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<th>Item</th>
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<td>Call the Meeting to Order</td>
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<td>II</td>
<td>Pledge of Allegiance</td>
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<td>III</td>
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| IV   | Approval of the Minutes:  
    July 30, 2019  
    August 7, 2019 |            |
| V    | Communications:  
    Supervisor’s Monthly Report for June 2019  
    1. William Smith, Director of Planning & Community Development  
    Re: Revisions to Town Code, Chapter 193 - Vehicles and Traffic,  
    to address the ongoing issue of motor vehicles using and parking  
    on sidewalks and shared-use paths in the Town of Evans.  
    2. William Smith, Director of Planning & Community Development  
    Re: Special Use Permit - for the operation of a used car lot in a  
    defined area and a 180 sq. ft. office space within the existing  
    building, located at 8555 Southwestern Blvd. (a.k.a. U.S. Route  
    20), Angola, NY, SBL# 221.00-3-16.2. Petitioner: Anthony  
    Martorana, PO Box 25, 1061 Beach Rd., Angola, NY 14006  
    3. William Smith, Director of Planning & Community Development  
    Re: Special Use Permit - for the operation of a dog day care,  
    training and grooming facility to be located at 6777 Erie Road  
    (a.k.a. NYS Route 5) Derby, NY 14047, SBL# 192.20-6-1.1.  
    Petitioner: Catalano Motors/Michael Argentieri, 8327 Erie Rd.,  
    Angola, NY 14006. |            |
<p>| VI   | Privilege of the Floor |            |
| VII  | Public Hearing &amp; Bid Opening |            |
| VIII | Committee &amp; Department Head Reports |            |
| IX   | Town Clerk Reports: |            |</p>
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| X  | 1.) Health Insurance  
2.) Anti-Harassment and Discrimination Policy  
3.) Engineering Services for Marina Breakwall  
4.) Social Media Policy  
5.) Sale of Paper Street South Park Ave, Derby |

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|    | 1.) Comtel Agreement  
2.) Change Broker of Record  
3.) Road Closures  
4.) BENLIC |

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<td>1.) Matthew Shaw - Suncliff - 6892 Lake Shore Road, Derby</td>
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<th>XIV</th>
<th>Adjournment to:</th>
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<td>Wednesday, September 4, 2019 at 6pm for a Work Session and Regular Meeting at 7pm</td>
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**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!  
Subscribe to the Town of Evans Legal Paper:  
[www.Townofevans.org](http://www.Townofevans.org)  
Click Newsletter Signup under the Quick Links and choose (716)366-3000  
Town Board Agenda and Minutes.
Evans Town Board

At a 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  
Michael Schraft  
Mary Hosler  
Councilman  
Councilman  
Supervisor

ALSO PRESENT:  
Lynn Krajacic  
Tom Farley  
Town Clerk  
Town Attorney

RESOLUTION 2019 #324 Enter Executive Session

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS: the Evans Town Board wishes to enter Executive Session, and;

BE IT RESOLVED: that the public shall be excluded from discussion of and action upon hereinafter specified subject matter.

The general nature of the subject matter to be discussed as follows: Employment appointment

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

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft  
Councilman Macko  
Supervisor Hosler  
Aye  
Aye  
Aye

RESOLUTION 2019 #325 Adjournment of Executive Session

Councilman Schraft moved and Councilman Macko seconded,

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko  
Councilman Schraft  
Supervisor Hosler  
Aye  
Aye  
Aye

RESOLUTION 2019 #326 Authorize Supervisor to Make an Offer to Code Enforcement Officer

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS, the Evans Town Board authorized the advertisement of the vacancy for Code Enforcement Officer by resolution;
BE IT RESOLVED, that the Evans Town Board authorizes Supervisor Mary Hosler to make an offer employment to Ronald Milks for the position of Code Enforcement Officer and MS4 Officer with the Town of Evans at a salary of $67,500 yearly, payable bi-weekly, with all relative issues, rules and regulations will be understood to all parties subject to Civil Service Law as a Code Enforcement Officer.

BE IT FURTHER RESOLVED, that it is understood between the Town of Evans and IBEW Local #41 that Mr. Milks salary, vacation, sick time and personal day accruals will be prorated and calculated based on his appointment date with Civil Service.

