Meeting #20 Wednesday October 7, 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:<br>September 16, 2026 Regular Town Board Meeting Minutes | |
| V | Communications: | |
| VI | Public Hearing & Bid Opening:<br>Hearing before the Town Board re: 9320 Erie Rd<br>Hearing before the Town Board re: 7956 Southwestern Blvd<br>Hearing before the Town Board re: 6828 Schuyler Dr | |
| VII | Committee & Department Head Reports: | |
| VIII | Town Clerk's Reports: September 2026<br>Town Clerk Report $ 38,739.99<br>Interest $ 3.56<br>Greenspace Fee $ 700.00<br>Petty Cash $ 650.00 | |
| IX | Old Business: | |
| X | Privilege of the Floor: | |
| XI | Resolutions:<br>1.) Advertise for Public Hearing - CDBG 2027-2028<br>2.) Approve Lead Agency for SEQR - Minor Subdivision - Anderson<br>3.) Approval of Minor Subdivision - Anderson<br>4.) Authorize Evans Justices to Submit JCAP Grant<br>5.) Budget Transfer<br>6.) Declare Surplus Highway Vehicle<br>7.) Part Time Seasonal Laborer Appointment - Highway Department<br>8.) Approval Preventive Maintenance Agreement - HVAC Equipment<br>9.) Purchase of Ford F550 Bucket Truck - Parks Department<br>10.) Relevy Charges to 2027 Town and County Tax Bill | |
| XII | Licenses: | |
| XIII | Audit of Bills: | |
| XIV | Adjournment to: Wednesday October 21, 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 #311 Accept Minutes***

Supervisor Ashton moved and Councilman Reitz seconded that the reading of the September 2, 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 STRUCTURES**

***Hearings Open***

Charles Marchese spoke regarding the code violations at 481 Sycamore Street, Angola NY 14006 and requested a 60 day extension to decide whether they want to repair or demolish the structure.

***RESOLUTION 2026 #312 Approve 60 Day Extension for the Demolition of 481 Sycamore Street***

Supervisor Ashton moved and Councilman DiMartino seconded the motion to approve the request for 60 day extension for the demolition of the structure.

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

Michael Bauch spoke regarding the code violations at 326 Harding Avenue NY 14006 and requested a 30 day extension to demolish the structure or return for another hearing in 30 days.

***RESOLUTION 2026 #313 Approve 30 Day Extension for the Demolition of 326 Harding Avenue***

Councilman Wilson moved and Councilman DiMartino seconded the motion to approve the request for 30 day extension to demolish the structure or return for another hearing in 30 days.

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

***Hearings Closed***

***RESOLUTION 2026 #314 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 August 2026:

| | |
|---|---|
| Town Clerk Report | $78,278.81 |
| Interest | $9.42 |
| Greenspace Fee | $36,400.00 |
| 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 #315 2026 Halloween Celebration***

Councilman Paluch moved and Councilman DiMartino seconded,

WHEREAS, the Evans Town Board recognizes the celebration of Halloween in the Town of Evans for the year of 2026 on Saturday, October 31, 2026; and

WHEREAS, the citizens of the Town of Evans may choose to participate by leaving an outside light on during the hours of 6:00pm to 8:00pm to ensure the safety of the children in their Trick or Treat travels;

NOW, THEREFORE, BE IT RESOLVED, that a copy of this resolution be published by the Town Clerk in the Angola Pennysaver and be published on the Town of Evans website and Facebook page.

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

***RESOLUTION 2026 #316 Amend Resolution 2026 #293 Authorization to Advertise for Bids - Town Park Pavillion***

Councilman Wilson moved and Councilman Paluch 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 16th, 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 Friday, October 9th, 2026, at which time the bids will be publicly opened and read aloud; and

BE IT FURTHER RESOLVED, that this resolution is approved 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 #317 Amend Resolution 2026-309 Audit of Bills Abstract #17***

Supervisor Ashton moved and Councilman Reitz seconded,

Be It Resolved; Resolution #2026-309, Abstract #17, is hereby amended to the corrected amount of $680,688.80; and

Be It Further Resolved; the Town Clerk's office shall provide a copy of this resolution to the Finance Department.

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

***RESOLUTION 2026 #318 Authorization to Execute Stop DWI Contract***

Councilman DiMartino moved and Councilman Paluch seconded,

WHEREAS, the Town of Evans intends to continue its participation in the Erie County STOP-DWI program which provides grant funding to communities in support of stop-DWI measures;

NOW, THEREFORE, BE IT RESOLVED, that Supervisor Ray Ashton and Chief of Police Gregory Szarowicz are hereby authorized to execute and any all documents regarding the Erie County STOP-DWI contract (January 1, 2026 to December 31, 2026) on behalf of the Town of Evans; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to prepare a certified copy of this resolution to be attached to the STOP-DWI contract package.

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

***RESOLUTION 2026 #319 Authorization to attend American Planning Association Conference***

Councilman Reitz moved and Councilman DiMartino seconded,

WHEREAS; Planning and Development Associate Alex Kane requests permission to attend the American Planning Association (APA) New York Upstate Conference; and

WHEREAS; said annual conference will be held in Albany, New York from Wednesday, October 14, 2026 to Friday, October 16, 2026;

NOW, THEREFORE, BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Planning and Development Associate Alex Kane, to attend said conference and all appropriate and reasonable expenses shall be paid by the Town, per Town policy.

VOTE RESULT: ADOPTED BY ROLL CALL

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

***RESOLUTION 2026 #320 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 | 9/17/2026 |
| ABSTRACT NO. | 17A |
| VOUCHER NO. | 19863 |
| CHECK NUMBERS | 91940 |
| APPROVED AT | Board Meeting |
| DATE | 9/2/2026 |
| GENERAL | $6,869.81 |
| PART TOWN | $0.00 |
| HIGHWAY DB | $256.20 |
| WATER | $0.00 |
| CAPITAL PROJECTS | $0.00 |
| SPECIAL DISTRICTS | $0.00 |
| **TOTAL** | **$7,126.01** |

VOTE RESULT: ADOPTED BY ROLL CALL

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

***RESOLUTION 2026 #321Adjournment***

Supervisor Ashton moved and Councilman Reitz seconded to adjourn to Wednesday, October 7, 2026 at 6:00pm for a Work Session, if needed, 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

# TOWN OF EVANS

LYNN M. KRAJACIC, TOWN CLERK

8787 Erie Road • Angola, NY 14006-9600

Telephone (716) 549-8787


October 1, 2026

Raymond Ashton, Supervisor
8787 Erie Road
Angola, New York 14006

Dear Supervisor Ashton,

Per transfer through NBT Bank, $39,443.55 was transferred to the Town of Evans Savings & Green Space account.

This represents the following:

| | |
|---|---|
| Town Clerk<br>September 1, 2026 - September 30, 2026 | $38,739.99 |
| Interest Earned on Checking Account<br>September 1, 2026 - September 30, 2026 | $ 3.56 |
| Greenspace Fees/Trust & Agency Account<br>September 1, 2026 - September 30, 2026 | $ 700.00 |
| Petty Cash Fund Balance | $ 650.00 |

These funds were received by me as Town Clerk for the Town of Evans.

Best Regards,

Lynn Krajacic
Town Clerk

Cc: Finance Dept
Councilman Wilson
Councilman DiMartino
Councilman Paluch
Councilman Reitz

Res 1

**Resolution – Advertise for Public Hearing – Community Development Block Grant 2027-2028**

**WHEREAS**, the Town of Evans will be applying for a Community Development Block Grant for the year 2027-2028; and

**WHEREAS**, the Evans Town Board authorizes the Town Clerk to advertise a public hearing on October 21, 2026 at 6:05pm for the purpose of soliciting citizen input regarding the Town's Community Block Development Grant;

**THEREFORE, BE IT RESOLVED**, that the Evans Town Board authorize Supervisor Ashton and/or appropriate Town Officials to sign, submit and execute a contract with Erie County Community Development Grant Program; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be given to the Office of Planning and Community Development.

ROLL CALL VOTE:

Res 2

**Resolution – Approve Lead Agency for SEQR – Minor Subdivision - Anderson**

**Submitted for the October 7, 2026 Town Board meeting:**

**WHEREAS,** James Anderson has applied for a Minor Subdivision application brought before the Town Board for approval to subdivide a 39.46 ± 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 James Anderson 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 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 Anderson Minor Subdivision.

a division of SBL# 237.00-4-33.1, dividing a 39.46± acre parcel to create two parcels:

1. a 2.4± acre parcel to be annexed to the parcel 1968 New Jerusalem Rd., SBL# 237.00-4-33.2 with 398.19± feet of frontage on New Jerusalem Rd., and
2. a 37.18± acre parcel with 309.35± feet of frontage on New Jerusalem Rd.

Petitioner: James Anderson, 1968 New Jerusalem Rd., Eden, NY 14057

ROLL CALL VOTE:

Res 3

**Resolution – Approval of Minor Subdivision - Anderson**

**Submitted for the October 7, 2026 Town Board meeting:**

**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 James Anderson Minor Subdivision,

a division of SBL# 237.00-4-33.1, dividing a 39.46± acre parcel to create two parcels:

1. a 2.4± acre parcel to be annexed to the parcel 1968 New Jerusalem Rd., SBL# 237.00-4-33.2 with 398.19± feet of frontage on New Jerusalem Rd., and
2. a 37.18± acre parcel with 309.35± feet of frontage on New Jerusalem Rd.

Petitioner: James Anderson, 1968 New Jerusalem Rd., Eden, NY 14057

ROLL CALL VOTE:

Res 4

RESOLUTION – Authorize Evans Justices to submit Justice Court Assistance Program (JCAP) Grant

WHEREAS, the Town Justices request permission to submit the Justice Court Assistance Program (JCAP) grant to the New York Unified Court System for the year 2026-2027;

NOW, THEREFORE, BE IT RESOLVED, the Board of the Town of Evans authorizes the Evans Town Court to apply for a JCAP grant in the 2026-2027 grant cycle up to $30,000.00.

ROLL CALL VOTE:

Res 5

RESOLUTION – BUDGET TRANSFER

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 for the purchase of a bucket truck:

Transfer From:

| | | |
|---|---|---|
| A1990.400.00 | Contingent | $68,000.00 |

Transfer To:

| | | |
|---|---|---|
| A7110.240.00 | Equipment (Parks) | $68,000.00 |

ROLL CALL VOTE

Res Le

Resolution – Declare Surplus Highway Vehicle

BE IT RESOLVED, that the following highway department vehicle is hereby declared surplus and will be sold to the Town of Evans Parks Department for $5,000 with proceeds being deposited in the Town's General Fund account:

2012 Ford F550 VIN: 1FDUF5HT3CEB50683

ROLL CALL VOTE:

Res 7

Resolution – Part Time Seasonal Laborer Appointment – Highway Department

BE IT RESOLVED, effective Monday, October 13, 2026, the following individual is hereby appointed to a Part-Time Seasonal Laborer position for the Town of Evans Highway Department, for up to a five (5) month period (February 12, 2027), working up to 39.5 hours per week, at the hourly rate indicated below:

| NAME | SALARY |
|---|---|
| Parker Klepher | $17.55; and |

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

ROLL CALL VOTE:

Res 8

RESOLUTION – PREVENTIVE MAINTENANCE AGREEMENT (HVAC EQUIPMENT)

BE IT RESOLVED; that Supervisor Ray Ashton is hereby authorized to execute any and all documents pursuant to the HVAC Preventive Maintenance Agreement with Tri-R Mechanical, 150 Empire Drive, West Seneca, New York 14224, upon the approval of the Town Attorney; and

FURTHER BE IT RESOLVED; four (4) inspections will be for the cooling Spring/Summer (May and July) and heating Fall/ Winter (October and January) to include Town of Evans Municipal Building located at 8787 Erie Road and Town of Evans Senior Center located at 999 Sturgeon Point Road; and

FURTHER BE IT RESOLVED, two (2) inspections will be for the Town of Evans Pool located at 1525 South Creek Road for the May and September pool heater inspection, winterization and preventive maintenance checks; and

FURTHER BE IT RESOLVED, this agreement shall become effective October 1, 2026 for one year, with the agreement pricing of $15,350; and

FURTHER BE IT RESOLVED, a copy of this resolution shall be given to the Finance Department by the Town Clerk.

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

ROLL CALL VOTE:

Res 9

RESOLUTION – PURCHASE OF FORD F550 BUCKET TRUCK – PARKS DEPARTMENT

WHEREAS, the Town of Evans Parks Department is in need of a bucket truck; and

WHEREAS, the appropriate balance transfer has been made;

NOW, THEREFORE, BE IT RESOLVED, the Evans Town Board hereby authorizes the purchase of a 2017 Ford F550 Bucket Truck; and

FURTHER, BE IT RESOLVED, that the Town Board of the Town of Evans authorizes Supervisor Ray Ashton to execute all documentation pursuant to the purchase of the above referenced vehicle, upon the approval of the Town Attorney; and

ROLL CALL VOTE:

Res 10

**Resolution - Re-Levy Charges to 2027 Town & County Tax Bill**

BE IT RESOLVED, in accordance with New York State Town Law, Section 198, the Evans Town Board has opted to enforce various unpaid accounts for water, sewer, refuse and other unpaid town services as indicated below; and

BE IT FURTHER RESOLVED, in light of the aforementioned, the Erie County Legislature shall levy in such sums as indicated below and against the applicable properties as provided for on the Town of Evans Assessor's master computer assessment roll file:

| | |
|---|---|
| TOTAL Unpaid Water Evans | $7,755.01 |
| TOTAL Unpaid Water ECWA | $293,196.56 |
| TOTAL Unpaid Water Surcharge ECWA | $180,776.94 |
| TOTAL Clean-Up Charges | $165,043.75 |

ROLL CALL VOTE: