

**Regular Monthly Meeting and Continuation Public Hearing on Local Law 2
of the Town of Wilmington Town Board,**

April 14, 2026 Community Center 6:00 PM

To view the meeting remotely please go to <https://meet.goto.com/townofwilmington>
OR to call in, dial 1-408-650-3123 Access code:377-399-733.

Attending Officers

Tim Follos- Supervisor

Laura Hooker – Deputy Supervisor

Darin Forbes - Board Member

Randy Winch - Board Member

Hanna Cromie – Board Member

Dawn Stevens – Town Clerk

Supervisor Follos called the meeting to order and asked everyone to stand for the Pledge of Allegiance to the Flag.

Continuation of Public Hearing on proposed Local Law 2 of 2026

(Started 6:00, Ended 6:05)

The public hearing was called to order. Supervisor Follos explained there would be a new version of local law 2 of 2026, this will reflect some of the concerns brought up at the previous public hearing. There was another letter from Evan Bottcher, but there was no additional comment from those attending. Evans letter was read by Darin Forbes.

Motion was made by **Supervisor Follos** to close the public hearing; **seconded by Darin Forbes; Carried** all in favor

Discussions and guest speakers and reports:

Kevin Prickett: Community Garden Fence

Kevin presented the Board with several quotes on replacing the fence around the garden. Last year the deer were knocking down the existing fence and eating most of their crops. The board thought the quote was high. Cliff Holzer II stated he had a friend who would donate fencing and some lumber to the project. The board asked Kevin to see if the members of the Community Garden had any experience with installing fencing, or friends that were willing to help. This brought up the question of liability since this is no easy task. Increasing the size of the garden was also discussed.

Richard Nolan: “Closing the Loop”

Richard proposed that finishing the loop of sidewalks that was started many years ago would be a great enhancement for the town. This would benefit both locals and tourist alike by offering one more recreational activity. His idea was to continue down Springfield Road, across Fox Farm Road and on Rt. 86 toward town. This would make a 4-to-5-mile loop. He also hoped in the future that a bridge of some sort could be put over the Flume Bridge to make it safer for pedestrians. He also asked for permission to form a committee to start studying this and looking for grants.

Report Highlights

Darin Forbes reminded the board that we now have quotes for the water dept plow, and Ed would like this bought out of fund balance when 2025 is closed out.

Tim Follos announced, Emily Brown is now on the Roost Board.

Tim also announced that the town will be going with the Essex County Land Bank, they seem to be making progress with the housing project.

Tim announced the revision of Local Law 2 of 2026 will streamline permitting and bring affordable housing to our area and also make it substantiable.

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Randy Winch brought to the Boards attention that the sidewalk/ramp at the library is in need of repair.

Laura Hooker announced she would be sending in the complaint form to NYSE&G, we received 44 signatures. She reported that the Easter event went very well, and there was a good turnout. Laura also congratulated Dan Hanson on being citizen of the year.

Hanna Cromie also expressed congrats to Dan, she felt the dinner was a success. Comprehensive Plan meetings are still being held monthly and progress is being made.

Executive Session: Session was called with the Town Lawyer was called at **6:46 pm**, **Motion** made by Laura Hooker, **seconded** by Randy Winch, **all in favor**.

The Board and Lawyer came out of session at **7:53 pm**. And **Motion** was made to call the meeting back in order by Randy Winch, **seconded** by Hanna Cromie, **all in favor**

Nothing was resolved in session. Informational only.

Resolution 78 of 2026: A Resolution Updating, Clarifying, and Correcting Budget Funds

WHEREAS the Town Council (“town board”) of the Town of Wilmington, New York (“the town”) recognizes that it will be beneficial for multiple reasons — including the town board’s desire to comply with the requirements provided by the Essex County Board of Supervisors — to update and clarify the names of several funds that contain portions of the town’s overall fund balance; and

WHEREAS the town’s general fund currently contains \$54,493.95 in unspent Community Tourism Enhancement occupancy tax funds (hereinafter “CTE”) that the Town received in 2023; and

WHEREAS the Town’s general fund currently contains \$51,427.09 in unspent CTE funds that the Town received in 2024; and

WHEREAS in 2022 a former Wilmington town supervisor and/or town board assigned \$91,925 of unspent CTE funds and \$8075 in unassigned fund balance to a fund titled “Beautification”;

THEREFORE, IT IS RESOLVED that the town hereby creates a fund titled “Occupancy Tax CTE”; and

IT IS FURTHER RESOLVED that the town will assign \$105,921.04 from the town’s unassigned fund balance to the new Occupancy Tax CTE fund, reflecting the unallocated Occupancy Tax CTE money the town received in 2023 and 2024; and

IT IS FURTHER RESOLVED that the town will assign \$91,925 from the town’s “Beautification” fund to the Occupancy Tax CTE Fund; and

IT IS FURTHER RESOLVED that upon the completion of these actions the town’s Occupancy Tax CTE fund will have a balance of \$197,846.04.

Unanimous consent was given for the changes made to this resolution.

Resolution was Moved by Laura Hooker seconded by Randy Winch

Final vote on this resolution with the approved changes made.

This resolution was Moved by *Randy Winch* Seconded by *Laura Hooker*

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HANNA CROMIE: **Yes**

TIM FOLLOS: **Yes**

DARIN FORBES: **Yes**

LAURA HOOKER: **Yes**

RANDY WINCH: **Yes** **Carried 5-0**

RESOLUTION 79 OF 2026: A Resolution Updating and Clarifying the Town's Accounts and "Funds" for Youth Programs

WHEREAS the Town Council ("town board") of the Town of Wilmington, New York ("the town") recognizes that the manner in which the town's budget line(s) / funds and account(s) for the town's youth programs have been maintained has caused frustration and confusion over the past several years; and

WHEREAS the town board recognizes that the manner in which these monies have until now been held and expended is unsatisfactory from various perspectives; and

WHEREAS the town's general fund now has \$11,950 in money designated for the town's youth programs – a sum which includes a huge donation from "Connecting Youth and Communities," as well as money from other sources; and

WHEREAS the town also currently has a separate "Youth Committee" checking account, which currently holds \$19,838.93, the bulk of which is the result of the fundraising efforts of the town's Youth Committee;

THEREFORE, in order to simplify, clarify, and improve the manner in which these monies are held, the Wilmington town board **HEREBY RESOLVES** to:

1. Create a new fund titled "Youth Programs";
2. Assign \$11,950 from unassigned fund balance into the new Youth Programs fund;
3. Transfer \$19,838.93 from the Youth Committee checking account into the new Youth Programs budget line; and
4. Close the Youth Committee checking account.

IT IS FURTHER RESOLVED that the Youth Programs fund created hereby shall have a total of \$31,788.93 upon the completion of the foregoing actions.

Moved by *Hanna Cromie* Seconded by *Darin Forbes*

HANNA CROMIE: **Yes**

TIM FOLLOS: **Yes**

DARIN FORBES: **Yes**

LAURA HOOKER: **Yes**

RANDY WINCH: **Yes** **Carried 5-0**

The following resolution was discussed but it was tabled. Discussion Moved by Hanna Cromie seconded by Darin Forbes

A Resolution Authorizing the Expenditure of Occupancy Tax CTE Funds to Support the Community Garden

WHEREAS the Community Garden was created by the collaborative efforts of several community members in 2014; and

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WHEREAS the Community Garden provides numerous benefits to Wilmington residents and the community as a whole, including:

- Providing organic, inexpensive, and locally grown food to Wilmington residents;
- Enhancing the appearance and atmosphere of the Community Center;
- Improving community cohesion by bringing people with shared interests together, including people who may otherwise never cross paths;
- Allowing community members with varying levels of experience and skill to learn about growing food;
- Helping the natural environment by providing a source of pollen for bees and seeds for birds; and

WHEREAS the Community Garden’s leaders have asked for very little from the town’s administration in the past decade;

THEREFORE, the town board **HEREBY AUTHORIZES** the expenditure of not more than _____ from the Occupancy Tax CTE fund to purchase a fence to safeguard the Community Garden from the deer of Wilmington.

Motion To Table moved by Hanna Cromie Seconded by Darin Forbes

HANNA CROMIE: **Yes**

TIM FOLLOS: **Yes**

DARIN FORBES: **Yes**

LAURA HOOKER: **Yes**

RANDY WINCH: **Yes** **Carried 5-0**

Kevin was asked to get a different quote.

RESOLUTION 80 OF 2026: A Resolution Authorizing the Town Supervisor to Work with Richard Nolan to Promote and Advertise a Committee to “Close the Loop” (draft)

WHEREAS the Town Council (“town board”) of the Town of Wilmington, New York (“The Town”) recognizes that it would be a significant benefit to the community to “Close the Loop” by connecting the bike lanes on Springfield and Fox Farm Roads with the sidewalks on Route 86; and

WHEREAS Richard Nolan is a community member who, 1) has shown interest in this project for several years, and 2) would like to spearhead this project with the help of other interested community members; and

WHEREAS the town board recognizes that the town can benefit significantly from the efforts of a group that is focused, motivated, and dedicated to accomplishing this goal; therefore,

IT IS RESOLVED that the Richard Nolan and Town Supervisor Follos are authorized to advertise and promote the creation

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of a committee and/or civic group dedicated to “closing the loop”; and

IT IS FURTHER RESOLVED that Town Supervisor Follos and Richard Nolan are authorized to schedule preliminary meetings of this group, conduct outreach to appropriate County and State Officials to determine the steps the community should take to close the loop, and take similar actions to help the town accomplish this important goal; and

IT IS FURTHER RESOLVED that appointments to the Committee to Close the Loop, if any, shall be made by the town board as a whole; and

IT IS FURTHER RESOLVED that Richard Nolan and Town Supervisor Follos shall report to the town board regarding the committee’s progress as they deem appropriate, and / or as the members of the town board request.

Moved by *Darin Forbes* Seconded by *Laura Hooker*

HANNA CROMIE: **Yes**

TIM FOLLOS: **Yes**

DARIN FORBES: **Yes**

LAURA HOOKER: **Yes**

RANDY WINCH: **Yes**

Carried 5-0

RESOLUTION 81 OF 2026: A Resolution Permitting the Use of Bilhuber Road for the Ironman Triathlon

IT IS RESOLVED that the Ironman Triathlon shall be permitted to conduct customary and ordinary race-day activities on Bilhuber Road on July 19, 2026.

Moved by *Hanna Cromie* Seconded by *Darrin Forbes*

HANNA CROMIE: **Yes**

TIM FOLLOS: **Yes**

DARIN FORBES: **Yes**

LAURA HOOKER: **Yes**

RANDY WINCH: **Yes**

Carried 5-0

RESOLUTION 82 OF 2026: A Resolution Authorizing the Town Supervisor to Sign the EMS Stabilization Agreement

IT IS RESOLVED that Town Supervisor Follos is authorized to sign the EMS Stabilization Agreement with Essex County.

Moved by *Tim Follos* Seconded by *Darin Forbes*

HANNA CROMIE: **Yes**

TIM FOLLOS: **Yes**

DARIN FORBES: **Yes**

LAURA HOOKER: **Yes**

RANDY WINCH: **Yes**

Carried 5-0

RESOLUTION 83 OF 2026: A Resolution Changing the Name of the Board’s End-of-Month Meetings

WHEREAS the Town Supervisor and the members of the Town Council (“Town Board”) of the Town of Wilmington, New York (“The Town”) intend to pass several local laws this year, make progress on previously stalled-out or postponed projects,

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and conduct customary town business while exhibiting conscientiousness regarding various procedural formalities and protocols; and

WHEREAS the Town Supervisor and the members of the Town Board have found that they cannot accomplish the foregoing while convening once a month; and

WHEREAS the Town Board's "work session" meetings have, during previous administrations as well as the present administration, tended to become increasingly similar to regular monthly meetings and are, as a matter of law, legally indistinct from regular meetings; therefore,

IT IS RESOLVED that the "work session meetings" at the end of the month shall be renamed "End-of-Month Meetings" in order to provide greater clarity to the public and remove any appearance of impropriety; and

IT IS FURTHER RESOLVED that the Town Board's end-of-month meetings shall ordinarily be held on the final Wednesday of the month, and shall begin at 6 p.m.

Moved by *Laura Hooker* Seconded by *Hanna Cromie*

HANNA CROMIE: **Yes**

TIM FOLLOS: **Yes**

DARIN FORBES: **Yes**

LAURA HOOKER: **No**

RANDY WINCH: **Yes**

Carried 4-1

RESOLUTION 84 OF 2026: A Resolution Joining Other Towns and the Essex County Board of Supervisors in Urging New York State to Establish a Legal Pathway for the Transfer of Long-Vacant State-Owned Residential Properties within the Adirondack Park for Housing and Other Community Purposes

WHEREAS communities throughout the Adirondack Park face significant housing shortages, particularly with respect to workforce and owner-occupied housing; and

WHEREAS there exist within various towns in the Adirondack Park formerly residential and / or institutional properties owned by the State of New York that have remained vacant and unused for long periods of time; and

WHEREAS these long-vacant properties represent an opportunity to address local and regional housing needs if returned to productive use through transfer, rehabilitation, and sale or occupancy; and

WHEREAS discussions have occurred among local officials, including Town of Newcomb Supervisor Mary D. Lamphear, Town of Long Lake Supervisor Clay Arsenault, members of the New York State Legislature, and representatives of the Governor's office, concerning the need for a coordinated regional effort to encourage action in Albany; and

WHEREAS it has been suggested that a united expression of support from Adirondack Park municipalities may help advance a constitutional change or other legal pathway to permit the transfer of long-unused State-owned properties for housing and other community purposes; and

WHEREAS the members of the Wilmington Town Council ("Town Board") collectively recognize the pressing need for additional housing opportunities throughout the Adirondack Park and find merit in supporting a collaborative intergovernmental effort to address this issue; therefore, it is

RESOLVED that the Wilmington Town Board hereby supports a joint effort among Adirondack Park towns, counties, and

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State representatives to advocate for a constitutional amendment or other lawful mechanism necessary to enable the transfer of long-vacant, State-owned residential and / or institutional properties within Adirondack Park communities for housing and other community purposes; and

BE IT FURTHER RESOLVED that the Wilmington Town Board urges the Governor of the State of New York, the New York State Legislature, and all appropriate State agencies to work cooperatively with Adirondack Park municipalities and counties to remove legal barriers preventing such properties from being returned to productive residential and community use; and

BE IT FURTHER RESOLVED that Wilmington Town Clerk Dawn Stevens is hereby directed to mail certified copies of this resolution to Governor Kathy Hochul, Senator Dan Stec, Senator Erik Bottcher, Assemblyman Michael Cashman, the Adirondack Park Agency, the New York State Office of General Services, and any other officials and entities she deems appropriate.

Moved by *Randy Winch* Seconded by *Darin Forbes*

HANNA CROMIE: **Yes**

TIM FOLLOS: **Yes**

DARIN FORBES: **Yes**

LAURA HOOKER: **Yes**

RANDY WINCH: **Yes** **Carried 5-0**

The following was presented to the board for review:

Local Law #4 of the Year 2026:

A Local Law to Increase the Salaries of Elected Assessors in the Town of Wilmington

Be it enacted by the Town Council (“town board”) of the Town of Wilmington (“the town”) as follows:

§1. Authority.

This local law is enacted under the authority granted by the General Municipal Home Rule law of the State of New York.

§2. Legislative Intent.

The Town of Wilmington is one of five towns in Essex County that continues to use the traditional system of three elected assessors.

The town has struggled to find town residents willing to serve in the role of assessor for several years. Prior to the adoption of this local law, the town has lacked an assessor for well over a year. Prior to that, the town lacked two assessors.

Prior to the adoption of this local law, Town Supervisor Timothy Follos regularly advertised, promoted, and announced these open positions for nearly two years. Thus far, his efforts have only managed to recruit one new assessor, in the spring of 2025.

The town board therefore deems it advisable to raise the salaries of the town’s assessors in order to:

- 1) Increase the appeal of the position to residents of the town; and

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2) Appropriately compensate the town's assessors for the period their office has been understaffed.

§3. Salary Increase.

Pursuant to the adoption of this local law, the town's assessors' salaries shall be increased by \$3000. for the chair, and \$2000. annually for the other two assessors, paid on a pro-rata basis. For the town's assessors employed on the date of the passage of this law, the salary increase described herein shall be retroactive to the first of the year.

§4. Permissive Referendum.

This local law shall be subject to a Permissive Referendum, in accordance with Article 7, §90 through §94, of the State of New York's Town Law.

§6. Effective date.

The date this local law shall take effect shall be controlled by the laws, rules, and regulations regarding local laws subject to permissive referenda in New York State. If the period during which a petition for a permissive referendum may be lawfully submitted expires without the submission of a sufficient petition, this local law shall be filed in the office of the Secretary of State of the State of New York, whereupon it shall take effect immediately.

The following is a summary of what surrounding town pay:

Chesterfield: Sole appointed, but during the summer splits salary with a "summer assessor" appointed by the main assessor, \$21,600

Crown Point: Sole appointed, \$22,670

Elizabethtown: Sole appointed, \$23,00

Essex: 3 elected, paid a total of \$14,516

Jay: Sole appointed, \$53,000

Keene: Sole appointed, \$55,697

Lewis: Sole appointed (shared with Elizabethtown): ~\$25,000

Minerva: Sole appointed, \$18,437

Moriah: 3 elected, paid \$15,911, \$8910, & \$8910, respectively

Newcomb: 1 elected, paid \$30,000; elected assessor appoints an assistant assessor who is paid \$16,000

North Elba: Sole appointed, \$161,425

North Hudson: 3 elected, paid \$10,262, \$6357, & \$6357, respectively

St. Armand: Sole appointed, \$17,920

Schroon: 3 elected, paid a total of \$55,839

Ticonderoga: Sole appointed, \$29,835

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Westport: Sole appointed, \$25,000, works for Jay and & Keene as well

Willsboro: Sole appointed, \$34,200

Resolution 85 of 2026: Public Hearing

Resolved to set May 12, 2026, at 6pm for the Public hearing on local law 4. The regular meeting will immediately follow.

Moved by *Tim Follas* Seconded by *Darin Forbes*

HANNA CROMIE: **Yes**

TIM FOLLOS: **Yes**

DARIN FORBES: **Yes**

LAURA HOOKER: **Yes**

RANDY WINCH: **Yes** **Carried 5-0**

Resolution 86 of 2026: Contract to spend Highway Funds

Resolved to authorize the Supervisor to sign the contract for work on Indian Rock Rd.

Moved by *Darin Forbes* Seconded by *Hanna Cromie*

HANNA CROMIE: **Yes**

TIM FOLLOS: **Yes**

DARIN FORBES: **Yes**

LAURA HOOKER: **Yes**

RANDY WINCH: **Yes** **Carried 5-0**

Resolution 87 of 2026: Payments and Transfers

Resolved to pay the audited bills and make any needed transfers.

Moved by *Laura Hooker* Seconded by *Darin Forbes*

HANNA CROMIE: **Yes**

TIM FOLLOS: **Yes**

DARIN FORBES: **Yes**

LAURA HOOKER: **Yes**

RANDY WINCH: **Yes** **Carried 5-0**

RESOLUTION 88 OF 2026: Appointment to the Board of Assessment Review

BE IT RESOLVED that Bertalan Kis shall be appointed as a member of the Board of Assessment Review of the Town of Wilmington, with a three-year term expiring on December 31, 2028.

Moved by *Randy Winch* Seconded by *Darin Forbes*

HANNA CROMIE: **Yes**

TIM FOLLOS: **Yes**

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DARIN FORBES: **Yes**
LAURA HOOKER: **Yes**
RANDY WINCH: **Yes** Carried 5-0

Executive Session: Session was called to discuss an appointment or employee matter was called at 8:20 pm. Motion made by Tim Follo, seconded by Hanna Cromie, all in favor. Nothing was resolved in session. Motion to come out of session and resume the meeting, made by Tim Follo, seconded by Hannie Cromie, all in favor, 8:35 pm.

Resolution 89 of 2026: Retainer agreement

Resolved to accept the Retainer for legal services contract from Whiteman Osterman & Hanna LLP and authorize Supervisor Tim Follo to sign on behalf of the town. The e-mail contract is attached at the end of the meeting minutes.

Moved by *Laura Hooker* Seconded by *Darin Forbes*

HANNA CROMIE: **Yes**
TIM FOLLOS: **Yes**
DARIN FORBES: **Yes**
LAURA HOOKER: **Yes**
RANDY WINCH: **Yes** Carried 5-0

Motion to adjourn the meeting made by Tim Follo, seconded by Hanna Cromie, all in favor. Time of adjournment 8:37.

Respectfully submitted,

Dawn Stevens

WHITEMAN

OSTERMAN

& HANNA LLP

Attorneys at Law
7 Community Circle
Wilmington, NY 12997

Paul Van Cott
Of Counsel
518.487.7733 phone
pvancott@wob.com

April 14, 2026

VIA EMAIL

Tim Follos, Town Supervisor
Town of Wilmington
7 Community Circle
Wilmington, NY 12997

Re: Retainer for Legal Services

Dear Supervisor Follos:

Whiteman Osterman & Hanna LLP (the "Firm") appreciates the opportunity to provide legal services to the Town of Wilmington as special counsel on land use matters. In accordance with Firm policy, the purpose of this letter is to set forth our understanding as to the terms upon which we have been engaged.

MUTUAL RESPONSIBILITIES

We will provide the legal services that, in our professional judgment, are appropriate for this matter and in accordance with applicable legal and ethical standards. You agree that representatives of the Town will be reasonably available to confer with us upon request, will provide us with such documents and information as you may possess relating to the matter, will disclose all facts and circumstances of which you are aware that may bear upon our handling of the matter, will promptly pay our fees in accordance with the terms of this letter, and will otherwise assist our efforts as we reasonably request.

It is understood that I will be the *Of Counsel* attorney of this Firm primarily responsible for this engagement, along with assistance of other attorneys and paralegals of the Firm as appropriate.

DETERMINATION OF FEE

Our fees are determined, in accordance with applicable ethical rules, by considering a number of factors, including the amount of time that our lawyers, legal assistants and staff devote to the matter, the experience and expertise of the professionals who perform the services, the complexity, novelty and difficulty of the questions involved, the magnitude of the matter, any time limitations or other special demands presented, and the results obtained.

You agree that our fee will be based upon the time which we devote to the matter, in accordance with standard hourly rates assigned to the particular lawyers and legal assistants performing the work. Our firm has reduced hourly rates for our municipal clients. These rates are subject to periodic adjustment, and the rates billed will be those in effect at the time the services in question were rendered. Currently, my municipal hourly rate is \$300/hr.

BILLING FOR COSTS AND EXPENSES

In addition to our fees, we will bill you for any expenditures which we make or expenses we incur for you or on your behalf. These may include computer-based legal research costs (the Firm allocates a flat fee paid for certain legal research costs in accordance with proportionate usage by clients), the costs of reproducing documents, long distance telephone charges, parking and travel costs, filing fees, court reporter fees, expenses which we incur while we are away from our office on your business, fees which accountants or consultants retained on your behalf charge us, and other similar expenditures. Where such expenditures are significant in amount, we may ask you to make payment directly to the provider of goods or services, or we may require an additional retainer amount to cover such expenses.

STATEMENTS

We will send you statements for services rendered and for expenditures which we have made for you on a monthly or periodic basis. The amounts set forth in the statements are due within thirty days after the statement is mailed. If you have any questions about any statement, please call me promptly to discuss it.

If your account becomes delinquent, we have established collection procedures which may include stopping all legal services of a non-emergency nature and, where consistent with our ethical obligations, withdrawing from this representation. We also reserve the right to ask you for reasonable security for past due balances and work required in the near future. As a condition of our undertaking this representation, you agree to provide such security to us upon request.

In fairness to the majority of our clients who pay our statements promptly, we have established late payment charges designed to recover the costs of carrying overdue accounts. We reserve the right, to the extent permitted by law, to add a late payment charge of 9% per annum (0.75% per month) to your past due account. These late charges will accrue from the due date of the bill until the date it is paid.

Under certain circumstances, disputes regarding our fees may be subject to the New York Fee Dispute Resolution Program established under 22 NYCRR Part 137.

CONFLICTS OF INTEREST

As you are aware, Whiteman Osterman & Hanna LLP has a diverse practice that includes representation of many other companies and individuals in many areas. We have performed our standard internal conflicts check and we believe our performance of this engagement will not conflict with any client or matter on which we are engaged as of the date of this letter. In the event that any such conflict comes to our attention, we will promptly notify you, and you agree to promptly meet with us to discuss, in good faith, a reasonable resolution. Within applicable ethical and legal guidelines, we will endeavor to continue our representation and to preserve our relationship.

RECORDS RETENTION

The Firm maintains a records retention and destruction policy, which may be amended from time to time. It is the Firm's practice, in accordance with its records retention policy, to review the file at the conclusion of our engagement for purposes of determining information and documents that will be returned to you, retained in our files or destroyed. With respect to documents that are retained in our files, under our current records retention policy, the Firm reserves the right to destroy client files ten years after the conclusion of the matter, except as to matters, such as trust and estate matters, which require a longer document retention period. You may also arrange for the return of the file to you, upon payment of shipping costs.

DOCUMENT PRESERVATION

If this matter involves litigation, or the assertion or defense of a potential claim, it is imperative that you immediately take all necessary steps to ensure that there is no disposal, alteration or destruction of documents (including electronic documents and emails) that might relate in any way to the claim at issue. Under applicable court rules and judicial precedent, you are obligated to preserve all documents and communications that relate in any way to the claim and you can be subject to judicial sanctions for failing to do so. This may require you to ensure that any systems that automatically archive or destroy electronic documents are turned off. We would be pleased to provide you with additional assistance and advice in this regard if you have questions.

TERMINATION

We anticipate a long and mutually satisfactory relationship. However, you have the right to terminate our engagement at any time by giving us written notice of termination. We also have the right, subject to our responsibilities under applicable ethical rules, to terminate our engagement by giving you written notice if you fail to cooperate with us or to pay our bills when due or if we determine that continuing to represent you would be unethical; impractical or improper. If our relationship is terminated by either of us, you will remain obligated to pay us in full for our past services and for costs and expenses in accordance with the terms of this letter.

April 14, 2026

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AGREEMENT APPLICABLE UNTIL CHANGED IN WRITING

This agreement will apply to any additional matters we agree to undertake upon your behalf unless we enter into an express written agreement reflecting an alternate arrangement. Please review this letter carefully, and if it does not accurately reflect the terms of our engagement, let me know as soon as possible. Please sign and return a copy of this letter to me via mail or email.

We look forward to working with you.

Sincerely,



Paul Van Cott

APPROVED AND ACCEPTED:

Town of Wilmington

By: _____

Name: Tim Follos

Title: Town Supervisor

Date: _____