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 (Zoom)
	Steve Paluch	Councilman
	Jonica DiMartino	Councilman
	Raymond Ashton	Supervisor
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Brittanylee Penberthy	Town Attorney

RESOLUTION 2026 #121 Accept Minutes

Supervisor Ashton moved and Councilman DiMartino seconded that the reading of the March 4, 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

PUBLIC HEARING

TOWN OF EVANS
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Evans on March 18, 2026, at 6:10 P.M. in the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 to consider the following: Amending Chapter 200 of the Evans Town Code, entitled "Zoning." Specifically, Section 17 of Chapter 200, entitled "Provisions applicable to all residential districts," will be amended to include "Keeping of Chickens in Residential Districts." The full text of said local law shall be available for inspection at the Evans Town Hall during normal business hours (Monday, Tuesday, Thursday, Friday 8:00 a.m.-4:00 p.m.; Wednesday 9:00 a.m-5:00 p.m.) and on the Town of Evans website: www.townofevansny.gov. Click on Legal Notices and Bids under the Document Center. Residents are encouraged to attend. Questions and comments may also be forwarded via USPS to the Evans Planning Office at 8787 Erie Road, Angola, NY 14006 or by email to planning@townofevans.org: any written questions or comments forwarded to the Planning Department will be included in the record of the Public Hearing. All interested parties and citizens shall have an opportunity to be heard by the Town Board at the Zoom and/or In-Person Public Hearing to be held aforesaid.

Lynn M. Krajacic

Town Clerk
Town of Evans

RESOLUTION 2026 #122 Open the Public Hearing
Councilman Wilson moved and Supervisor Ashton seconded to open the public hearing.

The following spoke in favor or opposition:
Megan Mills Hoffman – Opposition
Rebecca Kruska – Opposition
Stasia Vogel – Opposition
Patrick Zydel - Favor

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

RESOLUTION 2026 #123 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

PUBLIC HEARING

TOWN OF EVANS
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Evans on March 18, 2026, at 6:10 P.M. in the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 to consider the following: Amending Chapter 200 of the Evans Town Code entitled "Zoning," specifically Section 17 I of Chapter 200 entitled "Provisions applicable to all residential districts: Permitted locations for parcels abutting navigable waterways." The full text of said local law shall be available for inspection at the Evans Town Hall during normal business hours (Monday, Tuesday, Thursday, Friday 8:00 a.m.-4:00 p.m.; Wednesday 9:00 a.m-5:00 p.m.) and on the Town of Evans website: www.townofevansny.gov. Click on Legal Notices and Bids under the Document Center.

Residents are encouraged to attend. Questions and comments may also be forwarded via USPS to the Evans Planning Office at 8787 Erie Road, Angola, NY 14006 or by email to

planning@townofevans.org: any written questions or comments forwarded to the Planning Department will be included in the record of the Public Hearing. All interested parties and citizens shall have an opportunity to be heard by the Town Board at the Zoom and/or In-Person Public Hearing to be held aforesaid.

Lynn M. Krajacic
Town Clerk
Town of Evans

RESOLUTION 2026 #124 Open the Public Hearing
Supervisor Ashton moved and Councilman DiMartino seconded to open the public hearing.

The following spoke in favor or opposition:
Rebecca Kruska – Opposition
Stasia Vogel – Opposition
Patrick Zydel – Neither in Favor or Opposition

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

RESOLUTION 2026 #125 Close the Public Hearing
Supervisor Ashton moved and Councilman Wilson 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 #126 Town Clerk's Reports
Supervisor Ashton moved and Councilman DiMartino seconded to accept the reports of the Town Clerk as presented for the month of February 2026:

Town Clerk Report	$131,019.04
Interest	$4.01
Greenspace Fee	$2,800.00
Petty Cash	$650.00

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #127 Adopt Proposed Local Law #1 of 2026 – Chickens

Councilman Paluch moved and Councilman Wilson seconded,

WHEREAS, the Town Board of the Evans is considering amending Town Code § 200-17 to include a new provision entitled "Keeping of Chickens in Residential Districts," which would permit the limited keeping of chickens in residential zoning districts within the Town; and

