<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Call the Meeting to Order</td>
</tr>
<tr>
<td>II</td>
<td>Pledge of Allegiance</td>
</tr>
<tr>
<td>III</td>
<td>Roll Call</td>
</tr>
</tbody>
</table>
| IV   | Approval of the Minutes  
    July 15 2020 |
| V    | Communications: |
| VI   | Privilege of the Floor |
| VII  | Public Hearing & Bid Opening  
    7:10pm Public Hearing  
    PLL #2 of 2020 Business Districts |
|      | 7:10pm Public Hearing  
    Special Use Permit  
    Mary Moran, private dog grooming business at 7020 Sweetland Road, Derby SBL #207.00-4-66 |
|      | 7:10pm Public Hearing  
    PLL #5 of 2020  
    Small Cell Wireless Facilities |
| VIII | Committee & Department Head Reports |
| IX   | Town Clerk Reports:  
    July 2020  
    Monthly Report $67,016.64  
    Interest $3.14  
    Greenspace $0- |
| X    | Old Business:  
    1.)Standard Work Day |
<table>
<thead>
<tr>
<th>XI</th>
<th>Resolutions:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.) Clerk Typist - Reassignment to the Assessor’s Office</td>
<td></td>
</tr>
<tr>
<td>2.) Appt of Part Time Dispatcher</td>
<td></td>
</tr>
<tr>
<td>3.) 2020 Budget Transfers</td>
<td></td>
</tr>
<tr>
<td>4.) Approval of Evans Center Volunteer Fire Company Newly Elected Members</td>
<td></td>
</tr>
<tr>
<td>5.) Marina Boat Slip Fees</td>
<td></td>
</tr>
<tr>
<td>6.) Appt of Highway Department MEO-Heavy</td>
<td></td>
</tr>
<tr>
<td>7.) Adopt NYS Records Retention and Disposition Schedule</td>
<td></td>
</tr>
<tr>
<td>8.) Lead Agency for Evans Water System Improvements Project</td>
<td></td>
</tr>
<tr>
<td>9.) Schedule PH for PLL #6 of 2020 (Rescind Term Limits of the Town Board and Form Advisory Committee)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>XII</th>
<th>Licenses:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Band Special Event - Maghen Boyer &amp; Russell Manguso Jr. - September 26, 2020</td>
<td></td>
</tr>
<tr>
<td>Judy Trusiak D/B/A Scallywags Grub &amp; Spirits - Refreshment</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>XIII</th>
<th>Audit of Bills:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>XIV</th>
<th>Adjournment to</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wednesday, August 19, 2020 at 6:00pm for a Work Session then to a Regular Meeting immediately following after at 7pm then to Wednesday, September 2 at 6pm for a Work Session and Regular Meeting immediately after at 7pm</td>
<td></td>
</tr>
</tbody>
</table>

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

Get the Agenda and Meeting Packet sent to your email! [www.TownofEvans.org](http://www.TownofEvans.org)


(716)366-3000

click Newsletter Signup under the Quick Links
Evans Town Board

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

PRESENT: Mary Hosler Supervisor
Michael Schraft Councilman
Thomas George Councilman

ALSO PRESENT: Lynn Krajacik Town Clerk
Kenneth Farrell Town Attorney

RESOLUTION 2020 #298 Accept Minutes

Supervisor Hosler moved and Councilman Schraft seconded that the reading of the minutes of meeting of July 8, 2020 be dispensed with and accepted as submitted by the Town Clerk.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman George Aye
Councilman Schraft Aye
Supervisor Hosler Aye

Communications

Supervisor Hosler reported that the Supervisor’s June 2021 Monthly Report has been made to the Town Board and a copy was filed with the Town Clerk’s Office.

RESOLUTION 2020 #299 Marina Boat Slip Fees

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, Sturgeon Point Marina in the Town of Evans is open from approximately May 15th to October 15th each year; and
WHEREAS, the Town Board set rates for various items at the Sturgeon Point Marina for 2020; and
WHEREAS, from time to time boat slips are available for rental after the season commences;
NOW, THEREFORE, BE IT RESOLVED, so long as full payment of the appropriate fee is paid at the time of application along with submission of all required documents, that rental fees for 18’ and 20’ boat slips after July 15th shall be as follows:

18ft – July 15th – October 15th - $441.00
20ft - July 15th – October 15th - $480.00

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman George Aye
Councilman Schraft Aye
Supervisor Hosler Aye
RESOLUTION 2020 #300 NYS Police Executive Order

