budget process.

Ed Schneider asked about the Land Attorney hired by the Town and questions related to Lake Erie Beach Park.

COMMITTEE AND DEPARTMENT HEAD REPORTS

Councilman Macko reported on the Sturgeon Point Advisory Board meeting and reported that they wanted to thank the Marina employees for all their work during the season.

Supervisor Hosler read the monthly report for the Police Department submitted by Chief Masullo.

RESOLUTION 2016 #489 Enter Into Agreement with Angola Public Library

Councilman Macko moved and Councilman Feldmann seconded,

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.

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

RESOLUTION 2016 #490 Advertise Public Hearing for Proposed Local Law #7 Override Tax Cap

Supervisor Hosler moved and Councilman Macko seconded,

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.

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

RESOLUTION 2016 # 491 Revenue Anticipation Note (RAN)

Councilman Feldmann moved and Councilman Macko seconded,

REVENUE ANTICIPATION NOTE RESOLUTION AUTHORIZING THE ISSUANCE OF NOTES OF THE TOWN OF EVANS (THE "TOWN") IN AN AMOUNT NOT TO EXCEED \$900,000 IN ANTICIPATION OF REVENUES OTHER THAN REAL PROPERTY TAXES OR ASSESSMENTS DUE AND PAYABLE IN THE FISCAL YEAR ENDING DECEMBER 31, 2016, SUCH REVENUES BEING IN THE FORM OF (i) WATER RATES AND CHARGES AND (ii) DISTRIBUTIONS OF THE COUNTY SALES AND COMPENSATING USE TAXES

BE IT RESOLVED, by the Town Board (the "Board") of the Town of Evans, Erie County, New York (the "Town") AS FOLLOWS:

Section 1. In anticipation of the collection of revenues other than real estate taxes and assessments, in the form of water rates and charges due and payable in the current fiscal year ending on December 31, 2016, and pursuant to the Local Finance Law of the State of New York (the "Law"), the Town is hereby authorized to issue and sell one or more revenue anticipation notes in an aggregate principal amount not to exceed \$900,000. The amount of the such revenues collected by the Town in the Fiscal Year ended December 31, 2015 was \$887,923, the amount of such revenues set forth in the Town's budget for the fiscal year ending December 31, 2016 is \$950,000, and the amount of such revenues which remain uncollected as the date of this resolution (as measured against the lesser of the amount of such revenues collected in the prior fiscal year and the amount of such revenues budgeted for the current fiscal year) is \$418,139.

Section 2. In anticipation of the collection or receipt of revenues other than real estate taxes and assessments in the form of distributions by Erie County (the "County") of County sales and compensating use taxes due and payable in the current fiscal year ending on December 31, 2016, and pursuant to the Law, the Town is hereby authorized to issue and sell one or more revenue anticipation notes in an aggregate principal amount not to exceed \$900,000. The amount of the such revenues collected by the Town in the Fiscal Year ended December 31, 2015 was \$1,787,393, the amount of such revenues set forth in the budget for the fiscal year ending December 31, 2016 is \$1,795,000, and the amount of such revenues which remain uncollected as the date of this resolution (as measured against the lesser of the amount of such revenues collected in the prior fiscal year and the amount of such revenues budgeted for the current fiscal year) is \$643,017.

Section 3. Subject to and in accordance with subdivision of Section 25.00 of the Law, the revenue anticipation notes authorized by Sections 1 and 2 of this Resolution may be issued as single issue of revenue anticipation notes (the "Notes"). The date of maturity of the Notes shall not extend beyond the applicable period approved by Section 25.00 of the Law for the maturity of the Notes, within one year from the date of issuance.

Section 4. Subject to the provisions of this Resolution and the Law, pursuant to the provisions of Sections 30.00, 50.00 and 56.00 of the Law, the powers and duties of the Board to issue and to sell the Notes, including any renewals thereof, and the authorization of the terms,

form and content thereof, are hereby delegated to the Supervisor of the Town as the chief fiscal officer of the Town (the "Supervisor"). The Supervisor is authorized and directed to execute and deliver the Notes to the purchaser thereof and the Clerk of the Town is authorized and directed to attest the Notes.

Section 5. The full faith and credit of the Town are and shall be pledged to the punctual payment of principal of and interest on the revenue anticipation notes authorized herein.

Section 6. The Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Notes as excludable from gross income from federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the Notes, if applicable, as qualified tax-exempt obligations in accordance with Section 265(b)(3)(B)(I) of the Code.

Section 7. This resolution shall take effect immediately.

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

RESOLUTION 2016 # 492 Approve Deduct Change Order #3 for Contract 15-2 Roadway Project Phase 3

Councilman Macko moved and Councilman Feldmann seconded,

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.