BE IT FURTHER RESOLVED, that this appointment shall take effect upon Mr. Milks acceptance of the position and proper notification to his current employer, with a minimum two (2) weeks notice.

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

RESOLUTION 2019 #327 Adjournment

Supervisor Hosler moved and Councilman Schraft seconded,

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Macko 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
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:                Councilman
                         Jeanne Macko
                         Michael Schrafft
                         Mary Hosler
                         Councilman
                         Supervisor

ALSO PRESENT:           Town Clerk
                         Lynn M. Krajacic
                         Sean Beiter
                         Bill Smith
                         Doug Czora
                         Mary Holl
                         Counsel to the Town of Evans
                         Director of Planning & Community Dev.
                         Chief of Police
                         Supervisor's Office

RESOLUTION 2019 #324 Approve Minutes

Supervisor Hosler moved and Councilman Macko seconded that the reading of the minutes of the meeting of July 17, 2019 and July 24, 2019 be dispensed with and accepted as submitted by the Town Clerk.

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

Communications

Rezoning of a 0.56± acre parcel zoned Motor Service (MS) to General Business (GB) for the purpose of operating a dog day care, training and grooming facility to be located at 6777 Erie Rd. (a.k.a. NYS Route 5) at the corner of Revere Drive, Derby, NY. SBL# 192.20-6-1.1. Petitioner: Catalano Motors/Michael Argentieri, 8327 Erie Rd., Angola, NY 14006

RESOLUTION 2019 #325 Authorize Town Clerk to Advertise Public Hearing

Supervisor Hosler moved and Councilman Schrafft seconded,

WHEREAS, Catalano Motors has requested that the Town Board of the Town of Evans rezone a 0.56± acre parcel located at 6777 Erie Rd. at the corner of Revere Drive, Derby, NY, SBL #192.20-6-1.1, from Motor Service (MS) to General Business (GB) for the purpose of operating a dog day care training and grooming facility, and

WHEREAS, in a letter dated August 2, 2019, the Evans Planning Office has requested that the Town Board set a public hearing regarding the request of Catalano Motors.
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans authorize the Town Clerk to advertise for a public hearing to be held on September 4, 2019 at 7:10pm for the consideration of said Rezoning request.

AND BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Office.

VOTE RESULT: ADOPTED BY ROLL CALL
Councillman Macko Aye
Councillman Schraft Aye
Supervisor Hosler Aye

Minor Subdivision Review - dividing a 38.55+ acre parcel at 8699 Lake Shore Road, known as SBL# 235.09-5-5.11, to create an 12.85± acre parcel on Lake Shore Road, and a 25.70± acre parcel on Lake Shore Road. Petitioner: Old Lake Shore Development, LLC, 2721 Transit Road, Suite 114, Elma, NY 14059

RESOLUTION 2019 #326 SEQR - Old Lake Shore Development

Councillman Schraft moved and Councillman Macko seconded,

WHEREAS, minor subdivisions are unlisted SEQR actions, and

WHEREAS, the Evans Town Board desires to be the Lead Agency for the SEQR process, and

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

WHEREAS, in a letter dated July 31, 2019, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the

Old Lake Shore Development, LLC 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 of Evans shall be the Lead Agency for the SEQR process for the above mentioned minor subdivision; and

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 Old Lake Shore Development, LLC Minor Subdivision.
(Addendum A SEQR Short Environmental Assessment Form),

a division of SBL# 235.09-5-5.11, dividing a 38.55+ acre parcel to create:

1. a 12.85± acre parcel with 220.84± foot of frontage on Lake Shore Road, and

2. a 25.70± acre parcel with 417.40± foot of frontage on Lake Shore 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 Macko Aye
Councilman Schraft Aye
Supervisor Hosler Aye

RESOLUTION 2019 #327 Approve Minor Subdivision - Old Lake Shore Development

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, 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 Old Lake Shore Development, LLC Minor Subdivision, a division of SBL# 235.09-5-5.11, dividing a 38.55+ acre parcel to create:

1. a 12.85± acre parcel with 220.84± foot of frontage on Lake Shore Road, and

2. a 25.70± acre parcel with 417.40± foot of frontage on Lake Shore 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 Macko Aye
Councilman Schraft 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 August 7, 2019 at 7:10 P.M. at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 to consider the adoption of Proposed Local Law #8 of the year 2019 which will amend Local Law #8 of the year 1987, commonly known as the Zoning Law and any amendments thereto, specifically Town Code Chapter 200: Zoning, Section 200-4(B) - Provision for Official Zoning Map, for the purpose of rezoning a vacant parcel located on Erie Road (SBL#206.07-1-26.1) near the corner of Minuteman Trail, Derby, NY 14047 from General Business (GB) to Multi-Family Residential (MFR-4) on the Town's official map. 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. 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 2019 #328 Open the Public Hearing

Supervisor Hosler moved and Councilman Schraft seconded to open the public hearing.

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

The following spoke at the public hearing:
Neither in Favor or Opposed: Richard Graf
RESOLUTION 2019 #329 Close the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to close the public hearing.

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

RESOLUTION 2019 #330 Lead Agency - Schunk Enterprises LLC

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, Schunk Enterprises LLC has requested the rezone of a 5.14± acre vacant parcel from General Business (GB) to Multi-family (MFR-4) for the purpose of building 4 single-story townhouse buildings and 2 two-story apartment buildings located on Erie Road near the corner of Minuteman Trail, known as SBL# 206.07-1-26.1; and

WHEREAS, the Evans Planning Board unanimously recommended approval of the above-referenced petition for rezone at their July 10, 2019 Planning Board meeting as set forth in Proposed Local Law #8 of the year 2019; and

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

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 #8 of the year 2019;

AND BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Office.

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

RESOLUTION 2019 #331 SEQR - Schunk Enterprises LLC

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, Schunk Enterprises LLC has requested the rezone of a 5.14± acre vacant parcel from General Business (GB) to Multi-family (MFR-4) for the purpose of building 4 single-story townhouse buildings and 2 two-story apartment buildings located on Erie Road near the corner of Minuteman Trail, known as SBL# 206.07-1-26.1; and
WHEREAS, the Evans Planning Board unanimously recommended approval of the above-referenced petition for rezone at their July 10, 2019 Planning Board meeting as set forth in Proposed Local Law #8 of the year 2019; 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 rezoning of this property 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 Schunk Enterprises LLC rezone of a 5.14± acre vacant parcel from General Business (GB) to Multi-family (MFR-4) for the purpose of building 4 single-story townhouse buildings and 2 two-story apartment buildings located on Erie Road near the corner of Minuteman Trail, known as SBL# 206.07-1-26.1.

(Addendum B SEQR Short Environmental Assessment Form).

AND BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Office.

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

RESOLUTION 2019 #332 Adopt Local Law 8

Councilman Macko moved and Councilman Schraft seconded,

WHEREAS, Schunk Enterprises LLC has requested the rezone of a 5.14± acre vacant parcel for the purpose of building 4 single-story townhouse buildings and 2 two-story apartment buildings located on Erie Road near the corner of Minuteman Trail, known as SBL# 206.07-1-26.1, from General Business (GB) to Multi-family (MFR-4); and

WHEREAS, the Town Board of the Town of Evans has held a public hearing on August 7, 2019 for consideration of the Rezone application and caused notice to be given as required by law; and

WHEREAS, notice of the proposed Amendment was duly advertised and notice provided in writing to owners of land immediately adjacent to the land affected by said amendment extending 500 feet therefrom and of that directly opposite thereto extending 500 feet from the street frontage of such opposite land to be rezoned; and
WHEREAS, the Town of Evans Planning Board has recommended the rezoning of said property based on the following reasons:

· The action is consistent with the Town of Evans Comprehensive Plan.

· The project will constitute the use of an underutilized property and provide the opportunity for market-rate housing in the Town.

· The action will not result in any significant adverse impacts, and

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

· Any future development of this parcel to be rezoned is subject to a full site plan application submittal, review and approval by the Planning Board.

· Any landscaping, drainage, parking, lighting, setback, building heights and any other design elements shall follow the requirements of Evans Town Code.

· If the applicant determines during the site plan approval process that the project is no longer feasible, the parcel will be returned to a General Business Zoning District, 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 Proposed Local Law # 8 of the year 2019, as amended, which will amend Local Law #8 of the year 1987, commonly known as the Zoning Law, and any amendments thereto, specifically Town Code Chapter 200: Zoning, Section 200-4(B) - Provision for Official Zoning Map, for the purpose of rezoning the vacant parcel located on Erie Road near the corner of Minuteman Trail, known as SBL# 206.07-1-26.1, from General Business (GB) to Multi-family (MFR-4) on the Town’s official zoning map be adopted as Local law #8 of the year 2019;

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 Macko      Aye
Councilman Schraft    Aye
Supervisor Hosler     Aye
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 7, 2019 at 7:10 P.M. at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 to consider the sale of the south side of South Park, 25' x 120', affixed to 6788 Wellington Drive LLC and 6826 Erie Road, LLC.

Copies of the parcel as indicated on a tax map 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.

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 RMC, Town Clerk

RESOLUTION 2019 #333 Open the Public Hearing

Supervisor Hosler moved and Councilman Schraft seconded to open the public hearing.

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

The following spoke at the public hearing:
Favor: Ed Schneider

RESOLUTION 2019 #334 Close the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to close the public hearing.

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

RESOLUTION 2019 #335 Town Clerk’s Reports

Supervisor Hosler moved and Councilman Macko seconded to accept the reports of the Town Clerk as presented for the month of July 2019:
Town Clerk Report July
Interest for July
Greenspace Fee

$82,280.34
$6.40
$2100.00

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

RESOLUTION 2019 #336 Resignation of Town Attorney

Supervisor Hosler moved and Councilman Macko seconded,

BE IT RESOLVED, that the Evans Town Board hereby accepts the resignation of Town Attorney Thomas Farley, Jr., effective August 2, 2019.

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

RESOLUTION 2019 #337 Abolish the Office of Town Attorney

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS The Town of Evans has had the office of Town Attorney first created by resolution in 1935; and

WHEREAS New York State Town Law requires a town to have a resident serve as Town Attorney so long as the Office of Town Attorney exists; and

WHEREAS New York State Attorney General opinion holds that a Town may not have a non-resident serve as Town Attorney if there is a resident attorney, even if any such resident attorney does not accept the position; and

WHEREAS the Town of Evans can only have a non-resident attorney provide legal services to the town is to abolish the office of Town Attorney;

NOW THEREFORE, BE IT RESOLVED that the Office of Town Attorney for the Town of Evans is hereby abolished; and

BE IT FURTHER RESOLVED that the Town of Evans shall be permitted to have legal services provided to it by Counsel to the Town of Evans.
VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Macko        Aye
Councilman Schraft      Aye
Supervisor Hosler       Aye

RESOLUTION 2019 #338 Appointment of Town Counsel

Councilman Macko moved and Councilman Schraft seconded,

WHEREAS, the Town of Evans has abolished the Office of Town Attorney by resolution at the Town Board Meeting of August 7, 2019; and

WHEREAS, the Town of Evans shall be permitted to have legal services provided to it by Counsel to the Town of Evans;

NOW THEREFORE, BE IT RESOLVED, the Evans Town Board hereby appoints Sean Beiter, Esq. from Goldberg Segalla as Counsel to the Town of Evans at a flat rate of $1000 per week as set forth in the retainer agreement; and

FURTHER BE IT RESOLVED, that Supervisor Mary Hosler is hereby authorized to execute the retainer agreement, which has been reviewed by the Evans Town Board.

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

RESOLUTION 2019 #339 Appointment of Part Time Police Officer

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS, there is an opening for a part-time Police Officer in the Evans Police Department; and

WHEREAS, Vincent Tobia meets the requirements needed to become a part-time police officer; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Vincent Tobia to the position of part-time police officer with the Evans Police Department, effective immediately; and

FURTHER, BE IT RESOLVED, all other relative issues, rules and regulations will be understood to all parties subject to Civil Service Law and the Evans Police Benevolent Association collective bargaining agreement.
VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Macko Aye
Councilman Schraft Aye
Supervisor Hosler Aye

RESOLUTION 2019 #340 Appointment of Interim Stormwater Management Officer

Councilman Macko moved and Councilman Schraft seconded,

BE IT RESOLVED, the Town Board hereby appoints David Johnson from Clark Patterson Lee as the interim Stormwater Management Officer for the Town of Evans.

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

RESOLUTION 2019 #341 Authorize Officer to Instruct the NYS Marine Patrol Vessel Operator Course

Supervisor Hosler moved and Councilman Macko seconded,

RESOLVED, that the Town Board of the Town of Evans approves the request of Chief Douglas Czora for Patrolman Michael Kauzala to instruct, at the request of the N.Y.S. Parks, Recreation and Historic Preservation, the Marine Patrol Vessel Operator Course from September 16, 2019 to September 20, 2019 in Lake George, NY, with lodging and meals to be paid for by the N.Y.S. Parks, Recreation and Historic Preservation.

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

RESOLUTION 2019 #342 Engineering & Architectural Services

Councilman Schraft moved and Supervisor Hosler seconded,

BE IT RESOLVED, the Town of Evans hereby accepts the engineering and architectural services proposal from Clark Patterson Lee for the Senior Center Roofing Project, not to exceed $21,500;

FURTHER BE IT RESOLVED, that Supervisor Mary Hosler is authorized to execute the above referenced proposal agreement, upon review of Counsel for the Town of Evans.
VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Macko Aye
Councilman Schraft Aye
Supervisor Hosler Aye

RESOLUTION 2019 #343 Table Resolution

Supervisor Hosler moved and Councilman Schraft seconded to Table the resolution for Engineering Services for the Sturgeon Point Marina Breakwall Rehabilitation project.

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

RESOLUTION 2019 #344 Penn Power Emergency Generator Agreement Renewal

Councilman Macko moved and Supervisor Hosler seconded,

BE IT RESOLVED, that the Town of Evans enter into an agreement (renewal) with Penn Power Systems for maintenance and inspection of the emergency generator located at 8787 Erie Road from September 1, 2019 to August 31, 2020 in the amount of $778.00 annually, upon the approval of the Counsel to the Town of Evans.

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

RESOLUTION 2019 #345 Table Resolution

Supervisor Hosler moved and Councilman Macko seconded to Table the resolution for the Social Media Policy.

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

RESOLUTION 2019 #346 Approve Request from the Assessor to Attend Training

Supervisor Hosler moved and Councilman Schraft seconded,
WHEREAS; the Assessor Jeneen Hill request permission to attend the New York State Assessors' Association Annual Conference and Assessment Seminar; and

WHEREAS; said annual conference and assessment seminar will be held in Lake Placid, New York from September 22, 2019 to September 25, 2019; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Assessor Jeneen Hill to attend said conference and all appropriate and reasonable expenses shall be paid by the Town and in part reimbursable by New York State Office of Real Property for continuing education.

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

Resolution 2019 #347 Suspend the Rules of Order for Additional Resolutions

Supervisor Hosler moved and Councilman Schraft seconded to Suspend the Rules of Order for consideration of an additional resolution

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

RESOLUTION 2019 #348 BENLIC

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS, in July 2011 in recognition of the growing problem of distressed, vacant, abandoned, and tax-delinquent properties, New York State passed the Land Bank Act, as Article 16 of the New York State Not-for-Profit Corporation Law, which authorizes any Foreclosing Governmental Unit (FGU) to create a land bank to strategically acquire, improve, assemble, and sell these properties; and

WHEREAS, under this law, the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) was formed in May 2012 via an intermunicipal agreement among the county’s four FGUs: Erie County and the Cities of Buffalo, Lackawanna, and Tonawanda; and

WHEREAS, county-wide land banks have proven highly successful in Michigan, Ohio, and other regions experiencing growing numbers of problem properties by supporting municipal and regional revitalization efforts by strategically acquiring, improving, assembling, and selling these properties; and
WHEREAS, BENLIC (the land bank) seeks to work collaboratively with the cities, towns, and villages within Erie County to address the growing problem of distressed, vacant, abandoned, and tax-delinquent properties; and

WHEREAS, the Town of Evans, Erie County, has recognized the need to address the growing issues of distressed, vacant, abandoned, and tax-delinquent properties and is desirous of partnering with BENLIC to address this problem.

NOW, THEREFORE, BE IT

RESOLVED, that Town of Evans hereby officially requests that BENLIC acquire the following property:

139 Rosewood Ave. SBL#250.17-7-3
0 Chestnut Lane SBL# 249.20-2-3
0 Shorecliff Rd. SBL# 249.20-2-37
0 Sturgeon Point Rd SBL# 205.03-1-15.1

; and be it further

RESOLVED, that the Town of Evans has completed the required Standardized Inspector’s Reports and Maintenance, Disposition and Reuse Plans (SIR/MDR plans) each property listed above and has attached the SIR/MDR plans to this resolution; and be it further

RESOLVED, that the Town of Evans agrees to maintain each property selected by BENLIC during the time in which BENLIC holds title to the property; and be it further

RESOLVED, that the Evans Town Board hereby agrees to the terms and conditions of the BENLIC Pay it Forward Policy, adopted October 23, 2015* and that pursuant to section 1610 of the New York Not-for-Profit Corporation Law will remit to BENLIC 50% of the real property taxes collected for a period of five years on all of the parcels identified herein for which, upon disposition of the parcel, net proceeds are negative

139 Rosewood Ave. SBL#250.17-7-3
0 Chestnut Lane SBL# 249.20-2-3
0 Shorecliff Rd. SBL# 249.20-2-37
0 Sturgeon Point Rd SBL# 205.03-1-15.1

; and be it further
RESOLVED, that certified copies of this resolution will be sent to the Executive Director of the Buffalo Erie Niagara Land Improvement Corporation; the Commissioner of the Erie County Department of Environment and Planning; the Director of the City of Buffalo’s Office of Strategic Planning; and the Mayors of the cities of Lackawanna and Tonawanda.

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

**RESOLUTION 2019 #349 Town Licenses**

Supervisor Hosler moved and Councilman Schraft seconded,

RESOLVED, that the aforesaid licenses be granted pertaining to the report of the Chief of Police and the Department of Health where appropriate.

**Licenses**
Highland Hose Volunteer Fire Co. - Live Band Special Event

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

**RESOLUTION 2019 #350 Audit of Bills**

Councilman Macko moved and seconded Supervisor Hosler seconded that all properly audited bills be paid out of their respective accounts.

<table>
<thead>
<tr>
<th>AUDIT OF BILLS</th>
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<tbody>
<tr>
<td>DATE</td>
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<tr>
<td>ABSTRACT NO.</td>
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<td>VOUCHER NO.</td>
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<td>HIGHWAY DB</td>
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<tr>
<td>WATER</td>
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<td>CAPITAL PROJECTS</td>
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</table>
SPECIAL DISTRICTS   $26,215.72
DEBT SERVICE      $0.00
TOTAL             $392,169.24

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

RESOLUTION 2019 #351 Adjournment

Supervisor Hosler and Councilman Schraft moved to adjourn to Wednesday August 21, 2019 at 6pm for a Work Session and 7pm for a Regular Town Board Meeting.

VOTE RESULT:    ADOPTED BY ROLL CALL
Councilman Macko  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
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.

[Signature]

June, 2019
August 16, 2019

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

Re: Revisions to Town Code, Chapter 193 - Vehicles and Traffic, to address the ongoing issue of motor vehicles using and parking on sidewalks and shared-use paths in the Town of Evans.

Dear Town Board:

Pursuant to Town Code, please set a public hearing for the above-referenced request for Revisions to the Town Code, Chapter 193 - Vehicles and Traffic.

Thank you for your attention to this matter. If you have any questions in this regard, please do not hesitate to contact me.

Sincerely,

William B. Smith, Director
Planning and Community Development

cc: Planning Board Members
    Town Attorney
    Code Enforcement Office
Submitted by Supervisor Hosler for the August 21, 2019 Town Board meeting

WHEREAS, in a letter dated August 16, 2019, the Planning Director of the Town of Evans has requested that the Evans Town Board set a public hearing to consider the adoption of Proposed Local Law #10 of 2019 regarding proposed amendments to Town Code Chapter 193, Vehicles and Traffic; and

WHEREAS, the purpose of the revisions is to address the ongoing issue of motor vehicles using and parking on sidewalks and shared-use paths in the Town.

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Evans authorize the Town Clerk to advertise for a public hearing to be held on September 4, 2019 at 7:10pm for the consideration of said Rezoning request.

AND BE IT FURTHER

RESOLVED, that a copy of this resolution be given to the Planning Office.
August 16, 2019

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

Re: Special Use Permit – for the operation of a used car lot in a defined area and a 180 sq. ft. office space within the existing building, located at 8555 Southwestern Blvd. (a.k.a. U.S. Route 20), Angola, NY, SBL# 221.00-3-16.2. Petitioner: Anthony Martorana, PO Box 25, 1061 Beach Rd., Angola, NY 14006

Dear Town Board:

The Town of Evans Planning Board has begun the SEQR and Special Use Permit reviews for the above-referenced project. Please set a public hearing for this Special Use Permit as required by Town Code.

Thank you for your attention to this matter. If you have any questions in this regard, please do not hesitate to contact me.

Sincerely,

William B. Smith, Director  
Planning & Community Development

cc: Town Attorney  
Code Enforcement Officer  
Applicant
Submitted by Supervisor Hosler for the August 16, 2019 Town Board meeting:

WHEREAS, in a letter dated August 16, 2019, the Planning Director has requested that the Town Board set a public hearing regarding the petition of Anthony Martorana for a Special Use Permit for the operation of used car lot in a defined area and a 180 sq. ft. office space within the existing building, located at 8555 Southwestern Blvd. (a.k.a. U.S. Route 20), Angola, NY, SBL# 221.00-3-16.2.

NOW THEREFORE BE IT

RESOLVED, that the Town Board authorize the Town Clerk to advertise for a public hearing to be held on September 18, 2019 at 7:10pm for the consideration of said special use permit, and

BE IT FURTHER

RESOLVED, that this matter be referred to the Planning Board for review and recommendation prior to the public hearing, and

BE IT FURTHER

RESOLVED, that a copy of this resolution be given to the Planning Office and the Code Enforcement Office.
August 16, 2019

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

Re: Special Use Permit – for the operation of a dog day care, training and grooming facility to be located at 6777 Erie Road (a.k.a. NYS Route 5) Derby, NY 14047, SBL# 192.20-6-1.1. Petitioner: Catalano Motors/Michael Argentieri, 8327 Erie Rd., Angola, NY 14006.

Dear Town Board:

The Town of Evans Planning Board has begun the SEQR and Special Use Permit reviews for the above-referenced project. Please set a public hearing for this Special Use Permit as required by Town Code.

Thank you for your attention to this matter. If you have any questions in this regard, please do not hesitate to contact me.

Sincerely,

William B. Smith, Director
Planning & Community Development

cc: Town Attorney
Code Enforcement Officer
Applicant
Submitted by Supervisor Hosler for the August 16, 2019 Town Board meeting:

WHEREAS, in a letter dated August 16, 2019, the Planning Director has requested that the Town Board set a public hearing regarding the petition of Louis Catalano of Catalano Motors for a Special Use Permit for the operation of a dog day care, grooming and training facility to be located at 6777 Erie Road, Angola, NY 14006, SBL# 192.20-6-1.1.

NOW THEREFORE BE IT

RESOLVED, that the Town Board authorize the Town Clerk to advertise for a public hearing to be held on September 18, 2019 at 7:10pm for the consideration of said special use permit, and

BE IT FURTHER

RESOLVED, that this matter be referred to the Planning Board for review and recommendation prior to the public hearing, and

BE IT FURTHER

RESOLVED, that a copy of this resolution be given to the Planning Office and the Code Enforcement Office.
Old Business

1.) Health Insurance
2.) Anti-Harassment and Discrimination Policy
3.) Engineering Services for Marina Breakwall
4.) Social Media Policy
5.) Sale of Paper Street S. Park Ave., Derby
RESOLUTION – Comtel (Telephone) Agreement (Renewal)

BE IT RESOLVED, that the Town of Evans renew and enter into a Maintenance & Service agreement for the Town of Evans telephone system with COMTEL located at 750 Ensminger Road, Suite 100, Tonawanda, New York 14150 for the period of August 1, 2019 to July 31, 2020 in the amount of $2,228.26 per said contract period, which is the New York State OGS pricing.

FURTHER, BE IT RESOLVED, that the Supervisor Hosler is hereby authorized to execute the contract, upon the approval of the Town Attorney.