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, Executive Order Number 203 was issued by Andrew M. Cuomo, Governor of the State of New York on June 12, 2020, ordering the director of the Division of the Budget, in consultation with the Division of Criminal Justice Services, to take steps to increase the effectiveness of the criminal justice system by ensuring that the local police agencies within the state have been actively engaged with stakeholders in the local community and have locally-approved plans for the strategies, policies and procedures of local police agencies; and

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the guidance to be sent to all local governments by the director of the Division of the Budget, in consultation with the Division of Criminal Justice Services, the Town of Evans shall perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve such deployments, strategies, policies, procedures, and practices, and

BE IT FURTHER RESOLVED, that the Town Supervisor shall convene the Police Chef, as head of the local police agency, and stakeholders in the community to develop such plan, which shall consider evidence-based policing strategies, including but not limited to, model policies and guidelines promulgated by the New York State Municipal Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program, and

BE IT FURTHER RESOLVED, that the Town of Evans, in coordination with its police agency, shall consult with all stakeholders, and create a plan to adopt and implement the recommendations resulting from its review and consultation, tailored to the specific needs of the community, and

BE IT FURTHER RESOLVED, that such plan shall be offered for public comment to all citizens in the locality, and after consideration of such comments, shall be presented to the Town Board of the Town of Evans, which shall ratify or adopt such plan by local law or resolution, as appropriate, no later than April 1, 2021; and

BE IT FURTHER RESOLVED, the Town of Evans shall transmit a certification to the Director of the Division of the Budget to affirm that such process has been complied with and such local law or resolution has been adopted.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman George Aye
Councilman Schraft Aye
Supervisor Hosler Aye

RESOLUTION 2020 #301 Amend Resolution 2020-264

Councilman George moved and Supervisor Hosler seconded,
BE IT RESOLVED, resolution 2020-264 enacting Local Law #3 of the year 2020 on June 17, 2020 is hereby amended to be renumbered as Local Law #2 referencing Solar Energy Systems.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman George Aye
Councilman Schraft Aye
Supervisor Hosler Aye

RESOLUTION 2020 #302 Amend Resolution 2020-269

Supervisor Hosler moved and Councilman Schraft seconded,

BE IT RESOLVED, resolution 2020-269 enacting Local Law #4 of the year 2020 on June 17, 2020 is hereby amended to be renumbered as Local Law #3 referencing Rezone Eagle Associates/St. Vincent DePaul Camp.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman George Aye
Councilman Schraft Aye
Supervisor Hosler Aye

RESOLUTION 2020 #303 Lifeguard Appointment

Councilman Schraft moved and Supervisor Hosler seconded,

BE IT RESOLVED, effective July 15, 2020, that the following individual be appointed to the titles and salaries listed below:

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ben Rinehart</td>
<td>PT Seasonal Lifeguard</td>
<td>$12.00</td>
</tr>
</tbody>
</table>

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman George Aye
Councilman Schraft Aye
Supervisor Hosler Aye

RESOLUTION 2020 #304 Highway Working Crew Chief Appointment

Councilman George moved and Councilman Schraft seconded,

BE IT RESOLVED, effective July 18, 2020, based on the current collective bargaining agreement and the recommendation of Town of Evans Highway Superintendent Edward Michalski, the Evans Town Board accepts the promotion of Joseph Marchant from Machine Equipment Operator (MEO) to Working Crew Chief; and
FURTHER, BE IT RESOLVED, effective July 18, 2020, the payroll department is directed to increase Mr. Marchant's hourly rate of pay from $24.81 per hour to $25.87 per hour, in accordance with the currently collective bargaining agreement; and

FURTHER, BE IT RESOLVED, a PO-8 form will be submitted to Erie County Civil Service documenting the above referenced changes, in accordance with Civil Service rules and regulations.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman George Aye
Councilman Schraft Aye
Supervisor Hosler Aye

RESOLUTION 2020 #305 Appointment of Part-time Police Dispatcher

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, there is an opening for a part time Public Safety Dispatcher in the Evans Police Department; and

WHEREAS, Daniel Schnorr is currently employed as a full time Public Safety Dispatcher for the Town of Orchard Park Police Department; and

WHEREAS, limited training would be required to assume the duties of a part-time position;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Daniel Schnorr, effective immediately, to the position of Police Dispatcher with the Evans Police Department; and

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

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman George Aye
Councilman Schraft Aye
Supervisor Hosler Aye

