

Town Board Minutes

July 5, 2016

Meeting No. 17

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 5th day of July 2016 at 7:00 P.M. and there were

PRESENT: JOHN ABRAHAM, COUNCIL MEMBER
DAWN GACZEWSKI, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
MATTHEW WALTER, COUNCIL MEMBER
JOHANNA COLEMAN, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
KEVIN LOFTUS, TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
GERALD GILL, CHIEF OF POLICE
MARK LUBERA, PARK CREW CHIEF
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

EXECUTIVE SESSION:

AT 7:40 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing a contractual matter.

At 8:40 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSON ADDRESSING TOWN BOARD:

Chowaniec, Lee, spoke to the Town Board on the following matters:

- Questioned why a particular resolution has been withdrawn from consideration.
- Complimented Erie County on their work on William Street and keeping the residents updated and informed.
- Comments regarding property at 31 Peppermint Road.

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Town Board and the Planning Board held June 20, 2016 and the Regular Meeting of the Town Board held June 20, 2016 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk
by the Assistant to the Supervisor, to wit:

Claim No. 44752 to Claim No. 44901 Inclusive

Total amount hereby authorized to be paid: \$ 970,679.39

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
25456		Steven Staniszewski	49 Steinfeldt Rd	Er. Res. Alt.	
25457		Jamie Loos	660 Townline Rd	Er. Shed	
25458		Ronald & Barbara Haase	2 Chapin Cir	Er. Pool-Abv Grnd	
25459		Scott Griggs	39 Stutzman Rd	Er. Pool-Abv Grnd	
25460		Margot Wagner	9 Livingston St	Er. Pool-Abv Grnd	(V/L)
25461		Shaun D. Szejnar	10 Veterans Dr	Er. Res. Add.	(V/L)
25462		Gary Sitek	386 Aurora St	Re-Roof	(V/L)
25463		Slowinski & Boccabella Inc.	7 Lancaster Pkwy	Er. Comm. Add./Alt.	
25464		David & Rozanne Schaff	80 Pleasant Ave	Er. Shed	(V/L)
25465		Gregory & Eileen Lang	2 Robins Nest Ct	Er. Shed	
25466		N.A.S. Sign Company	4907 Transit Rd	Er. Sign - Pole	
25467		CIR Electricl Construction Co.	733 Schwartz Rd	Er. Res. Alt.	
25468		Edward & Dolores Harzewski	84 Brunswick Rd	Er. Res. Alt.	(V/L)
25469		SE-ME Contracting Inc.	15 Parkside Dr	Re-Roof	(V/L)
25470		Peter & Sarah Houseman	64 Middlebury Ln	Er. Shed	
25471		Beauty Pools Inc.	9 Branch Way	Er. Pool-In Grnd	
25472		Beauty Pools Inc.	9 Branch Way	Er. Fence	
25473		The KAZ Company	2 Quail Run Ln	Re-Roof	
25474		Russell Haffa, Jr.	719 Erie St	Er. Fence	
25475		Majestic Pools Inc.	719 Erie St	Er. Pool-In Grnd	
25476		Joelle Seaner	70 Fourth Ave	Er. Fence	(V/L)
25477		Oneida Fence	127 Pleasant Ave	Er. Fence	(V/L)
25478		Vincent Cappelli	67 Sheldon Ave	Er. Garage	(V/L)
25479		City Fence Inc.	60 Vandenberg Ave	Er. Fence	(V/L)
25480		Ryan Homes - NVR Inc.	41 Middlebury Ln	Er. Dwlg.-Sin.	
25481		Windsor Ridge Partners LLC	51 Worthington Ln	Er. Dwlg.-Sin.	
25482		David & Andrea College	12 Sagebrush Ln	Er. Fence	
25483		Travis & Jennifer Stahl	76 Simme Rd	Er. Fence	
25484		Travis & Jennifer Stahl	76 Simme Rd	Er. Pool-In Grnd	
25485		Albert V. Randaccio Builder	42 Worthington Ln	Er. Dwlg.-Sin.	
25486		Ronald Barnhardt	98 Burwell Ave	Er. Porch	(V/L)
25487		Buffalo Roof Appeal LLC	19 Chestnut Corner	Re-Roof	
25488		Buffalo Roof Appeal LLC	29 Windcroft Ln	Re-Roof	
25489		Buffalo Roof Appeal LLC	37 Southwest Pky	Re-Roof	(V/L)
25490		A Best Inc.	60 Rehm Rd	Re-Roof	
25491		Keith & Donna Kerl	47 Brunck Rd	Er. Porch	
25492		Timothy & Katherine Macre	40 Tranquility Trl	Er. Shed	
25493		Besroi Construction	63 Gale Dr	Re-Roof	
25494		Besroi Construction	569 Ransom Rd	Re-Roof	
25495		Stephen & Lisa Leszcynski	14 Wren Ave	Er. Fence	(V/L)
25496		Stockmohr Co. Inc.	4956 William St	Re-Roof	
25497		Paula J. Rawson	193 Aurora St	Er. Fence	(V/L)
25498		The Pool Guy	108 Pheasant Run Ln	Er. Pool-Abv Grnd	
25499		Marrano/Marc Equity Corp.	5 Pear Tree Ln	Er. Dwlg.-Sin.	
25500		Majestic Pools Inc.	38 Sussex Ln	Er. Pool-In Grnd	
25501		Jonathon Martin	148 Fourth Ave	Re-Roof	(V/L)
25502		Essex Homes	5 Darien Ct	Er. Shed	
25503		Douglas Olejniczak	420 Central Ave	Er. Shed	
25504		DJC Land Development	15 Branch Way	Er. Fence	
25505		Beverly Close	52 Williamsburg Ln	Er. Storage Bldg	
25506		John & Ruth Phillips	255 Westwood Rd	Re-Roof	
25507		Douglas Chapman	311 Stony Rd	Inst. Generator	
25508		Flexlulme Sign	5226 Broadway	Er. Sign – Pole	(V/L)

25509	Flexlume Sign	4747 Transit Rd	Er. Sign - Wall	
25510	Stockmohr Co. Inc.	72 Williamsburg Ln	Re-Roof	
25511	Ronald Kmiotek	2 Elm Pl	Er. Res. Add	(V/L)
25512	Majestic Pools Inc.	7 Americo Ct	Er. Pool-In Grnd	
25513	Majestic Pools Inc.	7 Americo Ct	Er. Fence	
25514	Leonard Arcymowicz	17 St Anthony St	Er. Pool-Abv Grnd	
25515	Nick Hirsch	66 Pleasant Ave	Dem. Bldg	(V/L)
25516	Nick Hirsch	66 Pleasant Ave	Er. Res. Add.	(V/L)
25517	Steven Buscaglia	13 Prairie Ln	Er. Deck	

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, Twin District Volunteer Fire Company, Inc., by letter
dated June 14, 2016, has requested the addition of the following member to the roster of said
fire association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms
the addition to the membership of the Twin District Volunteer Fire Company the following
individual:

ADDITION:

Daniel Sutch
Lancaster, NY

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

File: RFIRE (P5)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, a Public Hearing was held on the 20th day of June, 2016 for the purpose of amending Chapter 46 -Vehicle and Traffic Ordinance of the Code of the Town of Lancaster and persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of said Public Hearing was duly published and posted;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on July 5, 2016;
3. That a Certified Copy thereof be published in an official newspaper of general circulation on July 7, 2016;
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

CHAPTER 46

ARTICLE X – Parking, Standing, and Stopping

46-12. Parking prohibited in designated locations, is hereby amended by adding thereto the following:

A. The parking of vehicles is hereby prohibited in any of the following locations:

(73) Hidden Pines Subdivision

Delete: (a) On both sides of Silent Meadow Lane from lot number 19 to the dead end.

(b) In the turnaround on the east and west sides and at the dead end.

Add: (a) **In the turnaround on the east and west sides and at the dead end.**

AND

46-13. Standing prohibited in designated locations, is hereby amended by adding thereto the following:

A. The standing of vehicles is hereby prohibited in any of the following locations:

(73) Hidden Pines Subdivision

Delete: (a) On both sides of Silent Meadow Lane from lot number 19 to the dead end.

(b) In the turnaround on the east and west sides and at the dead end.

Add: (a) **In the turnaround on the east and west sides and at the dead end.**

July 7, 2016

STATE OF NEW YORK :

COUNTY OF ERIE :

OF LANCASTER :

THIS IS TO CERTIFY that I, **DIANE M. TERRANOVA**, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 5th day of July, 2016 and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 5th day of July, 2016.

Diane M. Terranova, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, Daniel C. Mayer, the owner of real property situate at **734 Ransom Road**, Lancaster, New York, and **Heather R. Mayer** have submitted an application for a Special Use Permit for a Home Occupation (Dog Grooming) in accordance with the provisions of Chapter 50-17(F) Zoning, Supplementary regulations for all residential districts, Home Occupations Code of the Town of Lancaster.

**NOW THEREFORE, BE IT
RESOLVED, as follows:**

That pursuant to Chapter 50-Zoning, Section 17(F), entitled Zoning, Supplementary regulations for all residential districts, Home Occupations, of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for a Home Occupation (Dog Grooming) on premises locally known as 734 Ransom Road, Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 18th day of July 2016 at 7:15 o'clock P.M. Local Time, and the notice of the time and place of such hearing be published in a newspaper of general circulation in said Town, and posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER
SPECIAL USE PERMIT – MAYER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 50-Zoning, Section 17(F) “Home Occupations” of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 5th day of July, 2016 the Town Board will hold a Public Hearing on the 18th day of July, 2016 at 7:15 o’clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of **Daniel and Heather Mayer**, for a Special Use Permit for a Home Occupation (Dog Grooming) on premises locally known as 734 Ransom Road, in the Town of Lancaster, County of Erie, State of New York.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: DIANE M. TERRANOVA
Town Clerk**

July 7, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, the Town Board is considering the Rezone of 0 Broadway (SBL Nos. 116.00-1-8.1 & 116.00-1-8.2) from General Business District (GB) and Agriculture Residential District (A-R) to Multifamily Residential District Four (MFR-4) located within the Town of Lancaster and submitted by Young Development , Inc., and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the potential adverse environmental impacts of rezoning the property pursuant to SEQR regulations at their meeting on June 20, 2016 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the Rezone, the Long Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Municipal Review Committee; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, the proposed action has been labeled a “Type 1” action under SEQRA.

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

1. The proposed Rezone of 0 Broadway (SBL Nos. 116.00-1-8.1 & 116.00-1-8.2) from General Business District (GB) and Agriculture Residential District (A-R) to Multifamily Residential District Four (MFR-4) submitted by Young Development , Inc., will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.

2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.

3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.

4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: July 5, 2016

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the “Town Board”), has reviewed the proposed Rezone of 0 Broadway (SBL Nos. 116.00-1-8.1 & 116.00-1-8.2) from General Business District (GB) and Agriculture Residential District (A-R) to Multifamily Residential District Four (MFR-4) located within the Town of Lancaster and submitted by Young Development, Inc. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Proposed Multifamily Project-Rezoning of 0 Broadway.

Location of Action: 0 Broadway (SBL Nos. 116.00-1-8.1 & 116.00-1-8.2), Lancaster, New York.

SEQR Status: Type 1.

Description of Action: The proposed rezoning of approximately 7.9 acres from General Business District (“GB”) and Agricultural Residential District One (“A-R”) to Multifamily Residential District Four (MFR-4”) to accommodate an expansion of a previously approved multifamily community on contiguous property directly east of the Project Site. The project consists of 4 three-story buildings containing a total of 104 upscale attached residential units and related site improvements including detached garages, access aisles, parking spaces, landscaping, utility connections, etc. The layout of the proposed project is depicted on the Site Plan prepared by Carmina Wood Morris, P.C. dated February 15, 2016. The proposed project is an Unlisted Action pursuant to the State Environmental Quality Review Act (“SEQRA”) since it does not cross any of the thresholds for a Type 1 action per 6 NYCRR Part 617.4. It is anticipated that the Town of Lancaster Town Board will be the lead agency for the required environmental review of the proposed project since the rezoning of the Project Site falls within the jurisdiction of the Town Board. The proposed project will also require Site Plan Approval from the Town Board and an area variance for height of the proposed principal buildings from the Zoning Board of Appeals.

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. A small impact on land is noted.

- The proposed action may involve construction that continues for more than one year and in multiple phases.

2. Impact on Geological Features – No impact.

3. A small impact on Surface Water is noted.

- The proposed action involves construction adjacent to a federal wetland.

4. **Impact on Groundwater – No impact.**
5. **Impact on Flooding – No impact.**
6. **Impact on Air – No impact.**
7. **Impact on Plants and Animals – No impact.**
8. **Impact on Agricultural Resources – No impact.**
9. **Impact on Aesthetic Resources – No impact.**
10. **Impact on Historic and Archeological Resources – No impact.**
11. **Impact on Open Space and Recreation – No impact.**
12. **Impact on Critical Environmental Areas – N/A**
 - The Town of Lancaster has not established a Critical Environmental Area (CEA).
13. **A small impact on Transportation is noted.**
 - The impact is mitigated by a traffic light timing change.
14. **Impact on Energy – No impact.**
15. **Impact on Noise, Odor and Light – No impact.**
16. **Impact on Human Health – No impact.**
17. **A small impact on the Consistency with Community Plans is noted.**
 - The proposed action needs to be rezoned.
18. **Consistency with Community Character – No**

For Further Information:

Contact Person: Kevin E. Loftus , Town Attorney
Town of Lancaster
Address: 21 Central Avenue
Lancaster, New York 14086
Telephone Number: (716) 684-3342

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, the Town Board is considering the site re-development of 48 Freeman Road to consist of a 4-story Hotel with 169 rooms and associated infrastructure improvements within the Town of Lancaster and submitted by Freeman Properties, LLC, and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the potential adverse environmental impacts of rezoning the property pursuant to SEQR regulations at their meeting on June 20, 2016 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the site re-development using the Long Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Municipal Review Committee; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, the proposed action has been labeled a “Type 1” action under SEQRA.

NOW, THEREFORE,

BE IT RESOLVED by the Town Board of the Town of Lancaster that:

1. The proposed site re-development of 48 Freeman Road to consist of a 4-story hotel with 169 rooms and associated infrastructure improvements within the Town of Lancaster and submitted by Freeman Properties, LLC will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.

2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.

3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.

4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: July 5, 2016

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the “Town Board”), has reviewed the proposed site re-development of 48 Freeman Road to consist of a 4-story Hotel with 169 rooms and associated infrastructure improvements located within the Town of Lancaster and submitted by Freeman Properties, LLC. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Freeman Road Hotel Redevelopment.

Location of Action: 48 Freeman Road, Lancaster, New York.

SEQR Status: Type 1.

Description of Action: The proposed redevelopment of a 4 story hotel with 169 hotel rooms and associated infrastructure improvements.

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. **Impact on land -No impact.**
2. **Impact on Geological Features – No impact.**
3. **Impacts on Surface Water – No impact.**
4. **Impact on Groundwater – No impact.**
5. **Impact on Flooding – No impact.**
6. **Impact on Air – No impact.**
7. **Impact on Plants and Animals – No impact.**
8. **Impact on Agricultural Resources – No impact.**

9. **Impact on Aesthetic Resources – No impact.**
10. **Impact on Historic and Archeological Resources – No impact.**
11. **Impact on Open Space and Recreation – No impact.**
12. **Impact on Critical Environmental Areas – N/A**
 - The Town of Lancaster has not established a Critical Environmental Area (CEA).
13. **Impact on Transportation – No impact.**
14. **Impact on Energy – No impact.**
15. **Impact on Noise, Odor and Light – No impact.**
16. **Impact on Human Health – No impact.**
17. **A small impact on the Consistency with Community Plans is noted.**
 - The applicant will file for variances.
18. **Consistency with Community Character – No impact.**

For Further Information:

Contact Person: Kevin E. Loftus, Town Attorney
Town of Lancaster
Address: 21 Central Avenue
Lancaster, New York 14086
Telephone Number: (716) 684-3342

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board is considering the construction of a new 15,000 ± sq. ft. Industrial Office/Warehouse Building by O’Connell Electric Co., to operate an Electrical Contracting Office to be located at 20 Lancaster Parkway in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on June 20, 2016 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the building, the short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Municipal Review Committee; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, the proposed action has been labeled an “Unlisted” action under SEQRA.

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

1. This project described as an applicant seeking necessary approvals and/or permits to develop and construct a 15,000± sq. ft. industrial office/warehouse building located on 5.88± acres on Lancaster Parkway in the Town of Lancaster, NY. The proposed development will also include a stoned storage area. Additional work will include all supporting site infrastructure for the development. The proposed project (“action”) includes all discretionary approvals and/or permits from the Town of Lancaster and involved agencies. will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney’s Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: July 5, 2016

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the "Town Board"), has reviewed the proposed construction of a 15,000 ± sq. ft. Industrial Office/Warehouse Building by O'Connell Electric Co., to operate an Electrical Contracting Office to be located at 20 Lancaster Parkway. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: O'Connell Electric

Location of Action: 20 Lancaster Parkway, Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted Action.

Description of Action: Applicant seeking necessary approvals and/or permits to develop and construct a 15,000± sq. ft. industrial office/warehouse building located on 5.88± acres on Lancaster Parkway in the Town of Lancaster, NY. The proposed development will also include a stoned storage area. Additional work will include all supporting site infrastructure for the development. The proposed project ("action") includes all discretionary approvals and/or permits from the Town of Lancaster and involved agencies.

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. The proposed action will not create a material conflict with an adopted land use plan or zoning regulations.
2. The proposed action will not result in a change in the use or intensity of use of land.
3. The proposed action will not impair the character or quality of the existing community.
4. The Town of Lancaster has not established a Critical Environmental Area (CEA).
5. The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.
6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.

7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.
8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.
9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).
10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems
11. The proposed action will not create a hazard to environmental resources or human health.

For Further Information:

Contact Person: Kevin E. Loftus, Town Attorney

Address: Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

Telephone Number: (716) 684-3342

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER WALTER, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has determined that there is a need to establish a Computer and Internet Use Policy in order to provide rules of conduct and guidelines for appropriate and efficient use of Town computers and Internet Service by all Town of Lancaster employees, and

WHEREAS, the Town Board has given due review and consideration to the adoption of the Computer & Internet Use Policy as prepared by the Town Attorney and finds it to be in the best interest of the Town to adopt said policy;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby adopts the Computer & Internet Use Policy as previously presented, to be effective immediately, and which shall supersede any previous versions of such policy, and

BE IT FURTHER

RESOLVED, that the Town Computer & Internet Use Policy shall be distributed to all current Town employees and to all future Town employees upon hire and that each employee shall be required to sign receipt of said Policy.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

PREFILED RESOLUTION NO. 11 – MEETING OF JULY 6, 2016

11. Gaczewski/_____ Award Contract For Engineering Services To Wm Schutt & Associates PC Re: 2016 Waterline Replacement Project Task Order #9

This resolution was withdrawn by Councilmember Gaczewski for further study.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, A Public Hearing was held on June 20, 2016, on the petition of **Young Development, Inc., C/O Hopkins, Sorgi & Romanowski, PLLC**, 5500 Main Street, Suite 343, Williamsville, New York 14221, for the rezone of two (2) parcels of land locally known as 0 Broadway (SBL Nos. 116.00-1-8.1 & 116.00-1-8.2), Lancaster, New York from a General Business District (GB) and Agriculture Residential District (A-R) to Multifamily Residential District Four (MFR-4), and

WHEREAS, the Planning Board of the Town of Lancaster recommended approval of the rezone at its June 1, 2016 meeting, and

WHEREAS, a SEQR review was completed on the proposed rezone on June 6, 2016 and on June 20, 2016 a Negative Declaration was issued, and

WHEREAS, notices of said Hearings were duly published and posted,
and

WHEREAS, in accordance with Section 239 (m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto;

**NOW, THEREFORE
BE IT RESOLVED,**

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from a General Business District (GB) and Agriculture Residential District (A-R) to Multifamily Residential District Four (MFR-4) with the following conditions:

- a. Deed restrictions to include “No Hunting” to be placed at the rear of the property in the area of the wetlands and Plumb Bottom Creek as well as on the parcel to the east of the property where the original Edgewater Apartment Homes project is located.
- b. No vehicular connection will be made between the Edgewater Apartment Homes and Frank’s restaurant.
- c. A No Clearing Zone will be provided for the 3.37 acres of permanent open space comprised of the northern portion of the project site and the 4.38 acres of permanent open space located on the northern portion of the previously approved Edgewater Apartment site located directly east of the project site.

Broadway-General Business District

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 3, Section 7, Township 11 and Range 6 of the Holland Land Company’s Survey, bounded and described as follows:

BEGINNING at a point being the northeast corner of said Lot No. 3; Thence southerly along the north line of said Lot No. 3, a distance 1227.75 feet to the true point and place of beginning; Thence westerly at a deflection angle to the right of 79°43'35", a distance of 220.75 feet to a point on the west line of lands conveyed to Alexander McLeron and Mabel C. McLeron, his wife, by deed recorded in the Erie County Clerk's Office in Liber 1527 of Deed at page 434; Thence southerly along the west line of lands conveyed to McLeron as aforesaid and at an interior angle of 100°06'08", a distance of 270.03 feet to a point; Thence easterly at an interior angle of 90°, a distance of 131.46 feet to a point; Thence southerly at an exterior angle of 89°49'44", a distance of 91.64 feet to a point; Thence easterly parallel with the centerline of Broadway and at an interior angle of 79°43'35", a distance 86.33 feet to a point on the said east line of Lot No. 3; Thence northerly along the easterly line of said Lot No. 3 and an interior angle of 100°16'25", a distance of 385.25 feet to the true point and place of beginning.

Property to be rezoned from GB to MFR-4 consists of 1.6 acres.

Broadway-Agriculture Residential District

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York; being part of Lot 3, Section 7, Township 11 and Range 6 of Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point being the northeast corner of said Lot No. 3; Thence southerly along the north line of said Lot No. 3, a distance 1227.75 feet to a point; Thence westerly at an interior angle of 100°16'25", a distance of 220.75 feet to a point on the west line of lands conveyed to Alexander McLeron and Mabel C. McLeron, his wife, by deed recorded in the Erie County Clerk's Office in Liber 1527 of Deeds at page 434; Thence northerly along the west line of lands conveyed to McLeron as aforesaid and at an interior angle of 79°53'52", a distance of 1275.07 feet to a point on the north line of said Lot No.3; Thence easterly along the north line of said Lot No. 3, a distance of 221.16 feet to a point and place of beginning.

Property to be rezoned from A-R to MFR-4 consists of 6.3 acres.

2. That said Ordinance Amendment be added in the Minutes of the meeting of the Town Board of the Town of Lancaster held on the 5th day of July 2016;
3. That a certified copy thereof be published in the Official Newspaper of Town of Lancaster pursuant to Town Law;
4. That Affidavits of Publication be filed with the Town Clerk; and
5. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

**LEGAL NOTICE
ADOPTION OF AMENDMENT
ZONING ORDINANCE, TOWN OF LANCASTER
YOUNG DEVELOPMENT, INC., C/O HOPKINS , SORGI & ROMANOWSKI, PLLC,
0 BROADWAY
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that the Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from General Business District (GB) and and Agriculture Residential District (A-R) to Multifamily Residential District Four (MFR-4) for the property known as **0 Broadway (116.00-1-8.1 & 116.00-1-8.2)** within the Town of Lancaster, New York.

July 7, 2016

STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER:

THIS IS TO CERTIFY that I, Diane M. Terranova, Town Clerk of the Town of Lancaster, in said County of Erie, have compared the foregoing copy of an Ordinance on the 5th day of July 2016 and that he same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto signed my hand and affixed the Seal of said Town this 5th day of July 2016.

Diane M. Terranova, Town Clerk

PREFILED RESOLUTION NO. 13 – MEETING OF JULY 6, 2016

13. Ruffino/_____ Appoint Parks & Recreation Part-Time Temporary Recreation Director

This resolution was withdrawn by Councilmember Ruffino for further study.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, 48 Freeman Properties LLC (c/o Barclay Damon LLP) has submitted a site improvement plan prepared by Carmina*Wood*Morris, DPC dated April 2016, with a revision date of June 2, 2016 and received June 28, 2016, for the proposed redevelopment of a 4-story, 169 room, hotel with associated infrastructure improvements located at 48 Freeman Road, in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their May 18, 2016 meeting, and

WHEREAS, the Town, acting as lead agency has completed an environmental review on June 20, 2016, in conformance with SEQR (State Environmental Quality Review) regulations and on July 5, 2016 a Negative Declaration was issued;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site improvement plan submitted by **48 Freeman Properties LLC (c/o Barclay Damon LLP)** and prepared by Carmina*Wood*Morris, DPC dated April 2016, with a revision date of June 2, 2016 and received June 28, 2016, for the proposed redevelopment of a 4-story, 169 room, hotel with associated infrastructure improvements located 48 Freeman Road, in the Town of Lancaster with the following condition:

- Granting of all necessary variances by the Town's Zoning Board of Appeals.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, Kenneth Zollitsch on behalf of O'Connell Electric Co.
has submitted a site plan prepared by Greenman Pedersen Inc., dated April 2016, with a
revision date of May 10, 2016 and received June 28, 2016, for the proposed construction of a
15,000 +/- sq. ft. Industrial Office/Warehouse Building for the operation of an Electrical
Contracting Office to be located at 20 Lancaster Parkway, in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the
Planning Board and was approved at their May 18, 2016 meeting, and

WHEREAS, the Town, acting as lead agency has completed an
environmental review on June 20, 2016, in conformance with SEQR (State Environmental
Quality Review) regulations and on July 5, 2016 a Negative Declaration was issued;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
approves the site plan submitted by **Kenneth Zollitsch on behalf of O'Connell Electric Co.**
and prepared by Greenman Pedersen, Inc., dated April 2016, with a revision date of May 10,
2016 and received June 28, 2016, for the proposed construction of a 15,000 +/- sq. ft.
Industrial Office/Warehouse Building for the operation of an Electrical Contracting Office to
be located at 20 Lancaster Parkway in the Town of Lancaster with the following condition:

- Sanitary sewer easement to be abandoned and removed.

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER WALTER, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, due to vandalism in November 2015, the brick façade at the Town of Lancaster’s Police and Courts (Public Safety) Building located at 525 Pavement Road needs to be repainted, and

WHEREAS, the Parks Crew Chief, Mark Lubera, obtained a quote for the painting per the Town’s Procurement Policy, and

WHEREAS, by letter dated June 28, 2016, Mark Lubera has recommended that the Town of Lancaster award the contract for repainting the Police and Courts (Public Safety) Building to N. Choops Painting, Inc., in the amount of \$1,250.00 per their proposal dated December 18, 2015, and

WHEREAS, funding for the painting of the Police and Courts (Public Safety) Building is available from funds that were previously paid to the Town by the perpetrator;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to accept the proposal for the painting of the Police and Courts (Public Safety) Building located at 525 Pavement Road to N. Choops Painting, Inc., 4404 Walden Avenue, Lancaster, NY 14086, in accordance with their proposal dated December 18, 2015 in the amount not to exceed \$1,250.00 and to be paid for with funds that were previously paid to the Town by the perpetrator.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Mark Lubera, Park Crew Chief of the Town of Lancaster's Parks Recreation & Forestry Department, has notified the Board that there is are twenty-five (25) dead Ash trees located on the Town's right-of-way between Partridge Walk and Squirrel Run within the Town that need to be removed, and

WHEREAS, the tree removal maintenance work is available through the Erie County Department of Purchase, Bid No. 2016055-004, Section E614, by authorized provider May's Tree Service, Inc. which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, funding for the tree removal is available, from the Town's 2016 Forestry and Community Beautification Budget Line Item 001.8510.0411.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes Erie County Bid Provider, May's Tree Service, Inc., P.O. Box 540, Lancaster, New York, to remove twenty-five (25) dead Ash trees located on the Town's right-of-way between Partridge Walk and Squirrel Run per their estimate dated June 27, 2016 for fees in accordance with Bid No. 2016055-004, Section E614, in the amount not to exceed \$21,720.00 and to be paid for with funds available from the Town's 2016 Forestry and Community Beautification Budget Line Item 001.8510.0411.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
 BY SUPERVISOR COLEMAN, WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated June 27, 2016, has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Parks, Recreation and Forestry Department, for a period not to exceed five (5) months, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Danielle Martzolf (rehire) Lancaster, NY	Recreation Attendant	\$20.00	July 6, 2016
Nicholas Wojtkiewicz (rehire) Lancaster, NY	Recreation Attendant	\$9.00	July 6, 2016
Kristina Doetterl (new hire) Lancaster, NY	Lifeguard	\$10.00	June 27, 2016
Madeline Wnuk (new hire) Lancaster, NY	Lifeguard	\$10.00	June 27, 2016
Michael Marrano (new hire) Lancaster, NY	Recreation Attendant	\$11.00	July 6, 2016
Tyler Lis (new hire) Lancaster, NY	Recreation Attendant	\$11.00	July 6, 2016

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, Mark Lubera, Park Crew Chief of the Parks, Recreation and Forestry Department, by letter dated June 29, 2016, has requested a title change for the following individual(s)

NOW, THEREFORE, BE IT

RESOLVED, that this resolution shall hereby amend the resolution dated May 16, 2016, and

AND BE IT FURTHER,

RESOLVED, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Parks, Recreation, & Forestry Department, for a period not to exceed five (5) months, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Chelsea Barbaro Lancaster, NY	Laborer	\$9.00	May 17, 2016
Pamela Tarapacki Lancaster, NY	Laborer	\$9.00	May 17, 2016

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GACZEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town of Lancaster recognizes the importance of
Como Lake Park to both the residents of Lancaster and Erie County; and

WHEREAS, the lake provides natural habitats for local wildlife and
leisure activities for park patrons; and

WHEREAS, there has been some discussion concerning the changing
of the characteristics of Como Lake; and

WHEREAS, after due review the various Town officials feel steps
should be taken to prevent changing the lake's characteristics; and

NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Lancaster is on
record in supporting keeping Como Lake a clearly defined Lake; and

BE IT FURTHER

RESOLVED, that copies of this resolution be transmitted by the
Lancaster Town Clerk to the clerk of the Erie County Legislature, Erie County Legislator Ted
Morton, Erie County Health Commissioner Gale Burstein, and Erie County Executive Mark
Poloncarz.

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, Lisa Ludwig was appointed by the Town Board by resolution dated June 6, 2016, to the position of Tutor, part-time temporary seasonal, in the Youth Bureau effective on June 7, 2016

WHEREAS, upon review of the legal identification documents of the aforementioned individual, it has been determined that an incorrect name was provided.

NOW, THEREFORE, BE IT

RESOLVED, that this resolution shall hereby amend the resolution dated June 6, 2016 and

AND BE IT FURTHER,

RESOLVED, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Youth Bureau, for a period not to exceed five (5) months, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Lisa Kramer (new hire) Buffalo, NY	Tutor	\$15.00 hr.	June 7, 2016

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

SUSPENDED RESOLUTION:

Supervisor Coleman requested a suspension of the necessary rules for immediate consideration of the following resolution.

UPON A MOTION DULY MADE BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, a suspension was granted.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, the Town of Lancaster recognizes the valuable service the Recreation Department provides to the community through the numerous Town activities, programs and services it offers, and

WHEREAS, the Recreation Department has been operating without a confirmed director since 1996, and

WHEREAS, the Town Board after due review and consideration, deems it in the public interest to make changes in the operation of the beforementioned department to assure that the functions carried out by this department are done so in an efficient manner;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster, based upon a recommendation by the Parks, Recreation and Forestry Department's Park Crew Chief, is hereby committed to formally investigating the options available to it and to start the process of ultimately appointing a Part Time Temporary Recreation Director.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 5, 2016

COMMUNICATIONS & REPORTS

370. Brent Henderson to Planning Board Chairman –
Letter of opposition to proposed mulch processing and storage facility at 31 Peppermint Road. Disposition = Planning Committee
371. Debbie Putnam to Town Board –
Letter of opposition to proposed mulch processing and storage facility at 31 Peppermint Road. Disposition = Planning Committee
372. Highway Superintendent to Town Board –
Three quotes for sidewalk work at Keysa Park and request for resolution to award work to Master’s Edge, 3409 Broadway, Cheektowaga, NY.
Disposition = Resolution 6/20/16
373. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Environment & Planning regarding Freeman Road Hotel Re-devel, 48 Freeman Road, (Proj. #8203).
Disposition = Planning Committee
374. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Environment & Planning regarding O’Connell Electric Co., Lancaster Parkway (Proj. #6039).
Disposition = Planning Committee
375. Code Enforcement Officer to Town Board –
Recommend approval of Special Use Permit Application for Heather R. Mayer, 734 Ransom Rd., with stipulations. Disposition = Resolution 7/5/16
376. Code Enforcement Officer to Town Board –
Recommend denial of special use permit application for 5428 Genesee St.; reason for denial noted. Disposition = Planning Committee
377. Kenneth Harla to Supervisor –
Request for review of parking situation at “The Village on the Park” development. Disposition = Lieutenant Rozler & Highway Superintendent
378. Twin District Volunteer Fire Co. to Town Clerk –
Change in roster. Disposition = Resolution 7/5/16
379. Erie County Commissioner of Public Works to Town Clerk –
Notice of Highway Closure on William Street between Transit Road and Penora Street from June 28, 2016 to June 30, 2016, for installation of sanitary sewers. Disposition = Highway Superintendent & Police Chief
380. Town Clerk to Various News Media –
Notice of Road Closure in the Town of Lancaster on William Street between Transit Road and Penora Street beginning June 28 through June 30, 2016, for the installation of sanitary sewers. Disposition = Received & Filed
381. Town Clerk to Code Enforcement Officer –
Copy of letter requesting renewal of Special Use Permit to operate a home occupation at 5300 William St. Disposition = Planning Committee
382. Tina Scerra to Planning Board Chairman –
Letter of opposition to proposed organic mulch processing and storage facility at 31 Peppermint Rd. Disposition = Planning Committee
383. Amy Zack to Planning Board Chairman –
Second letter of opposition to proposed organic mulch processing and storage facility at 31 Peppermint Rd. Disposition = Planning Committee

- 384. National Parks Service to Supervisor –
Thank you for submission of Federal Lands to Parks Stewardship Report
for Walden Pond Park. Disposition= Park Crew Chief**
- 385. New York State Attorney General to Supervisor –
Information regarding how to evaluate solar companies and their proposals
and different types of solar contracts available. Disposition = Building Inspector**
- 386. Erie County Dept. of Environment & Planning to property owners/residents –
Notification of road closure of William St. from Eastwood Parkway to FLIX
Theatre from June 28 to July 1, 2016, for installation of new sanitary sewer
pipe. Disposition = Police Chief**
- 387. Erie County Highways to Town Clerk –
Revision to closure of William Street for Sanitary Sewer project. Closure
will be from Tuesday, July 28, 2016 to Friday, July 1, 2016.
Disposition = Received & Filed**
- 388. Park Crew Chief to Supervisor and Town Board –
Request for resolution to have 25 dead Ash trees on the town right-of-way
between Partridge Walk and Squirrel Run removed by Mays Tree Service,
P.O. Box 540, Lancaster, NY. Disposition = Resolution 7/5/16**
- 389. Park Crew Chief to Supervisor and Town Board –
Request for resolution to appoint individuals to the position of part-time
temporary seasonal employee for the summer of 2016 in the Parks,
Recreation & Forestry Dept. Disposition = Resolution 7/5/16**
- 390. Park Crew Chief to Supervisor and Town Board –
Request for resolution for change of title for two individuals from
Recreation Attendant to Laborer. Disposition = Resolution 7/5/16**
- 391. Park Crew Chief to Supervisor and Town Board –
Request for resolution to hire Kevin Kelleher to the position of part-time
Recreation Director in the Parks, Recreation & Forestry Dept.
Disposition = Resolution 7/5/16**
- 392. Park Crew Chief to Supervisor and Town Board –
Request for resolution to have the brick façade at the Police & Courts
Building painted by N. Choops Painting, Inc., 4404 Walden Ave.,
Lancaster, NY. Disposition = Resolution 7/5/16**
- 393. Planning Board Chairman to Town Clerk –
Agenda for Planning Board meeting on July 5, 2016.
Disposition = Received & Filed**
- 394. Supervising Code Enforcement Officer to Planning Board, Town Board,
Town Clerk, Town Attorney, General Crew Chief, Engineering Consultant,
Highway Superintendent, Police Chief, Assessor and Secretary to Planning Board –
Correction to agenda for Planning Board meeting on July 6, 2016.
Disposition = Received & Filed**
- 395. Leon Robak to Town Board –
Concerns with Rezone Petition - David Builder – 5335 William Street for
construction of Villas by David Builders. Disposition = Planning Committee**
- 396. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY
COUNCIL MEMBER WALTER AND CARRIED,** the meeting was adjourned in memory
of Gilda Baccari and John Robinson Jr. at 8:41 P.M.

Signed _____

Diane M. Terranova, Town Clerk