Evans Town Board

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

PRESENT:	Michael Schraft	Councilman
	John Wilson	Councilman
	Jeanne Macko	Councilman
	Laurie Reitz	Councilman
	Raymond Ashton	Supervisor
ALSO PRESENT:	Kristen Bauer	Deputy Town Clerk
	Lisa Poch	Town Attorney

RESOLUTION 2025 #166 Accept Minutes

Supervisor Ashton moved and Councilman Reitz seconded that the reading of the April 16, 2025 Town Board Meeting minutes be dispensed with and accepted as submitted by the Town Clerk.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Schraft	Aye
	Councilman Wilson	Aye
	Councilman Macko	Aye
	Councilman Reitz	Aye
	Supervisor Ashton	Aye

Communications:

Supervisor Ashton reported that the Supervisor's January and February 2025 Monthly Report has been made to the Town Board and a copy was filed with the Town Clerk's Office.

RESOLUTION 2025 #167 Town Clerk Report

Supervisor Ashton moved and Councilman Schraft;

Town Clerk Report	$42,352.18
Interest	$2.50
Greenspace Fee	$700.00
Petty Cash	$650.00

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Schraft	Aye
	Councilman Wilson	Aye
	Councilman Macko	Aye
	Councilman Reitz	Aye
	Supervisor Ashton	Aye

RESOLUTION 2025 #168 Advertise for Public Hearing – Special Use Permit (Barrett)
Supervisor Ashton moved and Councilman Wilson seconded;

WHEREAS, in a letter dated May 5th, 2025, the Planning Director has requested that the Town Board set a public hearing regarding the petition by Gina and William Barrett for a Special Use Permit for a proposed bed-and-breakfast operation as well as a wellness and counseling business involving small group yoga and other personal training programs to be located at their future residence. 7176 Lake Shore Road, Derby, NY 14047. SBL# 205.00-1-1.; and

WHEREAS, the Planning Board unanimously recommended approval of the Special Use Permit at their Planning Board meeting held on April 23nd, 2025.

NOW THEREFORE BE IT RESOLVED that the Town Board authorize the Town Clerk to advertise for a public hearing to be held on May 21st, 2025 at 6:30 PM for the consideration of said special use permit; and

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

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Schraft	Aye
	Councilman Wilson	Aye
	Councilman Macko	Aye
	Councilman Reitz	Aye
	Supervisor Ashton	Aye

RESOLUTION 2025 #169 Advertise for Public Hearing – Proposed Local Law #2 2025 (Private Ponds)
Councilman Schraft moved and Councilman Wilson seconded;

WHEREAS, the Evans Planning Board and Evans Code Review Committee are working together on Chapter 200, Article VIII- code for the permitting of private ponds to address any potential negative environmental impacts of private pond construction; and

WHEREAS, the Proposed Local Law #2 will provide regulation on the size and requirements of ponds based on acreage; and

WHEREAS, the Planning Board of the Town of Evans has determined that the proposed code amendment will not result in any significant adverse impacts to the environment; and

WHEREAS, the Evans Planning Board held a public meeting on April 23rd, 2025 and voted unanimously to recommend approval of Proposed Local Law #2 of the year 2025; and

WHEREAS, in a letter dated May 5th, 2025 the Evans Planning Director has requested that the Town Board set a public hearing regarding the request of the Evans Planning Board.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans authorizes the Town Clerk to advertise for a public hearing to consider Proposed Local Law # 2 of the year 2025, to be held on May 21, 2025 at 6:30 PM for the consideration of said Code Regulations; and

FURTHER BE IT RESOLVED, that a copy of this resolution be given to the Planning Office.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

RESOLUTION 2025 #170 Advertise For Public Hearing for Proposed Local Law #3 of 2025 (Road Cutting Permitting Processes)

Councilman Wilson moved and Councilman Macko seconded;

WHEREAS, the Evans Planning Board and Evans Code Review Committee are working together to amend Chapter 101. Article II. Street Excavations to help streamline the permitting process and ensure interdepartmental coordination during the permitting of new construction; and

WHEREAS, the proposed Local Law #3 will provide regulation and coordination on road cut permitting processes; and

WHEREAS, the Planning Board of the Town of Evans has determined that the proposed code amendment will not result in any significant adverse impacts to the environment; and

WHEREAS, the Evans Planning Board held a public meeting on April 23rd, 2025 and voted unanimously to recommend approval of Proposed Local Law #3 of the Year 2025; and

WHEREAS, in a letter dated May 5th, 2025 the Evans Planning Director has requested that the Town Board set a public hearing regarding the request of the Evans Planning Board.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans authorizes the Town Clerk to advertise for a public hearing to consider Proposed Local Law #3 of the year 2025, to be held on May 21st at 6:30 PM for the consideration of said Code Regulations; and

BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Office.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

RESOLUTION 2025 #171 Advertise for Public Hearing for Proposed Local Law #4 of 2025 – Amending Town Code Section 149-5(E) entitled "Property Maintenance Standards" to Further Define Garbage Collection

Councilman Reitz moved and Councilman Wilson seconded,

WHEREAS, the Town Board of the Town of Evans is considering amending Town Code § 149-5(E), entitled "Property Maintenance Standards" to include a better explanation on the use of Town approved garbage receptacles and bulk item pickup; and

WHEREAS, the Town recognizes the importance of efficient and safe waste management disposal while maintaining clean neighborhoods; and

WHEREAS, a copy of proposed Local Law No. 4 of the Year 2025 was presented to each member of the Town Board;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans authorizes and directs the Town Clerk to publish a notice of public hearing for the purpose of hearing all persons interested in Proposed Local Law # 4 of the year 2025, to be held on Wednesday, May 21, 2025 at 6:30p.m.; and

BE IT FURTHER RESOLVED, that the Town Clerk shall make a copy of Proposed Local Law #4 of the year 2025 available at her office for inspection and distribution to any interested person during normal business hours.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

RESOLUTION 2025 #172 Appointment of Part Time Dispatcher

Councilman Macko moved and Councilman Reitz seconded,

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

WHEREAS, Justin Renik has been interviewed, has experience as an EMT and medical dispatcher, and meets the qualifications to be a Public Safety Dispatcher;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Justin Renik , effective May 8, 2025, to the position of part time Police Dispatcher with the Evans Police Department, at an hourly rate set forth in the 2025 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 Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

RESOLUTION 2025 #173 Appointment of Part Time Seasonal Laborer – Highway Department

Supervisor Ashton moved, and Councilman Reitz seconded,

BE IT RESOLVED, effective May 12, 2025, the following individual will be appointed to a Part Time Seasonal Laborer position for the Town of Evans Highway Department, for up to a five (5) month period (September 12, 2025), working up to 39.5 hours per week, at the hourly rate indicated below;

NAME	SALARY
Brian Guest	$17.05; and

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

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

RESOLUTION 2025 #174 Authorize Highway Superintendent to attend the NYS Highway Superintendent Association Conference

Councilman Schraft moved and Councilman Wilson seconded,

WHEREAS, the Town Highway Superintendent Jack Fritz hereby requests permission to attend the 2025 NYS Highway Superintendent Conference; and

WHEREAS, said conference will be held in Ithaca, New York from June 1 - June 4, 2025;

NOW, THEREFORE, BE IT RESOLVED, that the Board of the Town of Evans grants permission to Jack Fritz, Highway Superintendent, 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 Schraft	Aye
	Councilman Wilson	Aye
	Councilman Macko	Aye
	Councilman Reitz	Aye
	Supervisor Ashton	Aye

RESOLUTION 2025 #175 Budget Transfer

Councilman Wilson moved and Councilman Schraft 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 for snow removal equipment (Trailer and Kubota) costs:

Transfer From:		
BB00917.0000.00	Unassigned Fund Balance	$106,234.55
Transfer To:		
BB08540.0424.00	Part Time Equipment	$106,234.55

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Schraft	Aye
	Councilman Wilson	Aye
	Councilman Macko	Aye
	Councilman Reitz	Aye
	Supervisor Ashton	Aye

RESOLUTION 2025 #176 Town of Evans Play Courts (Evans Town Park) Change Orders
Councilman Reitz moved and Supervisor Ashton seconded,

WHEREAS, the Town of Evans and Anastasi Trucking, Inc. entered into a contract to complete the Town of Evans Play Courts (Evans Town Park) Project;

NOW, THEREFORE, BE IT RESOLVED, that the Evans Town Board authorizes 4 Change Orders to the project to increase the aforementioned contract amount in the amount of $33,895.00.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

RESOLUTION 2025 #177 Advertise Cancellation of Public Hearing for Proposed Local Law #1 of 2025 – Authorizing the Use of Best Value Award Methodology in the Bidding Process
Councilman Macko moved and Councilman Reitz seconded,

WHEREAS, the Town Board of the Town of Evans authorized and directed the Town Clerk to publish a notice of public hearing for the purpose of hearing all persons interested in Proposed Local Law # 1 of the year 2025, to be held on Wednesday, May 21, 2025 at 6:30pm (local time); and

WHEREAS, the Town Board had determined that it is in the best interest of the Town of Evans to enact a Local Law authorizing the use of Best Value Award Methodology in the Bidding process for purchase contracts (including contracts for service work) as authorized by Section 103 of the General Municipal Law and as defined in Section 163 of the State Finance Law;

BE IT RESOLVED, that the Town Clerk is hereby authorized and directed to advertise the cancellation of the Public Hearing that was scheduled for Wednesday, May 21, 2025 at 6:30pm (local time) pursuant to the above referenced matter; and:

BE IT FURTHER RESOLVED, the above referenced cancelled Public Hearing will be rescheduled for a later date.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

RESOLUTION 2025 #178 Authorizing Law Section 284 Agreement to Spend Town Highway Funds

Res 2025#335
10/1/2025 Pg 209

Councilman Reitz moved and Councilman Wilson seconded,

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

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

WHEREAS, the Highway Superintendent has prepared an agreement to spend Town Highway Funds for the fiscal year commencing January 1, 2025, for general repairs and primary work, and permanent improvements subject to limitations set by NYS Capital Highway Improvement Program (CHIPS) funding;

NOW, BE IT RESOLVED, that the Town Board hereby approves said agreement to spend Town Highway Funds therefore, the Town Supervisor and Town Board Members are authorized and directed to execute said agreement as required by law in substantially the same form as annexed hereto.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

RESOLUTION 2025 #179 Approve Town Licenses

Councilman Wilson moved and Councilman Schraft seconded,

1) Connors Hot Dog Stand – 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 Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

RESOLUTION 2025 #180 Audit of the Bills

Councilman Macko moved and Councilman Schraft seconded that all properly audited bills be paid out of their respective accounts as follows:

	AUDIT OF BILLS
DATE	5/8/2025
ABSTRACT NO.	9
VOUCHER NO.	16483 - 16599
CHECK NUMBERS	88955 - 89039
APPROVED AT	Board Meeting
DATE	5/7/2025
GENERAL	$211,070.34
PART TOWN	$5,068.28
HIGHWAY DB	$38,558.36
WATER	$5,318.83
CAPITAL PROJECTS	$71,459.92
SPECIAL DISTRICTS	$111,484.76
TOTAL	$442,960.49

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

RESOLUTION 2025 #181 Enter Executive Session

Councilman Schraft moved and Councilman Wilson 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: pending litigation

NOW THEREFORE BE IT RESOLVED: Lisa Poch, Town Attorney is invited to attend the Evans Town Board Executive Session.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

RESOLUTION 2025 #182 Adjournment

Supervisor Ashton moved and Councilman Schraft seconded to adjourn to Wednesday May 21, 2025 at 6:00pm for a Work Session and the Regular Meeting to follow

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	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,

Kristen Bauer
Deputy Town Clerk

Lynn M. Krajacic
Town Clerk