RESOLUTION 2020 #306 Audit of Bills

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

<table>
<thead>
<tr>
<th>AUDIT OF BILLS</th>
</tr>
</thead>
<tbody>
<tr>
<td>DATE</td>
</tr>
<tr>
<td>ABSTRACT NO.</td>
</tr>
</tbody>
</table>
VOUCHER NO. 7207 - 7307  
CHECK NUMBERS 81396 - 81470  
APPROVED AT Board Meeting  
DATE 7/15/2020  
GENERAL $69,193.89  
PART TOWN $2,089.61  
HIGHWAY DB $31,868.45  
WATER $0.00  
CAPITAL PROJECTS $0.00  
SPECIAL DISTRICTS $4,768.50  
DEBT SERVICE  
TOTAL $107,920.45  

VOTE RESULT: ADOPTED BY ROLL CALL  
Councilman George Aye  
Councilman Schraft Aye  
Supervisor Hosler Aye  

RESOLUTION 2020 #307 Adjournment  
Supervisor Hosler moved and Councilman Schraft seconded to adjourn to July 22, 2020 at 6:00pm for a Work Session then to Wednesday, August 5, 2020 at 6:00pm for a Work Session & Regular Board meeting immediately following,  

VOTE RESULT: ADOPTED BY ROLL CALL  
Councilman George Aye  
Councilman Schraft Aye  
Supervisor Hosler Aye  

Open Meetings Law, Public Officers Law, Article 7, §106. Minutes. Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. These minutes are an unofficial copy unless the original signature of the Town Clerk is affixed below. The original official paper minutes are stored in the Town's vault. Respectfully Submitted,

Lynn M. Krajacic, RMC  
Town Clerk
August 3, 2020

Mary Hosler, Supervisor
8787 Erie Road
 Angola, New York 14006

Dear Supervisor Hosler,

Per transfer through Evans Bank, $67,019.78 was transferred to the Town of Evans Savings & Green Space account.

This represents the following:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town Clerk</td>
<td>$67,016.64</td>
</tr>
<tr>
<td>July 1, 2020 - July 31, 2020</td>
<td></td>
</tr>
<tr>
<td>Interest Earned on Checking Account</td>
<td>$3.14</td>
</tr>
<tr>
<td>July 1, 2020 - July 31, 2020</td>
<td></td>
</tr>
<tr>
<td>Greenspace Fees transferred to Trust &amp; Agency Account</td>
<td>$0</td>
</tr>
<tr>
<td>July 1, 2020 - July 31, 2020</td>
<td></td>
</tr>
<tr>
<td>Petty Cash Fund Balance</td>
<td>$650.00</td>
</tr>
</tbody>
</table>

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

Best Regards,

[Signature]
Lynn Krajacic, RMC
Town Clerk

Cc: Finance Dept
    Councilman George
    Councilman Schraft
Old Business

1.) Standard Work Day

2020-08-05
2020-07-15
2020-06-17
2020-06-03
2020-05-20
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 August 5, 2020 at 7:10 P.M. via a Zoom Public Meeting to consider the adoption of Proposed Local Law #2 of the year 2020 which will amend Local Law #3 of the year 1998 entitled “Business Districts Law” and any amendments thereto, within Town Code Chapter 200, Article VI, Section 200-22(B)(1) “Permitted Uses,” providing for any structure and/or use permitted within the General Business (GB) District to be permitted within the Motor Vehicle Service District (MS). Copies of the Proposed Local Law will be available for inspection by any interested person in the Office of the Town Clerk during normal business hours Monday, Tuesday, Thursday, Friday from 8am – 4pm, Wednesday from 9am – 5pm and the Town’s website www.townofevans.org on or after July 9, 2020. Questions and comments may be forwarded to the Planning Office by USPS or by email to planning@townofevans.org; any written questions or comments forwarded to the Planning Department will be included in the record of the Public Hearing. All parties in interest and citizens shall have an opportunity to be heard by the Town Board at the Zoom Public Hearing to be held aforesaid.

By Order of the Town Board of the Town of Evans
Lynn M. Krajacic
Town Clerk.
July 21, 2020

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

RE: Amend Section 200-22(B)(1) of the Town of Evans Code so that any structure and/or use permitted within the General Business (GB) District is also permitted within the Motor Vehicle Services (MS) District.

Dear Town Board:

Please be advised that at the February 26, 2020 meeting of the Evans Planning Board, the Board voted unanimously to recommend approval of the above-referenced petition for a zoning amendment based on the following reasons:

1. The action is consistent with the Town of Evans Comprehensive Plan.
2. The action is not expected to result in any significant adverse impacts.
3. The action will constitute the use of underutilized properties in the Town.

