

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: Jeanne Macko Councilman
 Mary Hosler Supervisor
- ALSO PRESENT: Lynn Krajacic Town Clerk
 Jennifer Farrell Town Attorney
 Brittany Gloss Director of Finance
- ABSENT: Dennis Feldmann Councilman

RESOLUTION 2017 #481 Demolition Resolution

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, the condition of various properties located in the Town of Evans have been deemed by the Building Safety Inspector to be unsafe and an endangerment to the public at large, specifically the following properties:

- 1035 Eden-Evans Center Road SBL #235.07-3-6.2
- 9112 Newcomb Road SBL #236.00-4-5.12
- 540 Adams SBL #250.12-1-36
- 532 Adams SBL #250.12-1-38.1
- 139 Rosewood SBL #250.17-7-3
- 511 Roanoke SBL #250.11-4-6
- 9430 Peach Street SBL #250.08-6-25
- 371 Pleasant SBL #250.14-6-36
- 9396 Jamestown SBL #250.07-4-21.1
- 9406 Jamestown SBL #250.07-4-26.1
- 680 Beach Road SBL #235.09-1-41; and
- 6794 Gates SBL #192.20-9-28

WHEREAS, it was the determination of the Building Safety Inspector based on his formal inspection and report that said properties are unsafe and an endangerment to the public at large to the extent that demolition of the above referenced properties is necessary; and

WHEREAS, the Building Safety Inspector has caused a notice to be served upon the owner and all other interested parties, and notice to be posted in a conspicuous place upon the property, all as prescribed by Town Code Section 74-4B, for each of the above referenced properties; and

WHEREAS, more than ten (10) days has passed since the completion of the above referenced service of such notice; and

WHEREAS, the Town has not received a written request for a hearing by the owner nor any interested party regarding any of the properties as set forth in Town Code Section 74-4B, nor has any remedial work been undertaken on any of the properties to alleviate the known hazards. Currently the unsafe conditions which persist on each of properties only have become more hazardous to the public;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, based on the report of the Building Safety Inspector and the absence of response by the property owner or any interested party, hereby orders the demolition of the unsafe buildings referenced above and complete removal of all unsafe debris and refuse left on the properties; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Building Safety Inspector to administer the demolition of said properties including the necessary remedial work to render the properties safe; and

BE IT FURTHER RESOLVED, that the Code Enforcement Office is hereby authorized to prepare an invitation to bid for the demolition, and controlled demolition with and without asbestos abatement of said properties as appropriate; and

BE IT FURTHER RESOLVED, that the specifications for the invitation to bid shall be available at the Office of the Evans Town Clerk, 8787 Erie Road, Angola, New York 14006; and

BE IT FURTHER RESOLVED, that the Town Clerk shall advertise a notice of invitation to bid; and

BE IT FURTHER RESOLVED, that the bids are due to the Town Clerk’s Office by 11:00 a.m. on December 1, 2017, at which time the bids will be publicly opened and read aloud.

BE IT FURTHER RESOLVED, that 90% of the costs for said demolition work shall be paid for by the Restore New York Communities Initiative Grant from Empire State Development Corporation received by the Town of Evans and the remaining 10% from Town Funds; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Town Assessor to institute the appropriate actions against the property owners of the above referenced properties for recovery of costs incurred by the Town in connection with these proceedings as provided by Town Code Section 74-8.

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

RESOLUTION 2017 #482 Corrected Resolution #2017-460

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, Bell Atlantic Mobile Systems of Allentown, Inc. d/b/a Verizon Wireless has requested approval of a Tower Special Use Permit for the purpose of constructing and operating a 145' wireless telecommunications facility on property located off Dennis Road (Tax Parcel No. 220-2-11.21) in the Town of Evans, Erie County, NY; and

WHEREAS, the Town of Evans Planning Board has reviewed the Application for a Site Plan Approval, and has recommended approval to the Town of Evans Town Board; and

WHEREAS, the Town Board of the Town of Evans desires to be lead agency in accordance with the SEQR for the approval of the Tower Special Use permit located on Dennis Road;

NOW THEREFORE BE IT RESOLVED, that the Amended Resolution 2017 #460 as amended be further amended to reflect that the Town Board of the Town of Evans hereby declares itself lead agency in accordance with SEQR for the approval of the Tower Special Use Permit located on Dennis Road; 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 2017 #483 Correction Resolution 2017 #460

Supervisor Hosler moved and Councilman Macko seconded,

BE IT RESOLVED, that Resolution 2017 #460 be amended to reflect that the Town Clerk is authorized to advertise for a public hearing to be held on December 6, 2017 at 7:10 p.m. for the consideration of rezoning as outlined in Resolution 2017 #460.

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

RESOLUTION 2017 #484 Correction Resolution 2017 #461

Supervisor Hosler moved and Councilman Macko seconded,

BE IT RESOLVED, that Resolution 2017 #461 be amended to reflect that the Town Clerk is authorized to advertise for a public hearing to be held on December 6, 2017 at 7:10 p.m. to consider Proposed Local Law #13 of the year 2017 for the consideration of rezoning as outlined in Resolution 2017 #461.

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

RESOLUTION 2017 #485 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn the Work Session.

VOTE RESULT: ADOPTED
 AYES: Macko, Hosler
 NAYS: None

**Open Meetings Law, Public Officers Law, Article 7, §106. Minutes.
Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.**

These minutes are an unofficial copy unless the original signature of the Town Clerk is affixed below. The original official paper minutes are stored in the Town's vault.

Respectfully Submitted,

Lynn M. Krajacic
Town Clerk