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

PRESENT:	John Wilson	Councilman
	Laurie Reitz	Councilman
	Steve Paluch	Councilman
	Jonica DiMartino	Councilman
	Raymond Ashton	Supervisor
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Brittanylee Penberthy	Town Attorney

RESOLUTION 2026 #195 Accept Minutes
Councilman Wilson moved and Councilman DiMartino seconded that the reading of the May 6, 2026 Town Board Meeting minutes be dispensed with and accepted as submitted by the Town Clerk.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Wilson	Aye
Councilman Reitz	Aye
Councilman Paluch	Aye
Councilman DiMartino	Aye
Supervisor Ashton	Aye

Supervisor Ashton reported that the Supervisor's November 2025 & December 2025 Monthly Reports have been made to the Town Board and a copy was filed with the Town Clerk's Office.

PUBLIC HEARING

NOTICE OF PUBLIC HEARING re SPEED LIMIT CODE CHANGE FOR SWEETLAND ROAD

PLEASE TAKE NOTICE that pursuant to Evans Town Code, the provisions of the Town Law and Municipal Home Rule of the State of New York, the Town Board of the Town of Evans, Erie County, New York will hold a Public Hearing on May 20, 2026 at 6:05 pm in the Court Room of the Evans Municipal Center (located at 8787 Erie Road, Angola, NY 14006), to hear any and all persons either for or against a local law amending Chapter 193-36 (Schedule II: Speed Limits) with regard to a speed reduction for Sweetland Road, from 50 MPH to 40 MPH.

Summary of Proposed Law:--

This addition is intended to amend the code to better delineate the speed limit now for Sweetland Road.

RESOLUTION 2026 #196 Open the Public Hearing
Councilman DiMartino moved and Supervisor Ashton seconded to open the public hearing.

Nobody spoke either in favor or opposed for the public hearing.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #197 Close the Public Hearing
Supervisor Ashton moved and Councilman DiMartino seconded to close the public hearing.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #198 Amend Resolution 2025 -#412 2026 Fee Schedule
Councilman Paluch moved and Councilman Reitz seconded,

WHEREAS, the Town of Evans approved the fee schedules for the 2026 year per Resolution #2025-412; and

WHEREAS, some of those fees have been updated pursuant to the Boarding/Veterinary fees for 2026;

NOW, THEREFORE, BE IT RESOLVED, effective immediately, the Town of Evans 2026 Fee Schedule will be amended and approved as follows;

Boarding $45.00/per calendar day
Sick Dog Exam $80.00
Well Dog Exam $65.00
Flea and Tick Treatment (Credellio Quattro) $50.00
Rabies Vaccination $35.00
Kennel Cough Vaccination $60.00
Distemper Vaccination $50.00

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #199 Approval of Electrical Inspectors for the Town of Evans
Councilman Wilson moved and Councilman Reitz seconded,

WHEREAS; the Town of Evans Building Department does not inspect electrical work performed by contractors; and

WHEREAS; Jim Bevilacqua, Mike Garguiolo, Greg Gilbert, Joe Prybylski and John Russillio of Commonwealth Electrical Inspection Service, LLC have submitted all required documentation to assist with any and all electrical permits in the Town of Evans;

NOW, THEREFORE, BE IT RESOLVED; that Jim Bevilacqua, Mike Garguiolo, Greg Gilbert, Joe Prybylski and John Russillio of Commonwealth Electrical Inspection Service, LLC may perform electrical inspections conforming to the National Electric Code and NYS Building Codes for the Town of Evans; and

FURTHER, BE IT RESOLVED, that all documents are subject to review and approval of the Town of Evans Town Attorney.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Wilson	Aye
Councilman Reitz	Aye
Councilman Paluch	Aye
Councilman DiMartino	Aye
Supervisor Ashton	Aye

RESOLUTION 2026 #200 Acceptance of Funds from FEMA Hazard Mitigation Program - Lake Shore Bridge over Muddy Creek)

Supervisor Ashton moved and Councilman DiMartino seconded,

WHEREAS, the Lake Shore Road Bridge over Muddy Creek has been identified in multiple studies as possibly contributing to regular upstream flooding issues and limiting other ongoing flood mitigation efforts; and

WHEREAS, the Town Board desires to apply for FEMA Building Resilient Infrastructure and Communities to evaluate potential flood mitigation options and design alternatives related to the Lake Shore Road Bridge over Muddy Creek in the Town of Evans; and

WHEREAS, the Town will continue to coordinate the proposed project with Erie County as the owners of the Lake Shore Road Bridge;

NOW, THEREFORE, BE IT RESOLVED, that Ray Ashton, as Supervisor of the Town of Evans, is hereby authorized and directed to accept funds from the FEMA Hazard Mitigation Grant Program in an amount not to exceed $187,500 for identifying Flood Mitigation Measures on the Lake Shore Road Bridge over Muddy Creek; and

BE IT FURTHER RESOLVED, that upon approval of the application for financial assistance that the Town make available $62,500 in matching funds to satisfy the requirements of the funding program; and

BE IT FURTHER RESOLVED, that Supervisor Ashton is authorized to file an application to the FEMA Hazard Mitigation Grant Program with a total project not to exceed $250,000; and

BE IT FURTHER RESOLVED, that upon approval of said funding request, Supervisor Ashton is hereby authorized to execute a project agreement with FEMA and sign all related documents.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Wilson	Aye
Councilman Reitz	Aye
Councilman Paluch	Aye
Councilman DiMartino	Aye
Supervisor Ashton	Aye

RESOLUTION 2026 #201 Authorizing 284 Agreement – Highway Funds

Councilman DiMartino moved and Councilman Wison seconded,

WHEREAS, the Town Board and the Superintendent of Highways are required by Highway Law Section 284 to enter into a written agreement stating the places ad manner in which the Highway Fund appropriations for repairs and improvements are to be expended: and

WHEREAS, in conjunction with the estimate submitted by the Highway Superintendent, the Highway Superintendent has submitted a proposed Highway Law Section 284 agreement to spend Town Highway Funds; and

WHEREAS, the Highway Superintendent has prepared an agreement to spend Town Highway Funds for the fiscal year commencing January 1, 2026, for general repairs and primary work, and permanent improvements subject to limitations set by NYS Capital Highway Improvement Program (CHIPS) funding; NOW, BE IT RESOLVED, that the Town Board hereby approves said agreement to spend Town Highway Funds therefore, the Town Supervisor and Town Board Members are authorized and directed to execute said agreement as required by law in substantially the same form as annexed hereto.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Wilson	Aye
Councilman Reitz	Aye
Councilman Paluch	Aye
Councilman DiMartino	Aye
Supervisor Ashton	Aye

RESOLUTION 2026 #202 Authorizing Transfer of Funds to Town of Evans Local Development Corporation

Councilman Reitz moved and Councilman DiMartino seconded,

WHEREAS, the Town Board of the Town of Evans has determined that economic development, revitalization, business retention, and redevelopment activities serve a valid public purpose; and

WHEREAS, the Town of Evans Local Development Corporation (the "LDC") is a duly formed local development corporation organized pursuant to Section 1411 of the New York Not-for-Profit Corporation Law for the purpose of promoting and assisting economic development within the Town; and

WHEREAS, the Town Board desires to provide financial assistance to the LDC for the purpose of supporting initial organizational, administrative, and operational startup costs associated with the establishment and commencement of the LDC's activities; and

WHEREAS, the Town Board has determined that the expenditure of said funds constitutes a proper municipal purpose and is in the best interests of the residents of the Town;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the transfer of funds in an amount not to exceed $10,000 to the Town of Evans LDC for the purpose of funding initial costs necessary for the commencement of the LDC's activities; and will be expensed to

Account A1950.100.00 – Contingent

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to execute any agreements or documents necessary to effectuate said transfer and ensure the use of funds for authorized public purposes; and

BE IT FURTHER RESOLVED, that the Finance Department is hereby authorized and directed to make such budgetary transfers and disbursements as may be necessary to carry out this Resolution.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Abstain
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Abstain

RESOLUTION 2026 #203 Award Bid-Evans Shoreline Water Main Replacement Project
Councilman Paluch moved and Councilman Reitz seconded,

WHEREAS; the Evans Town Board authorized the Town Clerk to advertise for bids for the Evans Shoreline Water Main Replacement Project per resolution #2026-158; and

WHEREAS; bids were received and opened on May 12, 2026 at 2:00pm., in accordance with the Notice to Bidders previously authorized; and

WHEREAS; four (4) bids were submitted with the lowest responsible and sound bid submitted by New Frontier Excavating & Paving, Inc., located at 7003 Brown Hill Road, Boston, NY 14025; and

WHEREAS; the Town and C&S Companies, the Town of Evans Engineering firm, has reviewed and discussed the bid from New Frontier Excavating & Paving, Inc., and have confirmed the company's understanding of the requirements of this project and their capability of performing the work required; and

WHEREAS; the bid for the project submitted by New Frontier Excavating & Paving was $2,464,987.66;

NOW, THEREFORE, BE IT RESOLVED; that the Evans Town Board authorizes the award of the contract for the Evans Shoreline Water Main Replacement Project to New Frontier Excavating & Paving, Inc. located at 7003 Brown Hill Road, Boston, NY 14025; and

BE IT FURTHER RESOLVED; that the Supervisor is authorized to execute any necessary contract documents regarding said bid award upon the approval of the Town Attorney.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye

Councilman Paluch	Aye
Councilman DiMartino	Aye
Supervisor Ashton	Aye

RESOLUTION 2026 #204 Part Time Seasonal Laborer Appointment – Highway Department
Councilman Wilson moved and Councilman Reitz seconded,

BE IT RESOLVED, effective Monday, June 1, 2026, the following individual to be appointed to a Part Time Seasonal Laborer position for the Town of Evans Highway Department, for up to a five (5) month period (October 1, 2026), working up to 39.5 hours per week, at the hourly rate indicated below:

NAME SALARY
Nick Cirocco $17.55 per hour; and

FURTHER, BE IT RESOLVED, the Town Clerk will give a copy of this resolution to Human Resources and the Superintendent of Highways.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Wilson	Aye
Councilman Reitz	Aye
Councilman Paluch	Aye
Councilman DiMartino	Aye
Supervisor Ashton	Aye

RESOLUTION 2026 #205 Establishment of a 30 MPH Speed Limit on Town Highways
Supervisor Ashton moved and Councilman Wilson seconded,

WHEREAS, pursuant to New York Vehicle and Traffic Law § 1622, the New York State Department of Transportation, upon the request of the County Superintendent of Highways and the Town Board of the affected town, may establish speed limits on county roads and town highways located outside of cities and villages; and

WHEREAS, the Town Board of the Town of Evans recognizes its continuing responsibility to protect the health, safety, and welfare of residents, motorists, bicyclists, and pedestrians traveling within the Town; and

WHEREAS, the Town Board has determined that establishing a uniform speed limit of thirty (30) miles per hour on certain Town highways, unless otherwise posted, would promote traffic safety, improve consistency with existing posted speed limits in surrounding areas, and reduce confusion among motorists; and

WHEREAS, the proposed Town-wide speed limit of thirty (30) miles per hour is intended to apply except in areas where higher speed limits have already been lawfully established and posted, as set forth in Town Code § 193-3;
NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby formally requests, pursuant to New York Vehicle and Traffic Law § 1622, that the Erie County Commissioner of Public Works/Highway Superintendent and the New York State Department of Transportation establish a

speed limit of thirty (30) miles per hour on applicable Town highways within the Town of Evans, unless otherwise posted; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to transmit a certified copy of this Resolution to the Erie County Commissioner of Public Works/Highway Superintendent and any other agency or official necessary to effectuate the purposes of this Resolution.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #206 Local Law #3 of 2026 – Speed Limit – Wisconsin Rd
Councilman DiMartino moved and Councilman Wilson seconded,

WHEREAS, the Town Board of the Town of Evans is considering amending Town Code § 193-36, relating to the speed limit of Sweetland Road in the Town of Evans, reducing the speed from 50 MPH to 40 MPH to better reflect the decision of the Town Board on speed reduction on or about October 8, 2025; and

WHEREAS, the Town recognizes its responsibility to promote the safety and welfare of its residents and all who travel within the Town; and

WHEREAS, the Town seeks amend the Town Code to better delineate the speed limit now for Sweetland Road; and

WHEREAS, this proposed Code amendment is the product of prior discussions and a resolution relating to the need to reduce speed on Sweetland Road; and

WHEREAS, the proposed amendment clarifies the speed limit that now exists for Sweetland Road; and

WHEREAS, a duly scheduled public hearing was set for May 20, 2026, in order to amend the existing code by Local Law; and

WHEREAS, the Town Board of the Town of Evans held a public hearing with respect to the amendments and adoption of said Local Law on May 20, 2026 at 6:05 PM, at which time and place all persons were heard relative to this Code amendment; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans finds that the proposed Local Law No. 3 amending Chapter 193-36 (titled “Schedule II: Speed Limits”) of the Code of the Town of Evans be and hereby is adopted; and

BE IT FURTHER RESOLVED, that Local Law No. 3 of 2026 shall take effect twenty (20) days after filing with the Secretary of State of the State of New York, and

BE IT ENACTED by the Town Board of the Town of Evans as follows:

SECTION 1. Amendment Chapter 193-36 (titled Scheule II: Speed Limits") of the Evans Town Code is hereby amended to add the underlined words and delete those struck through as follows:

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #207 Approve Town Licenses

Councilman Wilson moved and Councilman DiMartino seconded,

1.) Gordon Sheffer d/b/a Fattie G's Pizzeria, LLC – Refreshment

RESOLVED, that the aforesaid licenses be granted pertaining to the report of the Chief of Police and the Code Enforcement Officer.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #208 Audit of Bills

Councilman DiMartino moved and Councilman Reitz seconded the properly audited bills be paid out of their respective accounts:

AUDIT OF BILLS

DATE	5/21/2026
ABSTRACT NO.	10
VOUCHER NO.	19016-19135
CHECK NUMBERS	91231-91324
APPROVED AT	Board Meeting
DATE	5/20/2026
GENERAL	$79,220.05
PART TOWN	$26,363.34
HIGHWAY DB	$20,227.36
WATER	$610.85
CAPITAL PROJECTS	$26,750.00
SPECIAL DISTRICTS	$7,650.00
TOTAL	**$160,821.60**

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #209 Adjournment

Supervisor Ashton moved and Councilman Reitz seconded to adjourn to Wednesday, June 3, 2026 at 6:00pm for a Work Session and the Regular Meeting to follow.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	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
Town Clerk