Being aware there are a number of vacant or underutilized properties located within the Motor Service District (MS), and having received inquiries regarding the reuse of properties currently within the MS District for non-motor service related uses, the Planning Board believes this amendment will allow for greater business opportunities in the Town and will help address some more highly visible vacant or at-risk commercial properties.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

William B. Smith, Director
Planning & Community Development

cc: Planning Board Members
    Town Attorney
    Code Enforcement Office
    Assessor
Submitted by Supervisor Hosler for the August 5, 2020 Evans Town Board meeting:

RESOLUTION – Proposed Local Law #2 of 2020 – Lead Agency

WHEREAS, the Evans Town Board wishes to amend Section 200-22(B)(1) of the Town of Evans Code so that any structure and/or use permitted within the General Business (GB) District is also permitted within the Motor Vehicle Services (MS) District; and

WHEREAS, the Evans Planning Board unanimously recommended approval of the above-referenced Zoning Amendment at their February 26, 2020 Planning Board meeting as set forth in Proposed Local Law #2 of the year 2020, and

WHEREAS, the Town Board of the Town of Evans desires to be the Lead Agency for the SEQR process regarding said amendment.

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Evans shall be the Lead Agency for the SEQR process for proposed Local Law #2 of the year 2020,

AND BE IT FURTHER

RESOLVED, that a copy of this resolution be given to the Planning Office.
RESOLUTION – Proposed Local Law #2 of 2020 – SEQR

WHEREAS, the Evans Town Board wishes to amend Section 200-22(B)(1) of the Town of Evans Code so that any structure and/or use permitted within the General Business (GB) District is also permitted within the Motor Vehicle Services (MS) District, and

WHEREAS, the Evans Planning Board unanimously recommended approval of the above-referenced Zoning Amendment at their February 26, 2020 Planning Board meeting as set forth in Proposed Local Law #2 of the year 2020, and

WHEREAS, the Town Board of the Town of Evans has declared Lead Agency for the SEQR process, and

WHEREAS, the Town Board of the Town of Evans has reviewed the Environmental Assessment Form and has determined that the amendment will not result in any significant impacts to the environment.

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Evans issues a negative declaration in accordance with the SEQR requirements to amend Section 200-22(B)(1) of the Town of Evans Code so that any structure and/or use permitted within the General Business (GB) District is also permitted within the Motor Vehicle Services (MS) District, and

AND BE IT FURTHER

RESOLVED, that a copy of this resolution be given to the Planning Office.
RESOLUTION – Proposed Local Law #2 of 2020 – Approval

WHEREAS, the Evans Town Board held a public hearing on August 5, 2020 for consideration of Proposed Local Law #2 of the year 2020, amending Local Law #3 of the year 1998 entitled “Business Districts Law” and any amendments thereto, within Town Code Chapter 200, Article VI, Section 200-22(B)(1) “Permitted Uses,” providing for any structure and/or use permitted within the General Business (GB) District to be permitted within the Motor Vehicle Service District (MS), and

WHEREAS, the recommended amendment to the Evans Town Code is not expected to result in any significant adverse impacts; and

WHEREAS, the Town Board of the Town of Evans declares Lead Agency in accordance with the SEQR process and issues a negative declaration for this action; and

WHEREAS, the Town of Evans has submitted a full statement of proposed action to the Erie County Division of Planning pursuant to GMU Section 239-M, and has received response to the same dated February 28, 2020 making no recommendation as the matter is of local concern.

NOW, THEREFORE BE IT

RESOLVED, that Proposed Local Law #2 of the year 2020, as amended, be adopted as Local Law #4 of the year 2020.

AND BE IT FURTHER

RESOLVED, a copy of this resolution be provided to the Planning Office and Code Enforcement Office.
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 August 5, 2020 at 7:10 P.M. via a Zoom Public Meeting to consider the petition of Mary Moran for a Special Use Permit for the operation of a private dog grooming facility to be located at 7030 Sweetland Road, Derby, NY 14047, SBL# 207.00-4-66. Questions and comments may be forwarded to the Planning Office by USPS or by email to planning@townofevans.org; any written questions or comments forwarded to the Planning Department will be included in the record of the Public Hearing. All parties in interest and citizens shall have an opportunity to be heard by the Town Board at the Zoom Public Hearing to be held aforesaid.

By Order of the Town Board of the Town of Evans
Lynn M. Krajacic
Town Clerk
July 21, 2020

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

Re: Special Use Permit – for the purpose of operating a private grooming facility to be located at 7030 Sweetland Road, Derby, NY, 14047, SBL# 207.00-4-66. Petitioner: Mary Moran, 7030 Sweetland Road, Derby, NY 14047

Dear Town Board:

Please be advised that at the March 25, 2020 meeting of the Evans Planning Board, the Board voted unanimously to recommend approval of the above-referenced petition for a Special Use Permit based on the following reasons:

- We have found no apparent significant environmental concerns and recommend a SEQR negative declaration.
- This project is in compliance with the intent of the Town’s Rural Residential District.
- The nature of this business appears to be within the character of the surrounding area.

Further, the Planning Board recommends that the following condition be placed on the approval of this action:

1. Dog grooming services shall be provided to no more than one customer at a time and no more than three customers per day.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

William B. Smith, Director
Planning & Community Development

cc: Planning Board Members
    Town Attorney
    Code Enforcement Office
    Assessor
RESOLUTION – Mary Moran Special Use Permit – Lead Agency

WHEREAS, the Evans Planning Board unanimously recommended approval of the Mary Moran Special Use Permit for the operation of a private dog grooming facility to be located at 7030 Sweetland Road, Derby, NY 14047, SBL# 207.00-4-66, and

WHEREAS, the Evans Town Board desires to be Lead Agency for the SEQR process regarding Special Use Permits.

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Evans shall be the Lead Agency for the SEQR process for the Mary Moran Special Use Permit,

AND BE IT FURTHER

RESOLVED, that a copy of this resolution be given to the Planning Office
RESOLUTION – Mary Moran Special Use Permit – SEQR

WHEREAS, the Evans Planning Board unanimously recommended approval of the Mary Moran Special Use Permit for the operation of a private dog grooming facility to be located at 7030 Sweetland Road, Derby, NY 14047, SBL# 207.00-4-66, and

WHEREAS, the Town Board of the Town of Evans has declared Lead Agency for the SEQR process, and

WHEREAS, the Town Board of the Town of Evans has reviewed the Environmental Assessment Form for this property and has determined that the amendment will not result in any significant impacts to the environment.

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Evans issues a negative declaration in accordance with the SEQR requirements for the Mary Moran Special Use Permit for the for the operation of a private dog grooming facility to be located at 7030 Sweetland Road, Derby, NY 14047, SBL# 207.00-4-66, and

AND BE IT FURTHER

RESOLVED, that a copy of this resolution be given to the Planning Office.
RESOLUTION – Mary Moran Special Use Permit – Approval

WHEREAS, Mary Moran has requested a Special Use Permit for the operation of a private dog grooming facility to be located at 7030 Sweetland Road, Derby, NY 14047, SBL# 207.00-4-66, and

WHEREAS, the Town Board of the Town of Evans has held a public hearing on August 5, 2020 for consideration of said Special Use Permit, and

WHEREAS, the Town of Evans Planning Board has recommended the issuance of a Special Use Permit of said property based on the following reasons:

- We have found no apparent significant environmental concerns and recommend a SEQR negative declaration.
- This project is in compliance with the intent of the Town’s Rural Residential District.
- The nature of this business appears to be within the character of the surrounding area.

WHEREAS, the Planning Board would also like to recommend that the following condition be placed on the approval of this action:

1. Dog grooming services shall be provided to no more than one customer at a time and no more than three customers per day, and

WHEREAS, the Town Board of the Town of Evans has issued a SEQR negative declaration for this action.

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Evans grants a Special Use Permit to Mary Moran for the operation of a private dog grooming facility to be located at 7030 Sweetland Road, Derby, NY 14047, SBL# 207.00-4-66, with the above noted condition.

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.
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 August 5, 2020 at 7:10 P.M. via a Zoom Public Meeting to consider the adoption of Proposed Local Law #5 of the year 2020 pertaining to Small Cell Wireless Facilities which will amend Town Code Chapter 200 Zoning to include Article XIV, Small Cell Wireless Facilities. Copies of the Proposed Local Law will be available for inspection by any interested person in the Office of the Town Clerk during normal business hours Monday, Tuesday, Thursday, Friday from 8am – 4pm, Wednesday from 9am – 5pm and the Town’s website www.townofevans.org on or after July 9, 2020. Questions and comments may be forwarded to the Planning Office by USPS or by email to planning@townofevans.org; any written questions or comments forwarded to the Planning Department will be included in the record of the Public Hearing. All parties in interest and citizens shall have an opportunity to be heard by the Town Board at the Zoom Public Hearing to be held aforesaid.

By Order of the Town Board of the Town of Evans
Lynn M. Krajacic
Town Clerk
July 21, 2020

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

RE: Amend Section 200 Zoning to include Article XIV, Small Cell Wireless Facilities.

Dear Town Board:

Please be advised that at the March 25, 2020 meeting of the Evans Planning Board, the Board voted unanimously to recommend approval of the above-referenced Zoning Amendment based on the following reasons:

1. The action is not expected to result in any significant adverse impacts.
2. The action is not expected to result in any changes to the character of the surrounding community.
3. The action supports the expansion and continued operation of a service which provides a valued benefit to the community.