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

RESOLUTION 2016 #493 Final Closeout Roadway Access Improvements Contract 15-2

Supervisor Hosler moved and Councilman Feldmann seconded,

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.

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

RESOLUTION 2016 #494 Dedication of Roads Laurel St., Lancaster Ave., Theodore Ave., Walden Ave. and Lake Breeze Rd.

Councilman Feldmann moved and Councilman Macko seconded,

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.

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

RESOLUTION 2016 # 495 Suspend the Rules of Order

Supervisor Hosler moved and Councilman Feldmann 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 #496 Tax Anticipation Note (TAN)

Councilman Feldmann moved and Supervisor Hosler seconded,

TAX ANTICIPATION NOTE RESOLUTION AUTHORIZING THE ISSUANCE OF TAX ANTICIPATION NOTES OF THE TOWN OF EVANS (THE "TOWN") IN AN AMOUNT NOT TO EXCEED \$995,000 IN ANTICIPATION OF THE COLLECTION OF REAL ESTATE TAXES OR ASSESSMENTS TO BE LEVIED IN THE FISCAL YEAR ENDING DECEMBER 31, 2017

BE IT RESOLVED, by the Town Board (the "Board") of the Town of Evans, Erie County, New York (the "Town") AS FOLLOWS:

Section 1. In anticipation of the collection of real estate taxes or assessments to be levied in the fiscal year ending December 31, 2017, and pursuant to Section 24.00 of the Local Finance Law of the State of New York (the "Law"), the Town is hereby authorized to issue and sell one or more tax anticipation notes in an aggregate principal amount not to exceed \$995,000 (the "Notes").

Section 2. The maturity date of the Notes, including renewals thereof, shall not extend beyond the close of the applicable period provided by Section 24.00 of the Law.

Section 3. Subject to the provisions of this Resolution and the Law, pursuant to the provisions of Sections 30.00, 50.00 and 56.00 of the Law, the powers and duties of the Board to issue and to sell the Notes, including any renewals thereof, and the authorization of the terms, form and content thereof, are hereby delegated to the Supervisor of the Town as the chief fiscal officer of the Town (the "Supervisor"). The Supervisor is authorized and directed to execute and deliver the Notes to the purchaser thereof and the Clerk of the Town is authorized and directed to attest the Notes.

Section 4. The full faith and credit of the Town are and shall be pledged to the punctual payment of principal of and interest on the Notes authorized herein.

Section 5. The Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Notes as excludable from gross income from federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the Notes, if applicable, as qualified tax-exempt obligations in accordance with Section 265(b)(3)(B)(i) of the Code.

Section 6. This resolution shall take effect immediately.

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

RESOLUTION 2016 #497 Advertise Public Hearing for Proposed Local Law #8 Extend Moratorium

Councilman Macko moved and Councilman Feldmann seconded,

WHEREAS, the Town Board of the Town of Evans passed Local Law #3 of the year 2016 on May 18, 2016 that no new application shall be issued and no applications or permits, licenses or approvals shall be granted by any officer, department, board or agency of the Town of Evans with respect to the erection, establishment, siting, location, construction or development of any solar farms, non-residential solar electric generating systems, or related facilities or structures within the Town of Evans and,

WHEREAS, the Town requires additional time to complete its implementation of appropriate ordinances and regulations regarding erection, establishment, siting, location, construction or development of any solar farms, non-residential solar electric generating systems, or related facilities or structures within the Town of Evans and,

NOW THEREFORE BE IT RESOLVED, that the Town Clerk is hereby authorized to post and publish the needed legal notices for a public hearing to be held November 16, 2016 at 7:10pm in the Evans Town Hall on a Proposed Local Law extending the temporary moratorium for a period of six (6) months on the issuance of applications and the granting of applications, permits, licenses or approvals for the erection, establishment, siting, location, construction or development of any solar farms, non-residential solar electric generating systems, or related facilities or structures.

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

RESOLUTION 2016 #498 Audit of Bills

Councilman Macko moved and Councilman Feldmann seconded that all properly audited bills be paid out of their respective accounts per abstract #19A dated October 26, 2016.

DATE: 10/26/16
ABSTRACT NO. 19A
VOUCHER NO. 1867-1869
CHECK NUMBERS 75548-75550
Approved as per Resolution 2016-236 audit of bills

GENERAL	69.68
PART TOWN	
HIGHWAY DA	
HIGHWAY	
WATER	1,307.86
CAPITAL PROJECTS	
SPECIAL DISTRICTS	
DEBT SERVICE	
COMM DEVELOPMENT	
TOTAL	\$ 1,377.54

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

RESOLUTION 2016 #499 Audit of Bills

Councilman Macko moved and Councilman Feldmann seconded that all properly audited bills be paid out of their respective accounts per abstract #20 dated November 3, 2016.

DATE: 11/3/16
ABSTRACT NO. 20
VOUCHER NO. 1805-1866; 1870-1875
CHECK NUMBERS 75551-75610

Approved as per Board meeting 11/2/2016 audit of bills

GENERAL	128,224.05
PART TOWN	13,798.00
HIGHWAY DA	
HIGHWAY	31,232.54
WATER	27,657.28
CAPITAL PROJECTS	

SPECIAL DISTRICTS	21,076.12
DEBT SERVICE	
COMM DEVELOPMENT	
TOTAL	\$ 221,987.99

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

RESOLUTION 2016 #500 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn to a Work Session on Wednesday, November 9, 2016 at 6pm then to Wednesday, November 16, 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**

Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

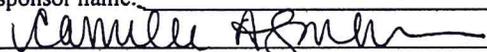
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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 checked="" 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			

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)? If Yes, explain purpose and size: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>

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: 

Project: _____
 Date: _____

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

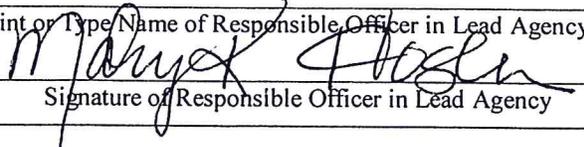
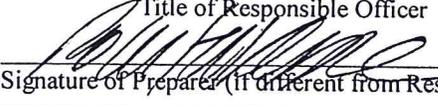
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project:	
Date:	

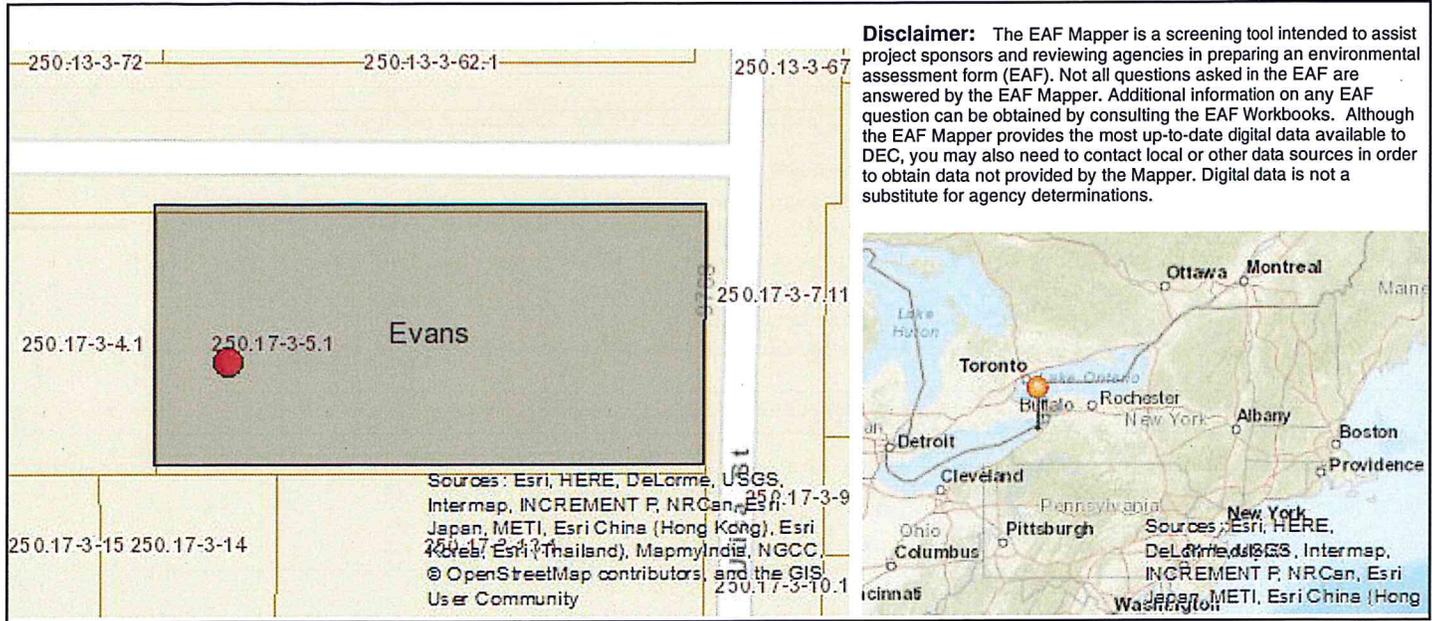
Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Town Board of Town of Evans	November 2, 2016
Name of Lead Agency	Date
Mary K. Hosler	Supervisor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

EAF Mapper Summary Report



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