ROLL CALL VOTE:
RESOLUTION - CHANGE BROKER OF RECORD

BE IT RESOLVED, that Supervisor Mary K. Hosler is hereby authorized to change the designation of the broker of record for our Group Medical, Prescription Drug and Dental programs from The Evans Agency, Inc., to Vanner Insurance, effective immediately and upon the approval of the Counsel to the Town of Evans.

ROLL CALL VOTE:

Councilwoman Macko

Councilman Schraft

Supervisor Hosler
RESOLUTION – ROAD CLOSURE

WHEREAS, the residents of Iroquois, Mohawk, Tuscarora, Seneca, Mergenhagen roads desire to have a neighborhood block party on September 1, 2019; and

WHEREAS, the public safety responsibility for those people enjoying the celebration, those people residing in this celebration area, and the people who will transverse this area, are a responsibility that is best served through the following road closures;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby authorizes the closing of Mohawk, from Mergenhagen to Iroquois, for the purpose of providing public safety to all participants, residents, and traffic beginning at 12:00 p.m. on September 1, 2019 and re-opening at 7:00 p.m. in addition to all other public safety measures as set forth under the Code of the Town of Evans; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to publish this resolution in The Observer, the official paper of the Town of Evans, and post on the Town’s website; and

BE IT FURTHER RESOLVED, that the above referenced roads shall be closed for pedestrian traffic, and no tents or other items shall be located in the roadways in order to maintain access for emergency vehicles; and

BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Police Department, Highway Department, and Town Clerk’s Office.

ROLL CALL VOTE:

Councilman Macko

Councilman Schraft

Supervisor Hosler
A RESOLUTION SUBMITTED

WHEREAS, in July 2011 in recognition of the growing problem of distressed, vacant, abandoned, and tax-delinquent properties, New York State passed the Land Bank Act, as Article 16 of the New York State Not-for-Profit Corporation Law, which authorizes any Foreclosing Governmental Unit (FGU) to create a land bank to strategically acquire, improve, assemble, and sell these properties; and

WHEREAS, under this law, the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) was formed in May 2012 via an intermunicipal agreement among the county’s four FGUs: Erie County and the Cities of Buffalo, Lackawanna, and Tonawanda; and

WHEREAS, county-wide land banks have proven highly successful in Michigan, Ohio, and other regions experiencing growing numbers of problem properties by supporting municipal and regional revitalization efforts by strategically acquiring, improving, assembling, and selling these properties; and

WHEREAS, BENLIC (the land bank) seeks to work collaboratively with the cities, towns, and villages within Erie County to address the growing problem of distressed, vacant, abandoned, and tax-delinquent properties; and

WHEREAS, the Town of Evans, Erie County, has recognized the need to address the growing issues of distressed, vacant, abandoned, and tax-delinquent properties and is desirous of partnering with BENLIC to address this problem.

NOW, THEREFORE, BE IT

RESOLVED, that Town of Evans hereby officially requests that BENLIC acquire the following property:

9579 Lake Shore Road, SBL# 250.09-3-1.11

; and be it further

RESOLVED, that the Town of Evans has completed the required Standardized Inspector’s Reports and Maintenance, Disposition and Reuse Plans (SIR/MDR plans) each property listed above and has attached the SIR/MDR plans to this resolution; and be it further

RESOLVED, that the Town of Evans agrees to maintain each property selected by BENLIC during the time in which BENLIC holds title to the property; and be it further

RESOLVED, that the Evans Town Board hereby agrees to the terms and conditions of the BENLIC Pay it Forward Policy, adopted October 23, 2015* and that pursuant to section 1610 of the New York Not-for-Profit Corporation Law will remit to BENLIC 50% of the real
property taxes collected for a period of five years on all of the parcels identified herein for
which, upon disposition of the parcel, net proceeds are negative

9579 Lake Shore Road, SBL# 250.09-3-1.11
; and be it further

RESOLVED, that certified copies of this resolution will be sent to the Executive Director
of the Buffalo Erie Niagara Land Improvement Corporation; the Commissioner of the Erie
County Department of Environment and Planning; the Director of the City of Buffalo’s Office of
Strategic Planning; and the Mayors of the cities of Lackawanna and Tonawanda.