The overall intent of the draft ordinance is to establish general procedures and standards, consistent with all applicable federal and state laws, for the siting, construction, installation, modification, and removal of small cell wireless facilities within the Town of Evans. The Planning Board feels while developing the code they have struck a balance between preservation of rural character and aesthetic quality and at the same time allowing the advent of small cell wireless facilities which can provide a significant benefit to our Town in terms of enhancing telecommunication.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

William B. Smith, Director  
Planning & Community Development

cc: Planning Board Members  
Town Attorney  
Code Enforcement Office  
Assessor
Submitted by Supervisor Hosler for the August 5, 2020 Evans Town Board meeting:

RESOLUTION – Proposed Local Law #5 of 2020 – Lead Agency

WHEREAS, the Evans Town Board wishes to amend Section 200 Zoning to include Article XIV, Small Cell Wireless Facilities; and

WHEREAS, the Evans Planning Board unanimously recommended approval of the above-referenced Zoning Amendment at their March 25, 2020 Planning Board meeting as set forth in Proposed Local Law #5 of the year 2020, and

WHEREAS, the Town Board of the Town of Evans desires to be the Lead Agency for the SEQR process regarding said amendment.

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Evans shall be the Lead Agency for the SEQR process for proposed Local Law #5 of the year 2020,

AND BE IT FURTHER

RESOLVED, that a copy of this resolution be given to the Planning Office.
RESOLUTION – Proposed Local Law #5 of 2020 – SEQR

WHEREAS, the Evans Town Board wishes to amend Section 200 Zoning to include Article XIV, Small Cell Wireless Facilities, and

WHEREAS, the Evans Planning Board unanimously recommended approval of the above-referenced Zoning Amendment at their March 25, 2020 Planning Board meeting as set forth in Proposed Local Law #5 of the year 2020, and

WHEREAS, the Town Board of the Town of Evans has declared Lead Agency for the SEQR process, and

WHEREAS, the Town Board of the Town of Evans has reviewed the Environmental Assessment Form and has determined that the amendment will not result in any significant impacts to the environment.

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Evans issues a negative declaration in accordance with the SEQR requirements to amend Section 200 Zoning to include Article XIV, Small Cell Wireless Facilities, and

AND BE IT FURTHER

RESOLVED, that a copy of this resolution be given to the Planning Office.
RESOLUTION – Proposed Local Law #5 of 2020 – Approval

WHEREAS, the Evans Town Board held a public hearing on August 5, 2020 for consideration of Proposed Local Law #5 of the year 2020, amending Local Law #8 of the year 1987 entitled “Zoning Law” and any amendments thereto, within Town Code Chapter 200, to include Article XIV, Small Cell Wireless Facilities, and

WHEREAS, the recommended amendment to the Evans Town Code is not expected to result in any significant adverse impacts; and

WHEREAS, the Town Board of the Town of Evans declares Lead Agency in accordance with the SEQR process and issues a negative declaration for this action; and

WHEREAS, the Town of Evans has submitted a full statement of proposed action to the Erie County Division of Planning pursuant to GMU Section 239-M, and has received response to the same dated February 18, 2020 and offered the following comment:

- The Town of Evans should ensure that proposed and/or existing small wireless facilities located within public rights of way, or other assets owned or maintained by Erie County, are coordinated with the Erie County Department of Public Works. This coordination should begin as early as possible in the application process and continue throughout the application and construction phases.

NOW, THEREFORE BE IT

RESOLVED, that Proposed Local Law #5 of the year 2020, as amended, be adopted as Local Law #5 of the year 2020.

AND BE IT FURTHER

RESOLVED, a copy of this resolution be provided to the Planning Office and Code Enforcement Office.
Submitted for the August 5, 2020 Town Board meeting:

WHEREAS, due to a vacancy existing in the position of clerk in the Town of Evans Assessor’s Office by reason of retirement of Kathy Karyczak effective July 31, 2020;

THEREFORE, BE IT RESOLVED, effective August 17, 2020, Laurie Wojcik will be reassigned, in her current position, as the clerk typist for the Town of Evans Assessor’s Office with additional job responsibilities assisting with clerical duties in the Building Department; and

FURTHER, BE IT RESOLVED, effective August 5, 2020 through and including August 31, 2020, Ms. Wojcik will assist, on an as needed basis, the Finance Department, more specifically, Payroll Department for a maximum of 20 hours per week;

FURTHER, BE IT RESOLVED, all other relative issues, rules and regulations will be understood to all parties subject to Civil Service law and the International Brotherhood of Electrical Workers (IBEW) Local 41.

