Meeting #18 Wednesday September 2, 2026
Regular _X_ Special _____

AGENDA

Evans Town Board, Evans Town Hall, 8787 Erie Road, Angola, New York
www.townofevansny.gov

Item	Description	Disp.
I	Call the Meeting to Order	
II	Pledge of Allegiance	
III	Roll Call	
IV	Approval of the Minutes: August 19, 2026 Regular Town Board Meeting Minutes	
V	Communications: 30 Day Period for Inclusion of Predominantly Viable Agricultural Lands into Existing Agricultural Districts	
VI	Public Hearing & Bid Opening:	
VII	Committee & Department Head Reports:	
VIII	Town Clerk's Reports:	
IX	Old Business:	
X	Privilege of the Floor:	
XI	Resolutions: 1.) Amend Resolution 2026-294 Advertise for Bids - Extend Due Date To Accept Bids 2.) Appointment of Full Time Laborer - Parks Department 3.) Approval of Agreement between Town of Evans and SPCA serving Erie County 4.) Authorize Code Enforcement Officer to Attend WSTBOA Conference 5.) Standard Work Day 6.) Appointment of Full Time Provisional Dispatcher - Zimmerman 7.) Appointment of Full Time Provisional Dispatcher - Setzer	
XII	Licenses: 1.) My Cousin Vinny's (Refreshment)	
XIII	Audit of Bills:	
XIV	Adjournment to: Wednesday September 16, 2026 at 6:00pm for the Work Session and Regular Meeting immediately to follow.	

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: http://www.observertoday.com/store/ (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:	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 #285 Accept Minutes

Supervisor Ashton moved and Councilman Reitz seconded that the reading of the August 5, 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

HEARING FOR UNSAFE STRUCTURE

RESOLUTION 2026 #286 Open the Hearing

Councilman Wilson moved and Supervisor Ashton seconded to open the hearing.

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

Elizabeth Franklin spoke regarding the code violations at 6828 Schuyler Drive, Derby NY 14047 and received a 30 day notice to pull a permit and update Code Enforcement weekly.

RESOLUTION 2026 #287 Close the 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 #288 Enter Executive Session

Councilman Reitz moved and Councilman Wilsons 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 history of a particular Individual.

NOW THEREFORE BE IT RESOLVED: Highway Superintendent Jack Fritz and Town Attorney Brittanylee Penberthy are invited to attend the Evans Town Board Executive Session.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #289 Appointment of Court Clerk - Judge Glascott

Councilman Paluch moved and Councilman Reitz,

RESOLVED, effective Monday, August 10, 2026, the Town Board of the Town of Evans does hereby accept Town Justice Glascott's appointment of Katie Cooper as Clerk to Town Justice Glascott, for the remainder of the 2026 year, with salary and benefits as set forth in the IBEW #41 collective bargaining agreement; and

FURTHER, BE IT RESOLVED, a copy of this resolution be given to the HR/Payroll Department.

FURTHER, BE IT RESOLVED, this resolution is considered nunc pro tunc.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #290 SEQR Lead Agency - Minor Subdivision - Pearce
Councilman Wilson moved and Councilman Reitz seconded,

WHEREAS, Clark and Jessica Pierce have applied for a Minor Subdivision application brought before the Town Board for approval to subdivide a 1.472 ± acre parcel to create 2 parcels, and

WHEREAS, minor subdivisions are unlisted SEQR actions, and

WHEREAS, the Town Board of the Town of Evans 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, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Pierce Minor Subdivision, and

WHEREAS, it has been determined that the subdivision of this property will not result in any significant environmental impacts regarding the SEQR process.

NOW THEREFORE BE IT RESOLVED, that the Town of Evans shall be Lead Agency for the SEQR process for the above mentioned minor subdivision; and

RESOLVED, that the Town Board of the Town of Evans considers the findings of the Town of Evans Minor Subdivision Review Committee and issues a SEQR negative declaration for the Pierce Minor Subdivision.

a division of SBL# 250.08-1-39.111, dividing a 1.472± acre parcel to create two parcels:

1. a 0.664± acre parcel with 260.06± feet of frontage on Laurel Terrace, and
2. a 0.808± acre parcel with 274.94± feet of frontage on Laurel Ter.

Petitioners: Clark and Jessica Pierce, 574 Laurel Ter., Angola, NY 14006

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

RESOLUTION 2026 #291 Approval of Minor Subdivision - Pearce
Supervisor Ashton moved and Councilman DiMartino seconded,

WHEREAS, the proposed subdivisions were referred to the Erie County Department of Environment and Planning for a 239M Review as required; the stated proposed actions have been reviewed and determined to be of local concern, and

WHEREAS, the Town of Evans Minor Subdivision Review Committee has completed a review and recommended approval upon the conditions that all names on the new parcel deeds must match with existing parcels for annexation, and

WHEREAS, the Evans Town Board, as Lead Agency, issued a negative declaration regarding the SEQR process.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby considers the findings of the Town of Evans Minor Subdivision Review Committee and approves the Clark and Jessica Pierce Minor Subdivision,

a division of SBL# 250.08-1-39.111, dividing a 1.472± acre parcel to create two parcels:

1. a 0.664± acre parcel with 260.06± feet of frontage on Laurel Terrace, and
2. a 0.808± acre parcel with 274.94± feet of frontage on Laurel Ter.

Petitioners: Clark and Jessica Pierce, 574 Laurel Ter., Angola, NY 14006

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

RESOLUTION 2026 #292 Approval of Assessor to Attend NYS Assessor's Association Annual Conference & Training
Councilman DiMartino moved and Councilman Reitz seconded,

WHEREAS, Town of Evans Assessor Jeneen Hill has requested permission to attend the New York State Assessors' Association Annual Conference and Training Seminar; and

WHEREAS, said annual conference will be held at the Windrose on the Hudson in Ossining, New York from September 28, 2026 through October 1, 2026; and

WHEREAS, the Town Board recognizes that Assessor Hill is required to complete 12 hours of continuing education annually, and values the importance of researching and improving assessment techniques, advocating for legislative proposals relating to assessing and taxation,

and cooperating with other agencies to improve tax administration throughout New York State; and

WHEREAS, Assessor Hill was awarded a scholarship from the John Way-John Costello Educational Memorial Fund to attend this seminar, resulting in zero cost to the Town of Evans;

Now, therefore, be it resolved; that the Town Board of the Town of Evans hereby grants permission to Assessor Jeneen Hill to attend the New York State Assessors' Association Annual Conference and Training Seminar.

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

RESOLUTION 2026 #293 Advertise for Bids - Evans Town Park Pavillion

Councilman Reitz moved and Councilman DiMartino seconded,

WHEREAS, the Evans Planning and Development Department (working with Fisher Associates) is hereby authorized to prepare an invitation to bid for the Evans Town Park Pavilion Project; and

WHEREAS, the specifications for the invitation to bid shall be available at the Evans Town Clerk's Office, 8787 Erie Road, Angola, NY 14006, beginning Wednesday, September 9th, 2026 as well as on the Town of Evans website.

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

BE IT FURTHER RESOLVED, that the bids are due to the Evans Town Clerk's Office, 8787 Erie Road, Angola, New York, by 2:00 p.m. (local time) on Wednesday, September 30th, 2026, at which time the bids will be publicly opened and read aloud, as amended.

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

RESOLUTION 2026 #294 Advertise for Bids - South Creek Park/John K Thompson Pool House Project

Councilman Paluch moved and Supervisor Ashton seconded,

WHEREAS, the Evans Planning and Development Department (working with Fisher Associates) is hereby authorized to prepare an invitation to bid for the South Creek Park/John K Thompson Pool House Project; and

WHEREAS, the specifications for the invitation to bid shall be available at the Evans Town Clerk's Office, 8787 Erie Road, Angola, NY 14006, beginning Wednesday, August 26th, 2026 as well as on the Town of Evans website.

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

BE IT FURTHER RESOLVED, that the bids are due to the Evans Town Clerk's Office, 8787 Erie Road, Angola, New York, by 2:00 p.m. (local time) on Wednesday, September 16th, 2026, at which time the bids will be publicly opened and read aloud, as amended.

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

RESOLUTION 2026 #295 Award Bid - 3 Year Demolition

Councilman Wilson moved and Councilman DiMartino seconded,

WHEREAS, per resolution 2026-277 the Evans Town Code Section 74, Unsafe Buildings; and

WHEREAS, the Evans Town Board authorized the Town Clerk to advertise for bids for the 3 year demolition projects; and

WHEREAS, bids were received and publicly opened on August 14, 2026 at 2:00pm in accordance with the Notice to Bidders previously authorized; and

WHEREAS, the lowest responsible bid of $134,800 was submitted by Geiter Done of WNY, 300 Greene Street, Buffalo, NY 14206; and

WHEREAS, the Town of Evans Code Enforcement Officer and Town Engineers have reviewed the proposal from Geiter Done of WNY;

NOW, THEREFORE, BE IT RESOLVED, that the aforementioned bid by Geiter Done WNY, 300 Greene St, Buffalo, NY 14206 for the 3 year demolition contract be and hereby is accepted by the Town of Evans Town Board; and

BE IT FURTHER RESOLVED, that Supervisor Ray Ashton is authorized to execute the bid award and/or contract documents for such 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 #296 Budget Transfer - Highway

Supervisor Ashton moved and Councilman Reitz seconded,

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

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Evans hereby authorizes the Director of Finance to make the following budget transfer:

Transfer From:
DB.05130.0101 Machinery Full Time Hourly $50,000.00

Transfer To:
DB.00917.0000.00 Unassigned Fund Balance $50,000.00

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

RESOLUTION 2026 #297 NYS LETECH Grant Application Approval for Police Department

Councilman Reitz moved and Councilman DiMartino seconded,

WHEREAS, the Town of Evans Police Department seeks to enhance public safety through technology advancements; and

WHEREAS, New York State, through the Division of Criminal Justices Services has released the Law Enforcement Technology (LETech) Grant Program (Request for Applications (RFA); and

WHEREAS, this grant is a reimbursement grant award up to $125,000 through Quarterly Fiscal Reporting and claims for payment;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Town of Evans Police Department to submit an application to the NYS Law Enforcement Technology (LETech) 2026-2027; and

FURTHER BE IT RESOLVED, that the Town Board hereby approves and commits the required Town contribution up to $125,000 with full reimbursement from NYS Division of Criminal Justice Services; and

FURTHER BE IT RESOLVED, that the Chief of Police of the Town of Evans Police Department is hereby authorized to prepare, execute, and submit the New York State LETech grant application and any related application materials, certifications, assurances, budget documents, and supporting documentation necessary for submission.

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

RESOLUTION 2026 #298 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	8/20/2026
ABSTRACT NO.	16
VOUCHER NO.	19672-19759
CHECK NUMBERS	91780-91859
APPROVED AT	Board Meeting
DATE	8/19/2026
GENERAL	$72,374.93
PART TOWN	$1,453.69
HIGHWAY DB	$385,649.23
WATER	$4,184.56
CAPITAL PROJECTS	$0.00
SPECIAL DISTRICTS	$1,109.00
TOTAL	$464,771.41

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #299 Adjournment

Supervisor Ashton moved and Councilman Reitz seconded to adjourn to Wednesday, September 2, 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

DRAFT

Res 1

Resolution – Amend Resolution #2026-294- Advertise for Bids - South Creek Park/John K Thompson Pool House Project (Extend Due Date to Accept Bids)

WHEREAS, the Evans Planning and Development Department (working with Fisher Associates) is hereby authorized to prepare an invitation to bid for the South Creek Park/John K Thompson Pool House Project; and

WHEREAS, the specifications for the invitation to bid shall be available at the Evans Town Clerk's Office, 8787 Erie Road, Angola, NY 14006, beginning Wednesday, August 26th, 2026 as well as on the Town of Evans website.

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

BE IT FURTHER RESOLVED, that the bids are due to the Evans Town Clerk's Office, 8787 Erie Road, Angola, New York, by 2:00 p.m. (local time) on Wednesday, September 23rd, 2026, at which time the bids will be publicly opened and read aloud.

ROLL CALL VOTE:

Res 2

Resolution – Appointment of Full Time Laborer (Parks Department)

WHEREAS; there is a vacant position at the Town of Evans Parks Department for a full-time Laborer B Worker; and

WHEREAS; Brandon Notarnicola is currently working as a part-time seasonal laborer and has the applicable experience;

NOW, THEREFORE, BE IT RESOLVED; effective Thursday, September 3, 2026 the Evans Town Board hereby approves the appointment of Brandon Notarnicola to the position of full-time Laborer B Worker; and

FURTHER, BE IT RESOLVED; all other relative issues, rules and regulations will be understood to all parties subject to Civil Service Law and SEIU Local 200 United collective bargaining agreement; and

FURTHER, BE IT RESOLVED, the Town Clerk will give a copy of this resolution to HR and the Parks Department.

ROLL CALL VOTE:

Res 3

RESOLUTION – APPROVAL OF AGREEMENT BETWEEN THE TOWN OF EVANS AND THE SPCA SERVING ERIE COUNTY

WHEREAS, the agreement between the Town of Evans and the SPCA Serving Erie County will expire on September 30, 2026; and

WHEREAS, the Town desires to enter into a new agreement with the SPCA Serving Erie County, for the term covering October 1, 2026 through September 30, 2027;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans authorizes Supervisor Ray Ashton to execute the Agreement between the Town of Evans and SPCA Serving Erie County, upon the approval of the Town Attorney.

ROLL CALL VOTE:

Res 4

RESOLUTION - AUTHORIZE ASSISTANT CODE ENFORCEMENT OFFICER TO ATTEND THE WESTERN SOUTHERN TIER BUILDING OFFICIALS ASSOCIATION CONFERENCE (WSTBOA)

WHEREAS; Assistant Code Enforcement Officer Adam Czyz requests permission to attend the Western Southern Tier Building Officials Association Conference; and

WHEREAS; said annual conference will be held in the Chautauqua Harbor Hotel, Celeron, New York from Wednesday, September 16, 2026 to Friday, September 18, 2026;

NOW, THEREFORE, BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Assistant Code Enforcement Officer Adam Czyz, to attend said conference and all appropriate and reasonable expenses shall be paid by the Town, per Town policy.

ROLL CALL VOTE:

Res 5

NEW YORK STATE STANDARD WORK DAYS AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS

BE IT RESOLVED, that the Town Board of the Town of Evans establishes the following as Standard Work Days for Elected and Appointed Officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body (see below):

Title	Standard Work Day	Name	Current Term Begin/End Date	ROA Results	Not Submitted
(Elected Officials)					
Councilwoman	6	DiMartino, Jonica	01/01/2026 – 12/31/2028	14.56	
Councilman	6	Paluch, Stephen	01/01/2026 – 12/31/2028	1.40	
Councilman	6	Wilson, John	01/01/2024 – 12/31/2027	8.06	
Town Clerk	6	Krajacic, Lynn	01/01/2026 – 12/31/2029	32.89	
Town Justice	6	Cooper, Moira	01/01/2023 – 12/31/2026	3.78	
Town Justice	6	Glascott, Dennis	01/01/2025 – 12/31/2028	2.23	
(Appointed Officials)					
Town Assessor	6	Hill, Jeneen	10/01/2025 – 09/30/2031	30.74	
Town Prosecutor	6	Farrell, Jennifer	01/01/2026 – 12/31/2026	3.67	
Town Attorney	6	Penberthy, Brittanylee	01/01/2026 – 12/31/2027	3.33	
Town Prosecutor	6	Penberthy, Brittanylee	01/01/2026 – 12/31/2026	.57	
Deputy Town Attorney	6	Osuna, Endell	01/01/2026 – 12/31/2026		X
Secretary to Supervisor	6	O'Meara Nowak, Mary	01/01/2026 – 12/31/2026	33.93	

ROLL CALL VOTE:

Res 6

RESOLUTION – APPOINTMENT OF FULL-TIME "PROVISIONAL" DISPATCHER – ZIMMERMAN

Submitted for the September 2, 2026 Board Meeting

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

WHEREAS, the Town of Evans Police Department has canvassed the Erie County Civil Service Public Safety Dispatcher list and per civil service law can hire "provisionally"; and

WHEREAS, Nicole Zimmerman has successfully interviewed, passed all portions of the Town of Evans Police Department background and meets the requirements to participate in the next Erie County Public Safety Dispatcher Civil Service test;

NOW, THEREFOR, BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Nicole Zimmerman, effective September 16, 2026, to the position of Full Time Police Dispatcher "Provisional" with the Evans Police Department; and

FURTHER, BE IT RESOLVED, all other relative issues, rules and regulations will be understood by all parties subject to Civil Service Law and the U.A.W Local 55 collective bargaining agreement.

ROLL CALL VOTE:

Authorized by _____

Chief of Police

Res 7

RESOLUTION – APPOINTMENT OF FULL-TIME "PROVISIONAL" DISPATCHER - SETZER

Submitted for the September 2, 2026 Board Meeting

WHEREAS; at the recommendation of the Chief of Police, the Town Board of the Town of Evans seeks to hire a full-time Public Safety Dispatcher to decrease overtime expenditures and cover annual UAW Accruals; and

WHEREAS; the Town of Evans Police Department has canvassed the Erie County Civil Service Public Safety Dispatcher list and per civil service law can hire "provisionally"; and

WHEREAS; Kirsten Setzer has successfully interviewed, passed all portions of the Town of Evans Police Department background and meets the requirements to participate in the next Erie County Public Safety Dispatcher Civil Service test;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Kirsten Setzer, effective September 16, 2026, to the position of Full time Police dispatcher "Provisional" with the Evans Police Department; and

FURTHER, BE IT RESOLVED, all other relative issues, rules and regulations will be understood by all parties subject to Civil Service Law and the U.A.W Local 55 collective bargaining agreement.

ROLL CALL VOTE:

Authorized by _____

Chief of Police