WHEREAS, the Town Board recognizes that small-scale backyard poultry keeping has become increasingly common in residential communities as a means of promoting local food production, sustainability, and household self-sufficiency; and

WHEREAS, the Town Board believes that establishing clear standards and regulations governing the keeping of chickens in residential districts will provide guidance to residents, reduce uncertainty in enforcement of the Town Code, and ensure that such activity is conducted in a manner that minimizes potential nuisances such as noise, odor, and improper animal care; and

WHEREAS, the Town Board further finds that allowing the keeping of chickens under properly defined conditions can promote responsible animal husbandry, support residents interested in sustainable food practices, and remain compatible with the residential character of neighborhoods within the Town; and

WHEREAS, the Planning Board of the Town of Evans has reviewed the proposed amendment and its recommendation from the Evans Code Review Committee, and has thereafter recommended the adoption of Local Law #1 of the Year 2026; and

WHEREAS, a duly scheduled public hearing was set for March 18, 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 March 18, 2026 at 6:10 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. 1 of 2026 amending Chapter 200-17 of the Code of the Town of Evans (new section - "Keeping of Chickens in Residential Districts") be and hereby is adopted; and

BE IT FURTHER RESOLVED, that Local Law No. 1 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. Supplementing Chapter 200-17 (hereinafter a new subsection within Chapter 200-17 titled "Keeping of Chickens in Residential Districts"), of the Evans Town Code is hereby amended to add the underlined words and delete those struck through as follows:

200-17(new subsection) Keeping of Chickens in Residential Districts. A. Permitting.

A permit from the Town of Evans Building Department may be granted for any person desiring to harbor, house, keep, maintain, or care for poultry of the female gender not to exceed six in number, provided the following conditions exist:

(1) All pens, coops, or any other spaces or areas of confinement for the poultry cannot be nearer than 15 feet from any lot line and 10 feet from any structure.
(2) A diagram, sketch, or rendering of the intended confinement structure must be provided to the Code Enforcement Office.
(3) Chicken must be contained in an enclosure at all times and are not allowed to run freely.
(4) All coops, confinements or enclosures are prohibited to be located in the front yard of such property.
(5) No odor shall be detectable at the property line.
(6) Feed must be stored in secure containers, unsecured excess feed shall not be allowed. Scattering of food on the ground is prohibited.
(7) There shall be no outdoor slaughtering of chickens.
(8) Proper disposal of waste in municipal garbage or closed-compost is a requirement.
(9) Subject to any other regulations by the County, State, DEC, and any other Town regulations.
B. Definitions. As used in this section, the following terms shall have the meanings indicated:

COOP
A small enclosure for housing poultry that must be durable and provide proper ventilation for the animals.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #128 Adopt Proposed Local Law #2 0f 2026 Permitting Locations for Parcels abutting Navigable Waterways
Councilman Wilson moved and Councilman DiMartino seconded,

WHEREAS, the Town Board of the Evans is considering amending Town Code § 200-17(I), titled “Permitted locations for parcels abutting navigable waterways,” for the purpose of better preserving viewsheds along navigable waterways in residential zoning districts within the Town; and

WHEREAS, the Town has identified concerns that certain fences, structures, and improvements constructed on parcels abutting navigable waterways may obstruct viewsheds enjoyed by neighboring properties and the surrounding waterfront area; and

WHEREAS, the Evans Code Review Committee has reviewed these concerns and recommended an amendment to Section 200-17(I) of the Town Code addressing the permitted locations and heights of fences and similar structures on residential parcels abutting navigable waterways; and

WHEREAS, the Planning Board of the Town of Evans has reviewed the proposed amendment to Section 200-17(I) of the Town Code addressing the permitted locations and heights of fences and similar structures on residential parcels abutting navigable waterways and its recommendation from the Evans Code Review Committee, and has thereafter recommended the adoption of Local Law #2 of the Year 2026; and

WHEREAS, a duly scheduled public hearing was set for March 18, 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 March 18, 2026 at 6:10 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. 2 of 2026 amending Chapter 200-17(I) of the Code of the Town of Evans (“Permitted locations for parcels abutting navigable”) be and hereby is adopted; and

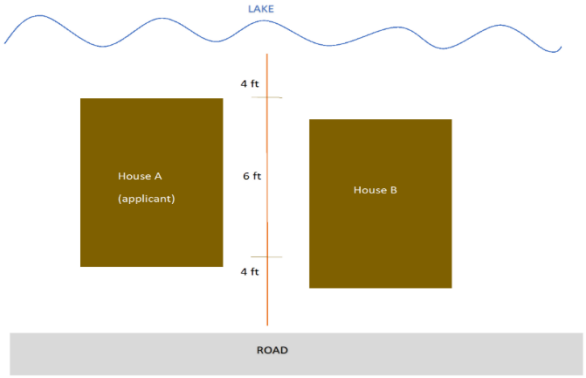
BE IT FURTHER RESOLVED, that Local Law No. 2 of 2026 shall take effect twenty (20) days after filing with the Secretary of State of the State of New York, and

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

SECTION 1. Amending Chapter 200-17(I) (“Permitted locations for parcels abutting navigable”), of the Evans Town Code is hereby amended to add the underlined words and delete those struck through as follows:

200-17(I) Permitted locations for parcels abutting navigable waterway. ~~Parcels abutting a navigable waterway which is coincident with the rear lot line may build the principal or auxiliary structure to within 10 feet of the rear line regardless of the district requirements. This provision shall be permitted only if the parcels on either side of the subject parcel are vacant or the parcels are of such size or configuration that the placement of a new structure will not unduly obstruct the view toward the navigable waterway from the adjacent principal structures.~~ ~~Fences which~~

~~obstruct the view from the principal structure shall not be permitted on a line with the rear building lines of adjacent principal structures~~. Any principal or auxiliary structure constructed on a parcel abutting a navigable waterway that coincides with the rear lot line of that parcel shall not unduly obstruct the view toward the navigable waterway from any neighboring principal structure located on abutting parcels. Fences or any artificially constructed barrier of natural or manufactured material, including a living fence, that extends past the rear building line of the principal structure must not exceed 4 feet in height. Location and installation of structure and fences in these areas must receive all permitting approval from DEC, State, Local and other applicable jurisdictions.



VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #129 Appointment of Part Time Crossing Guard - Police

Supervisor Ashton moved and Councilman DiMartino seconded,

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

WHEREAS, the Town of Evans Town Board recognizes the importance of protecting school children and pedestrians traveling to and from the Highland Elementary School; and

WHEREAS, the Chief of Police has recommended the appointment of Kenneth Saccomando to the position of crossing guard;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Kenneth Saccomando, effective immediately, to the position of part time crossing guard

with the Evans Police Department; at an hourly rate set forth in the 2026 reorganizational resolution; and

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

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #130 SEQR Lead Agency – Commercial Street - Regency Builders

Councilman DiMartino moved and Councilman Wilson seconded,

WHEREAS, the Town Board has reviewed Part 1 of the SEQR Full Environmental Assessment Form prepared by Regency Builders, LLC and GPI Engineering ("the Applicant") for the proposed construction of the Commercial Street Subdivision ("the Project") located at 0 Commercial Street, Angola, NY 14006 (SBL: 235.00-3-26.2); and

WHEREAS, the Project includes the proposed cluster development of fifty-two (52) single-family residential lots, including construction of a new public street with all necessary infrastructure and utilities, located on 25.9± acres within the Residential Two-Family (R-2) zoning district; and

WHEREAS, the Project is also subject to the full site plan review and recommendation of the Planning Board prior to Town Board review and approval; and

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

WHEREAS, the Town Board also determines that the Project is subject to review and approval by other involved and interested agencies under SEQR; and

WHEREAS, the Town Board determines that it is the most appropriate agency to oversee the coordinated review of the Project, and will provide written notification to involved and interested agencies, for the purpose of making a determination of significance under SEQR regulations.

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

BE IT FURTHER RESOLVED, that the Town of Evans Planning Department is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing on or before 4:00 PM on Tuesday, April 21, 2026.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #131 SEQR Lead Agency – Sager

Councilman Paluch moved and Supervisor Ashton 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 Gary Sager Minor Subdivision, and

WHEREAS, it has been determined that the subdivision of these properties 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 subdivisions; 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 Sager Minor Subdivision.

a division of SBL# 221.00-4-36, dividing a 56.17± acre parcel to create two parcels:

1. a 2.0± acre parcel to be annexed to the parcel 1398 Eden Evans Rd., SBL# 221.00-4-37 with 208.71± feet of frontage on Eden Evans Center Rd., and

2. a 54.17± acre parcel with 616.29± feet of frontage on Eden Evans Center Rd.

Petitioner: Gary Sager, 1418 Eden Evans Center Rd., 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 #132 Approval of Minor Subdivision - Sager
Councilman Wilson moved and Supervisor Ashton 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 proposed subdivision was also referred to the Erie County Agriculture and Farmland Protection Board for review of the Agricultural Data Statement in which no comment was offered, and

WHEREAS, notification was mailed to all addresses occurring on property within an agricultural district containing a farm operation, or on property within 500 feet of an active farm operation with no comments being received, and

WHEREAS, the Town of Evans Minor Subdivision Review Committee has completed a review and recommended approval, 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 Gary Sager Minor Subdivision,

a division of SBL# 221.00-4-36, dividing a 56.17± acre parcel to create two parcels:

1. a 2.0± acre parcel to be annexed to the parcel 1398 Eden Evans Rd., SBL# 221.00-4-37 with 208.71± feet of frontage on Eden Evans Center Rd., and

2. a 54.17± acre parcel with 616.29± feet of frontage on Eden Evans Center Rd.

Petitioner: Gary Sager, 1418 Eden Evans Center Rd., 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 #133 Approve Board Up & Inground Pool Closing
Supervisor Ashton moved and Councilman Wilson seconded,

WHEREAS; The Town of Evans Code Enforcement Office requires assistance with property maintenance for board ups during the period from April 1, 2026 to March 31, 2027; and

WHEREAS; the town sets fees for said services based on materials and labor; and

WHEREAS; the following fees are as follow;

Board Up of Opening	
Labor	
Per Half - Man Hour	**$25.00**
Per Man Hour	**$45.00**
1 sheet of 1/2 inch CDX Plywood, painted with all necessary accessories	**$80.00**
(framing per discretionary of the building inspector)	
Install Padlock and Latches Labor & Material	
1 Padlock and Latches	**$40.00**
Emergency Board-up (ie. fire) that requires immediate response and	
Close Up of In-Ground Pool	
Labor	
Per-Half Man Hour	**$25.00**
Per Man Hour	**$45.00**
1/2 inch COX plywood, painted with all necessary accessories	**$80.00 per sheet**

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Evans does hereby authorize and approve the aforementioned fees during the period from April 1, 2026 to March 31, 2027.

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

RESOLUTION 2026 #133 Approval of Property Maintenance Fees – Grass Cutting
Councilman DiMartino moved and Councilman Paluch seconded,

WHEREAS; the Town of Evans Code Enforcement Office requires assistance with property maintenance for grass cutting during the period from April 1, 2026 to March 31, 2027 ; and

WHEREAS; the town sets fees for said services based on square footage; and

WHEREAS; the following fees are as follows;

GRASS CUTTING	
Lot size	
Up to 8,000 sq ft	**$85.00**
Up to 11,000 sq ft	**$100.00**
Up to 15,000 sg ft	**$130.00**
Up to 22,000 sq ft	**$150.00**

NOW, THEREFORE, BE IT RESOLVED; the Town Board of the Town of Evans does hereby authorize and approve the aforementioned fees during the period from April 1, 2026 to March 31, 2027.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #134 Advertise for Property Maintenance Services 2026

Councilman Paluch moved and Councilman Wilson seconded,

WHEREAS; the Town of Evans Code Enforcement Office determines from time to time that certain properties are not in compliance with local and/or state laws, ordinances, codes, and regulations regarding the lack of upkeep of said properties; and

WHEREAS; certain work is needed on such properties (i.e. seasonal clean-up, grass cutting, board-up, etc.) when the owners of such properties fail to bring them into compliance with local and/or state laws, ordinances, codes and regulations;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Evans hereby establishes payment rates for such work for various properties in the Town of Evans for the calendar year 2026, as set forth by the Town Board; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to advertise for proposals in the Dunkirk Observer and on the Town of Evans website (townofevansny.gov) for interested parties for such property maintenance services for the calendar year 2026.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #135 Advertise RFP 2026 Emergency Tree Removal Services
Councilman Wilson moved and Supervisor Ashton seconded,

WHEREAS, the Town of Evans is issuing a Request for Proposals (RFP) for the 2026 Emergency Tree Removal Services for the purpose of removing Town owned trees from Town property and completing stump grinding afterwards; and

WHEREAS, a full copy of the Request for Proposal shall be available by emailing the Town of Evans Building Department at jflading@townofevans.org;

RESOLVED, the Evans Town Board shall authorize the Town Clerk to advertise a Request for Proposal regarding the above reference project; and

BE IT FURTHER RESOLVED, that sealed proposals are due to the Town of Evans Town's Clerk Office at 8787 Erie Road, Angola, NY 14006 by 2:00 p.m. (local time) on Friday, April 10, 2026, at which time the sealed proposals will be opened.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #136 Formation of Town of Evans Local Development Corporation LDC
Supervisor Ashton moved and Councilman DiMartino seconded,

WHEREAS, it is the policy of the State of New York to promote the economic welfare and prosperity of its inhabitants and to actively promote, attract, encourage and develop economically sound commerce and industry; and

WHEREAS, the Town of Evans, New York (the "Town") is tasked with the responsibility and burden to promote the health, safety and general welfare of the residents of the Town by, among other, things preventing unemployment and economic deterioration including by increasing and maintaining employment opportunities and attracting and sustaining economically sound commerce; and

WHEREAS, it is essential for the Town to support the operations and activities of both for-profit and not-for-profit entities and corporations within the Town in furtherance of job creation, private investment and economic growth for residents of the Town; and

WHEREAS, in furtherance of the public purposes set forth above, the Town wishes to form the Town of Evans Local Development Corporation (the "Corporation"), a local development corporation authorized under Section 1411 of the New York State Not For Profit Corporation Law (the "NFPCL"); and

WHEREAS, a proposed certificate of incorporation (the "Certificate of Incorporation") has been prepared for review by the Town Board and a copy of such proposed Certificate of Incorporation is attached hereto as Exhibit A; whereby the Corporation's sole member shall be the Town, acting by and through the Town Board; and

WHEREAS, in furtherance of the public purposes set forth above, the Town desires to establish the Corporation to undertake the purposes and powers authorized pursuant to the Certificate of Incorporation and the NFPCL, including, but not limited to, the following actions: (i) to construct, acquire, rehabilitate and improve for use by others industrial or manufacturing plants in the territory in which its operations are principally to be conducted, (ii) to assist financially in such construction, acquisition, rehabilitation and improvement, to maintain such plants for others in such territory, (iii) to disseminate information and furnish advice, technical assistance and liaison with federal, state and local authorities with respect thereto, (iv) to acquire by purchase, lease, gift, bequest, devise or otherwise real or personal property or interests therein, (v) to borrow money and to issue negotiable bonds, notes and other obligations therefor, and (vi) to sell, lease, mortgage or otherwise dispose of or encumber any such plants or any of its real or personal property or any interest therein upon such terms as it may determine to be suitable; and

WHEREAS, the Corporation will be operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or governmental purposes to relieve and reduce unemployment, promote and provide for additional and maximum employment, improve and maintain job opportunities, and lessen the burden of government and act in the public interest; and

WHEREAS, to accomplish its job creation and other economic development responsibilities and relieve the burdens related to same and to create and preserve employment opportunities for residents of the Town, the Town desires to task the Corporation with such burdens and responsibilities and authorize the Corporation to issue tax-exempt and taxable bonds on behalf of the Town for such public purposes.

NOW, THEREFORE, BE IT RESOLVED, the Town authorizes the creation of the Corporation and the Town Board approves the form and substance of the Certificate of Incorporation presented at this meeting and attached hereto as Exhibit A, all in substantially the form thereof presented to this meeting, with such changes, variations, omissions and insertions as the Town Supervisor, the Town Attorney, and Harris Beach Murtha shall approve; and

FURTHER RESOLVED, that pursuant to the Certificate of Incorporation, the Town shall serve as the sole member of the Corporation, acting by and through the Town Board. In furtherance of same, the Town hereby approves the appointment of the following individuals to serve as the initial and appointed Directors of the Corporation:

1. Hon. Ray Ashton Individually
2. Hon. John Wilson Individually
3. Vincent Gugliuzza Individually
4. John Latimore Individually

5. Karen Erickson Individually

BE IT FURTHER RESOLVED, that the primary and initial purpose of the Local Development Corporation shall be determined by the initial and appointed Directors of the Corporation; and

BE IT FURTHER RESOLVED, that the Corporation may undertake such additional economic development missions, projects, or initiatives as may be directed, authorized, or delegated by the Town Board from time to time; and

BE IT FURTHER RESOLVED, that nothing herein shall be construed to limit or restrict the Town Board's authority to independently pursue, administer, or implement economic development projects or initiatives directly, or through other agencies, entities, or instrumentalities of the Town, without involvement of the Corporation; and

BE IT FURTHER RESOLVED, that the Corporation is hereby designated as an on behalf of issuer of the Town for the purposes of issuing bonds with authority to exercise on the Town's behalf all lawful powers as may be deemed necessary to accomplish its public purposes including to enhance, create and preserve employment opportunities for residents of the Town, which such powers shall include, but not be limited to, those powers described in NFPCL Section 1411 and the Corporation's Certificate of Incorporation, with the power to issue tax-exempt and taxable bonds, notes, or other obligations on behalf of the Town in furtherance of its purposes, provided however that any obligations issued by the Corporation shall never be a debt of, nor guaranteed or supported by, the State of New York, the Town or any political subdivision thereof (other than Corporation) and neither the State of New York, the Town or any political subdivision thereof (other than Corporation) shall be liable thereon and provided further that the Corporation shall exercise its powers only in accordance with its Certificate of Incorporation; and

BE IT FURTHER RESOLVED, that the Town Supervisor or his designated representative is hereby authorized and directed for and in the name and on behalf of the Town to do all acts and things required of the Town in connection with the issuance of tax-exempt and taxable bonds, and to execute and deliver all such additional certificates, instruments and documents, and to do all such further acts and things as may be necessary or, in the opinion of the Town Supervisor or his designated representative, desirable and proper to effect the purposes of the foregoing resolutions; and be it

BE IT that these resolutions 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 #137 Audit of Bills

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

AUDIT OF BILLS

DATE	3/19/2026
ABSTRACT NO.	6
VOUCHER NO.	18580-18659
CHECK NUMBERS	90869-90936
APPROVED AT	Board Meeting
DATE	3/18/2026
GENERAL	$34,701.96
PART TOWN	$46,538.20
HIGHWAY DB	$17,415.19
WATER	$3,377.06
CAPITAL PROJECTS	$202,047.55
SPECIAL DISTRICTS	$146,810.00
TOTAL	$450,889.96

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2026 #138 Approve Town Licenses

Councilman Wilson moved and Supervisor Ashton seconded,

1) The Bagel Jar – Refreshment
2) David Jacobson D/B/A Pat's Pizzeria – Refreshment
3) American Legion Post 928 - Refreshment, Amusement, Live Band – Commercial
4) Overseas Vets of Evans – (VFW) – 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 #139 Adjournment

Supervisor Ashton moved and Councilman Wilson seconded to adjourn to Wednesday, April 1, 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