VOTE RESULT: Councilman George ________________

Councilman Schraft ________________

Supervisor Hosler ________________
RESOLUTION – APPOINTMENT OF PART-TIME DISPATCHER

WHEREAS, there is an opening for a part time Public Safety Dispatcher in the Evans Police Department; and

WHEREAS, Benjamin Tessmer is currently employed full time with AMR, and part time as a dispatcher for Springville; and

WHEREAS, limited training would be required to assume the duties of a part-time Dispatcher position with the Town of Evans; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Benjamin Tessmer, effective immediately, to the position of part time Police Dispatcher with the Evans Police Department; and

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

ROLL CALL VOTE:

Councilwoman George

Councilman Schraft

Supervisor Hosler
RESOLUTION – BUDGET TRANSFERS

WHEREAS, the Town is obligated by general municipal law to maintain a balanced budget;

NOW, THEREFORE BE IS RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Supervising Accountant to make the following budget transfers to reclassify previously budgeted amounts:

SEE ATTACHED

ROLL CALL VOTE:
Town of Evans  
Budget Transfer Requests  
July 22, 2020

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<tr>
<th>Account</th>
<th>Account Number</th>
<th>Increase</th>
<th>Decrease</th>
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<td>TOWN CLERK INFORMATION TECHNOLOGY OTHER INSURANCE CONTINGENCY</td>
<td>AA.01410.0420.00</td>
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<tr>
<td>to cover Town portion of records management grant</td>
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<td>3,450.00</td>
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<td>HR CONSULTANT OTHER INSURANCE CONTINGENCY</td>
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<td>to cover HR consultant</td>
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<td>15,000.00</td>
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<td>FACILITY MAINTENANCE OTHER INSURANCE CONTINGENCY</td>
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<tr>
<td>to cover U&amp;S Services contract</td>
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<td>6,300.00</td>
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<tr>
<td>INFORMATION TECHNOLOGY SUPPLIES GENERAL</td>
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<td></td>
<td>AA.05010.0401.01</td>
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<td>600.00</td>
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<td>BAN PRINCIPAL BAN INTEREST TRANSFER TO CAPITAL PROJECTS FUND</td>
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<td>reclassify debt payments</td>
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<td>SENIORS BUILDING &amp; IMPROVEMENTS OTHER INSURANCE CONTINGENCY</td>
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<td>to cover removal of solar panels not covered by grant</td>
<td>AA.01910.0408.00</td>
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<td>6,950.00</td>
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</table>

Requested by Finance Director

Approved by Town Supervisor
RESOLUTION – EVANS CENTER VOLUNTEER FIRE COMPANY ELECTED MEMBERSHIP

WHEREAS, Evans Center Volunteer Fire Company Membership Committee has accepted applications for new candidates for membership; and

WHEREAS, each candidate was interviewed thoroughly by the Membership Committee and found to meet or exceed the qualifications set forth in the Evans Center Volunteer Fire Company Bylaws; and

WHEREAS, the following candidates were elected into membership of the Evans Center Volunteer Fire Company during the July 7, 2020 General Membership Meeting;

NOW, THEREFORE, BE IT RESOLVED, based on the above, the Evans Town Board hereby approves the following four (4) members elected into membership to Evans Center Volunteer Fire Company;

Adam Buczkowski
Sara Gelster
Hunter Herlan
Alexander Neumeister

ROLL CALL VOTE
Resolution – Boat Slip Fees

WHEREAS, Sturgeon Point Marina in the Town of Evans is open from approximately May 15th to October 15th each year; and

WHEREAS, the Town Board set rates for various items at the Sturgeon Point Marina for 2020; and

WHEREAS, from time to time boat slips are available for rental after the season commences;

NOW, THEREFORE, BE IT RESOLVED, so long as full payment of the appropriate fee is paid at the time of application along with submission of all required documents, that rental fees for 22', 24', 28', 30' and 40' boat slips after July 15th shall be as follows:

22ft - July 15th – October 15th - $602.28
24ft - July 15th – October 15th - $661.20
28ft - July 15th – October 15th - $858.00
30ft - July 15th – October 15th – 960.00
40ft - July 15th – October 15th – 1,300.20

FURTHER, BE IT RESOLVED, this resolution shall be voted and approved nunc pro tunc, based on the July 15th date.

