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 (VIA Zoom)
	Raymond Ashton	Supervisor
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Brittanylee Penberthy	Town Attorney

RESOLUTION 2026 #66 Accept Minutes

Supervisor Ashton moved and Councilman Reitz seconded that the reading of the January 7, 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

Communications

Supervisor Ashton reported that the Supervisor's Monthly Reports for August, September, and October 2026 have been made to the Town Board and a copy was filed with the Town Clerk's Office.

RESOLUTION 2026 #67 NYS Association of Town Delegate & Alternate Designation

Councilman Paluch moved and Councilman Reitz seconded,

WHEREAS, the Town of Evans is a member of the NYS Association of Towns; and

WHEREAS, the Association of Towns will hold their 2026 Annual Meeting & Training School from February 15-17, 2026; and

WHEREAS, the Annual Business Session will be held during the above referenced week; and

WHEREAS, pursuant to Section 6 of Article III of the Constitution and Bylaws of the NYS Association of Towns, the Town shall designate a Delegate and Alternate;
NOW, THEREFORE, BE IT RESOLVED, that Town of Evans Supervisor Ray Ashton has been designated Delegate and Councilman John Wilson has been designated as Alternate for voting purposes; and

FURTHER, BE IT RESOLVED, a copy of this resolution be given to the Town Clerk and sent to the Association of Towns of the State of New York.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #68 Appointment of Full Time Clerk – Code Enforcement
Councilman Wilson moved and Councilman DiMartino seconded,

WHEREAS; a vacancy exists for a full time Clerk in the Building Department; and

WHEREAS; Brandon Gregoire interviewed and accepted the position; and

WHEREAS; Brandon Gregoire has passed his Civil Service Exam;

NOW, THEREFORE, BE IT RESOLVED; that Brandon Gregoire is hereby hired as the Clerk for the Town of Evans Building Department, effective January 26, 2026, at an annual salary of $46,461.06 and all terms and conditions of the IBEW Local #41 current collective bargaining agreement; and

FURTHER, BE IT RESOLVED, all relative issues rules and regulations will be understood to all parties subject to Civil Service Law and the IBEW Local #41 collective bargaining agreement; and

FURTHER, BE IT RESOLVED, a copy of this resolution will be given to Finance and HR.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #69 Appointment of Climate Smart Coordinator
Supervisor Ashton moved and Councilman Wilson seconded,

BE IT RESOLVED, that effective immediately, Alex Kane, is hereby appointed as the Climate Smart Coordinator for the Town of Evans; and

FURTHER, BE IT RESOLVED, a copy of this resolution be sent to Erin Hanaburgh, Associate Planner at the University at Buffalo Regional Institute at 77 Goodell Street, Suite 302, Buffalo, NY 14203.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #70 Appointment of Full Time Truck Driver - Highway

Councilman Reitz moved and Supervisor Ashton seconded,

WHEREAS; there is a vacant position at the Town of Evans Highway Department for a full-time truck driver; and

WHEREAS; Joseph Viapiano has a valid CDL Class A license; and

WHEREAS; Joseph Viapiano has extensive verifiable and directly applicable experience, totaling more than three (3) years;

NOW, THEREFORE, BE IT RESOLVED; effective Monday January 26, 2026, the Evans Town Board hereby approves the appointment of Joseph Viapiano to the position of full-time truck driver; and

FURTHER, BE IT RESOLVED; effective Monday, January 26, 2026 the payroll department is directed to start Joseph Viapiano's rate of pay at 2026 full truck driver rate of $29.03 per hour, in accordance with the current CSEA Local 815 collective bargaining agreement (Article 2.1); and

FURTHER, BE IT RESOLVED; that all requirements pursuant to NYS DOT rules and regulations regarding CDL licensing for the above referenced employee is current and in compliance; and

FURTHER, BE IT RESOLVED; all other relative issues, rules and regulations will be understood to all parties subject to Civil Service Law and CSEA Local 815 collective bargaining agreement; and

FURTHER, BE IT RESOLVED, the Town Clerk will give a copy of this resolution to HR 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 #71 Appointment of Town of Evans Planning Board Chairman

Councilman Paluch moved and Councilman Reitz seconded,

WHEREAS, there is a vacancy of the Chairperson for the Evans Planning Board; and

WHEREAS, Lori Szewczyk has the background, skills, and knowledge needed to be the Chairperson of the Evans Planning Board, having served diligently on the Planning Board for many years; and

WHEREAS, the members of the Planning Board have recommended the appointment of Lori Szewczyk to fill the position;

NOW, THEREFORE, BE IT RESOLVED, that the Evans Town Board hereby appoints Lori Szewczyk to the position of Chairperson to the Evans Planning Board.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #72 Enter into Agreement – HVAC System Software – Stark Tech

Councilman Wilson moved and Councilman Reitz seconded,

BE IT RESOLVED, that the Town of Evans enter into a HVAC (Heating, Ventilating and Air Conditioning) Preventative and System Software Maintenance and Support agreement for the Municipal Building located at 8787 Erie Road, Angola, New York 14006 with Stark Tech Operating Company, LLC located at 95 Stark Street, Tonawanda, New York 14150 for the period of January 1, 2026 to December 31, 2028 in the amounts of $6,600 for 2026, $6,600 for 2027 and $6,600 for 2028, payable semi-annually; and

FURTHER, BE IT RESOLVED, that the Supervisor is hereby authorized to execute the above referenced contract, upon the review and approval of the Town Attorney; and

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 #73 Approve IBEW #41 Collective Bargaining Agreement

Supervisor Ashton moved and Councilman Wilson seconded,

WHEREAS, the collective bargaining agreement between the Town of Evans and the International Brotherhood of Electrical Workers Local #41(hereinafter "IBEW") expired on December 31, 2025; and

WHEREAS, the Town of Evans and IBEW have negotiated a proposed collective bargaining agreement for the period of January 1, 2026 through December 31, 2028; and

WHEREAS, the Evans Town Board has reviewed and discussed the proposed collective bargaining agreement packet;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Evans hereby approves the proposed collective bargaining agreement with IBEW for the period of January 1, 2026 through December 31, 2028; and

FURTHER BE IT RESOLVED, that Supervisor Ray Ashton is hereby authorized to execute the collective bargaining agreement between IBEW and the Town of Evans, on behalf of the Town of Evans.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #74 Authorization to Attend Newly Elected Officials Training

Councilman Reitz moved and Supervisor Ashton seconded,

WHEREAS; Councilwoman DiMartino hereby requests permission to attend the New York Association of Town's Newly Elected Officials 2026 Training School; and

WHEREAS; said conference will be held in Corning, New York on January 21-23, 2026; and

WHEREAS; conference registration and hotel reservations are required in advance to secure attendance;

NOW, THEREFORE, BE IT RESOLVED; the Town Board of the Town of Evans grants permission to Councilwoman Jonica DiMartino, to attend said conference and all appropriate and reasonable expenses shall be paid by the Town, per Town policy; and

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	Abstain
Supervisor Ashton	Aye

RESOLUTION 2026 #75 Promotional Appointment of Highway Truck Driver to Mechanic
Councilman Paluch moved and Councilman Reitz seconded,

WHEREAS, The Evans Highway Department has a vacant Mechanic A position for the 2026 budget year; and

WHEREAS, Michael Sciarrino holds the fabrication experience, air brake certifications, and other necessary knowledge and experience that relates to the position of Mechanic A, making him the most qualified candidate of interest within the CSEA Evans Highway Unit for the indicated position;

THEREFORE, BE IT RESOLVED, effective January 26, 2026, based on the current collective bargaining agreement and the recommendation of the Town of Evans Highway Superintendent Jack Fritz, the Evans Town Board approves the promotion of Michael Sciarrino from Truck Driver to Mechanic A; and

FURTHER, BE IT RESOLVED, effective January 26, 2026, in accordance with the CSEA collective bargaining agreement, Mr. Sciarrino will begin a 6-month probationary period, which will need to be completed before this promotion becomes officially permanent; and

FURTHER, BE IT RESOLVED, effective January 26, 2026, the payroll department is directed to increase Mr. Sciarrino's hourly rate to $31.66 in accordance with the collective bargaining agreement.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #76 Settlement of Claims
Councilman Wilson moved and Councilman Reitz seconded,

WHEREAS, at times the Town is subject to litigation concerning contract disputes; and

WHEREAS, settlements of contract disputes can occur despite the Town expressly deny any liability or wrongdoing, but often in consideration of the anticipated cost of defense; and

WHEREAS, pursuant to Town Law §68, a proposed settlement agreement resolving the pending litigation of certain retired members of the Town was recommended by counsel for the Town and reviewed by the Town Board; and

WHEREAS, the Board has determined that entering into this settlement agreement would be in the best financial and operational interest of the Town and its residents.

NOW THEREFORE BE IT RESOLVED, that the Town Board does hereby accept the proposed settlement agreement and agrees to be bound by the terms contained therein; and

BE IT FURTHER RESOLVED, that the Attorney and Town Supervisor is hereby authorized to finalize the settlement agreement on behalf of the Town and do and/or cause to be done any action(s) necessary to comply with the terms of said agreement; and be it

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

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

RESOLUTION 2026 #77 Suspend the Rules of Order
Supervisor Ashton moved and Councilman Reitz seconded to suspend the rules of order for the consideration of four additional resolutions

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

RESOLUTION 2026 #78 Declare Lead Agency SEQR - Hahn
Supervisor Ashton moved and Councilman Paluch seconded,

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 Joshua Hahn 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 Hahn Minor Subdivision,

a division of SBL# 250.12-8-40.11, dividing a 0.23± acre parcel to create two parcels:

1. a 0.1± acre portion to be annexed to an adjacent parcel with 100± feet of frontage on Bidwell Street, known as SBL# 250.12-8-39.1, to form a 0.38± acre parcel.

2. a 0.22± acre parcel with 100.0± feet of frontage on Dawn Ave.

Petitioner: Joshua Hahn, 9632 Bidwell Street Angola, NY 14006

AND BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning and Code Enforcement Offices.

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

RESOLUTION 2026 #79 Approval of Minor Subdivision - Hahn
Councilman Reitz moved and Councilman Wilson seconded,

WHEREAS, the proposed subdivisions were referred to the Erie County Department of Environment and Planning for a 239M Review as required; they stated the 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 the existing garage is removed from its current placement, 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 Joshua Hahn Minor Subdivision,

a division of SBL# 250.12-8-40.11, dividing a 0.23± acre parcel to create two parcels:

1. a 0.1± acre portion to be annexed to an adjacent parcel with 100± feet of frontage on Bidwell Street, known as SBL# 250.12-8-39.1, to form a 0.38± acre parcel.

2. a 0.22± acre parcel with 100.0± feet of frontage on Dawn Ave.

Petitioner: Joshua Hahn, 9632 Bidwell Street Angola, NY 14006

AND BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning and Code Enforcement Offices.

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

RESOLUTION 2026 #80 Declare Lead Agency SEQR – 6788 Wellington Drive LLC
Councilman Paluch moved and Councilman DiMartino seconded,

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 6788 Wellington Drive LLC 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 6788 Wellington Drive LLC Minor Subdivision,

a division of SBL# 192.20-7-1.12, dividing a 1.40± acre parcel to create two parcels:

1. a 0.65± acre parcel with 248.68± feet of frontage on Hamilton Dr., and
2. a 1.08± acre parcel with 250.0± feet of frontage on Wellington Dr.,

Petitioner: Gene Wachala – 6788 Wellington Drive LLC, 6824 Erie Rd., Derby, NY 14047

AND BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning and Code Enforcement Offices.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #81 Approval of Minow Subdivision – 6788 Wellington Drive LLC
Councilman Wilson moved and Councilman Reitz seconded,

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 6788 Wellington Drive LLC 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 6788 Wellington Drive LLC Minor Subdivision,

a division of SBL# 192.20-7-1.12, dividing a 1.40± acre parcel to create two parcels:

1. a 0.65± acre parcel with 248.68± feet of frontage on Hamilton Dr., and
2. a 1.08± acre parcel with 250.0± feet of frontage on Wellington Dr.,

Petitioner: Gene Wachala – 6788 Wellington Drive LLC, 6824 Erie Rd., Derby, NY 14047

AND BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning and Code Enforcement Offices.

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

RESOLUTION 2026 #82 Audit of Bills

Supervisor Ashton moved and Councilman Wilson seconded;

	AUDIT OF BILLS
DATE	1/22/2026
ABSTRACT NO.	2
VOUCHER NO.	18176-18250
CHECK NUMBERS	90527-90588
APPROVED AT	Board Meeting
DATE	1/22/2026
GENERAL	$169,249.32

PART TOWN	$4,127.06
HIGHWAY DB	$31,975.05
WATER	$3,700.52
CAPITAL PROJECTS	$0.00
SPECIAL DISTRICTS	$0.00
TOTAL	**$209,051.95**

AUDIT OF BILLS

DATE	1/22/2026
ABSTRACT NO.	25
VOUCHER NO.	18155-18247
CHECK NUMBERS	90495-90520
APPROVED AT	Board Meeting
DATE	1/22/2026
GENERAL	$20,758.48
PART TOWN	$2,009.92
HIGHWAY DB	$18,929.28
WATER	$0.00
CAPITAL PROJECTS	$0.00
SPECIAL DISTRICTS	$710.00
TOTAL	**$42,407.68**

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #83 Adjournment

Supervisor Ashton moved and Councilman Reitz seconded to adjourn to Wednesday, February 4, 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