ROLL CALL VOTE:
RESOLUTION – TOWN OF EVANS HIGHWAY DEPARTMENT MACHINE EQUIPMENT OPERATOR (MEO)
HEAVY APPOINTMENT

BE IT RESOLVED, effective August 15, 2020, based on the current collective bargaining agreement and the recommendation of Town of Evans Highway Superintendent Edward Michalski, the Evans Town Board accepts the promotion of Karl VonSchweiger from Machine Equipment Operator (MEO) Light to Machine Equipment Operator (MEO) Heavy; and

FURTHER, BE IT RESOLVED, effective August 15, 2020, the payroll department is directed to increase Mr. VonSchweiger’s hourly rate of pay from $24.11 per hour to $24.81 per hour, in accordance with the currently collective bargaining agreement; and

FURTHER, BE IT RESOLVED, a PO-8 form will be submitted to Erie County Civil Service documenting the above referenced changes, in accordance with Civil Service rules and regulations.
RESOLUTION - RETENTION AND DISPOSITION SCHEDULE FOR NEW YORK LOCAL GOVERNMENT RECORDS

RESOLVED, by the Town Board of the Town of Evans that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

a) Only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;

b) Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.
Submitted by Supervisor Hosler for the August 5, 2020 Evans Town Board meeting:

RESOLUTION – Evans Water System Improvements – Intent to Declare Lead Agency

WHEREAS, the Town of Evans is undertaking a major Water System Improvements Project to address the current lack of adequate water capacity to meet peak demands and provide sufficient fire protection throughout the Town; and

WHEREAS, the Water System Improvements will involve the construction of a new Elevated Water Tank on the site of the former Angola Airport and proposed Erie County Agri-Business Park at 1526 Eden-Evans Center, as well as new Water Mains and Pump Station to be constructed at 1348 Eden-Evans Center Road; and

WHEREAS, the new Elevated Water Tank, Pump Station and Water Mains will provide the Town of Evans with the necessary water storage and firefighting capabilities; and

WHEREAS, the Town is currently working with the Erie County Industrial Development Agency (ECIDA) and the Buffalo and Erie County Industrial Land Development Corporation (ILDC) on acquiring a portion of the property for construction of the Elevated Water Tank and obtaining the necessary easements at 1526 Eden-Evans Center Road; and

WHEREAS, the Town Board has reviewed the Full Environmental Assessment Form Part 1, prepared by the Evans Planning Department for the Water System Improvements Project; and

WHEREAS, the Town Board determines that the Project is classified as an Unlisted Action under the New York State Environmental Quality Review ("SEQR") regulations; and

WHEREAS, the Town Board has also determined that the Project is subject to review and approval by other Involved and Interested Agencies under SEQR; and
WHEREAS, the Town Board has determined that it is the most appropriate agency to oversee the Coordinated Review of the Project.

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

BE IT FURTHER RESOLVED, that the Town of Evans Planning Department is directed to provide notice hereof to the Involved and Interested Agencies, seeking their agreement (or objection thereto) in writing on or before 4:00 PM on Friday, September 4th, 2020; and

BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Department.
RESOLUTION SUBMITTED BY SUPERVISOR MARY HOSLER–
RESCIND TERM LIMITS FOR MEMBERS OF TOWN BOARD AND FORM ADVISORY
COMMITTEE TO STUDY AND MAKE RECOMMENDATIONS

WHEREAS, the Town of Evans continues to face challenging financial and budgetary
issues, and

WHEREAS, the Town Board of the Town of Evans currently is comprised of three (3)
members who must manage the entire workload of business for which the town board is
responsible, and

WHEREAS, the preservation of institutional knowledge helps to conduct the operations
of town government in the Town of Evans in an efficient manner, and avoids burdening
taxpayers with the additional expense of inefficient operations, and

WHEREAS, on July 20, 2011, the Town of Evans adopted a Local Law #4 of 2011,
which became Chapter 43 of the Evans Town Code, entitled Term Limits, limiting the
number of terms that an elected town council member and the Town Supervisor could
serve on the town board, and

NOW, BE IT RESOLVED, that the Town Board of the Town of Evans hereby creates
the Good Governance Committee, which shall be comprised of five (5) members,
including one (1) member of the Town Board, one (1) other town employee and three
(3) other members who are town residents, to study the following issues and report to
the Town Board with recommendations to address such issues:

1. Workload and accountability of town board members.
2. Compensation and benefits of all elected town officials.
3. Term limits for town board members, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Evans hereby
schedules a public hearing on August 19, 2020, at 7:10 p.m. to consider adoption of
Proposed Local Law #6 of 2020, a local law to repeal Local Law #4 of 2011, enacted as
Chapter 43 of the Evans Town Code, entitled Term Limits.

ROLL CALL VOTE: