

Town Board Minutes

August 15, 2016

Meeting No. 22

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 15 day of August 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 8:43 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 9:05 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.

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, spoke to the Town Board on the following matters:

- Asked about New York State grants to rehabilitate or replace bridges on public highways.
- Questions regarding the Special Town Board meeting on August 17, 2016.

Bryan, Keith, Representing Senator Gallivan's office, spoke to the Town Board on the following matter:

- Thanked the Board for their application for the Historical Building grant.

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

- Comments and questions regarding the rehiring of part time permanent positions.
- Questions about personnel hiring in the Parks and Highway Departments.
- Questions regarding a WalMart agreement from July 2008, having to do with Northwood Village subdivision.

Hangauer, Carmen, spoke to the Town Board on the following matter:

- Asked if picnic tables can be repaired at Westwood Park.

Fronczak, Mike, spoke to the Town Board on the following matters:

- Asked about drainage officer salary.
- Questioned the behavior expected by the Board of town employees.
- Questioned filing a notice of defect.
- Asked if the ditch cleaning is complete on Woodstream Drive.
- Asked about personnel hiring at the Police Department.
- Questions regarding a permanent shed on the WalMart building.

Lemaster, Debbie, spoke to the Town Board on the following matters:

- Questioned job posting for Dog Control Officer.
- Recommended the posting on line of dogs picked up by dog control.

Nosbisch, Paul, Jr. spoke to the Town Board on the following matters:

- Asked about replacing retiring Police Officers.
- Thanked the Board for the new website.

Rusinski, Sue, spoke to the Town Board on the following matter:

- Asked the board to address the swale issue on Pheasant Run.

Schlager, George, spoke to the Town Board on the following matter:

- Question regarding rat baiting on home demolitions.

PRESENTATION OF PREFILED RESOLUTIONS:

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

RESOLVED, that the minutes of the Regular Meeting of the Town Board held August 1, 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

August 15, 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. 45246 to Claim No. 45461 Inclusive

Total amount hereby authorized to be paid: \$1,585,620.31

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

August 15, 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
25619		Premier Fence Inc.	56 Banner Ave	Er. Fence	(V/L)
25658		David & Barbara Kegler	25 Cayuga Ave	Re-Roof	(V/L)
25659		Black Rock Roofing	5564 Broadway	Re-Roof	(V/L)
25660		John & Michele Murphy	38 Fox Hunt Rd	Er. Shed	
25661		Steven Buscaglia	15 Branch Way	Er. Deck	
25662		Guardian Fence of WNY Inc.	181N Maple Dr	Er. Fence	
25663		Jeffrey A. Au	44 Woodlawn Ave	Er. Fence	(V/L)
25664		Buffalo Bungalo Inc.	716 Aurora St	Er. Dwlg.-Sin.	
25665		Daniel & Mary Burgess	285 Enchanted Forest N	Er. Res. Alt.	
25666		Daniel & Mary Burgess	285 Enchanted Forest N	Er. Garage	
25667		Color Karma LLC	192 Central Ave	Er. Sign – Wall	(V/L)
25668		Besroi Construction	107 Richmond Ave	Re-Roof	(V/L)
25669		Scott J. Payne	110 Irwinwood Rd	Er. Storage Bldg	(V/L)
25670		Pasquale DiBartolomeo	668 Aurora St	Er. Shed	
25671		Marrano/Marc Equity Corp.	12 Jonquille Ct	Er. Dwlg.-Sin.	
25672		Richard Lampke, Jr.	148 Nathan's Trl	Re-Roof	
25673		Gary & Cheryl Myers	41 Banner Ave	Er. Shed	(V/L)
25674		Darrell & Elizabeth Skelton	38 Brandel Ave	Er. Res. Alt.	(V/L)
25675		House Crafters LLC	3 Walnut Creek Trl	Re-Roof	
25676		Ryan Homes - NVR Inc.	18 Crabapple Ln	Er. Dwlg.-Sin.	
25677		The KAZ Company	24 Lenox Ave	Re-Roof	(V/L)
25678		John & Cynthia Shurmatz	49 Cedar Brook Dr	Er. Fence	
25679		Joseph Barbera	32 Squirrel Run	Er. Shed	
25680		Joe Christ	23 Tranquility Trl	Er. Res. Alt.	
25681		Ryan & Christina Lombardo	30 Woodlawn Ave	Er. Porch	(V/L)
25682		Star Construction	8 Magrum Ln	Er. Shed	
25683		Pleasant Meadows Assoc. LLC	26 Magrum Ln	Er. Dwlg.-Sin.	
25684		Bryan & Julie Bellis	148 Siebert Rd	Re-Roof	
25685		Daniel & Tina Zack	114 Peppermint Rd	Er. Garage	
25686		Aronn & Karen Hazel	69 Michael Anthony Ln	Er. Deck	
25687		D. Amatura & R. Sherwood	5820 Broadway	Er. Sign – Pole	
25688		Charles & DiAnne Snyder	28 Windcroft Ln	Er. Porch	
25689		Sunroom Additions & Improv.	32 Rollingwood Dr	Er. Porch	
25690		Jessica Hendler	3539 Walden Ave	Er. Shed	(V/L)
25691		Ralph & Lillian Kuhn	17 Rollingwood Dr	Inst. Generator	
25692		Iroquois Fence Inc.	8 Lucia Ct	Er. Fence	
25693		Jordan Iladowski	57 Lake Forest Pky E	Er. Pool-Abv Grnd	
25694		Joseph & Marybeth Mills	127 Aurora St	Dem. Bldg	(V/L)
25695		Richard Bishop	63 Sawyer Ave	Er. Res. Alt.	(V/L)
25696		Dan Dewitt	5 Division (V) St	Er. Deck	(V/L)
25697		Sturdi Built Sheds LLC	4 Hillside Pky	Er. Shed	
25698		Edwin & Francis Lorenz	1200 Ransom Rd	Re-Roof	
25699		The Pool Guy	1 Lucia Ct	Er. Pool-Abv Grnd	
25700		Premier Fence Inc.	63 Carter St	Er. Fence	(V/L)
25701		Decks Unlimited Construction	13 Crabapple Ln	Er. Fence	
25702		Ida & Larry Ingram	11 Middlebury Ln	Er. Shed	
25703		Ronald & Donna Giorgini	19 Pear Tree Ln	Er. Fence	
25704		Timothy Seifert	271 Central Ave	Er. Garage	(V/L)
25705		Glamour Pools	23 Sterling Pl	Er. Pool-In Grnd	
25706		Glamour Pools	23 Sterling Pl	Er. Fence	

25707	Deny Adelman	1 Sterling Pl	Er. Porch	
25708	Jennefer Seifert	39S Irwinwood Rd	Re-Roof	(V/L)
25709	Michael & Shana Fattey	23 Pear Tree Ln	Er. Fence	
25710	RJF Development JV	5 Bennington Ln	Er. Dwlg.-Sin.	
25711	Kevin R. Grzybek	35 Running Brook Dr	Er. Fence	
25712	David W. Zolnowski	16 Dover Ct	Inst. Generator	
25713	Scott McIlhagga	25 Allen St	Er. Shed	(V/L)
25714	Seibold Construction Inc.	24 Creekwood Dr	Re-Roof	
25715	Patrick McHenry	162 Central Ave	Er. Shed	(V/L)
25716	Aerial Roofing & Exterior Inc.	121 Erie St	Re-Roof	(V/L)

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

August 15, 2016

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

WHEREAS, §1660 (18) Vehicle and Traffic Law of the State of New York authorizes the Town to restrict and prohibit the parking of vehicles on all roads within the Town except State Highways, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER";

NOW, THEREFORE,

BE IT RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle and Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 6th day of September, 2016, at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published in the Lancaster Bee newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, 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

August 15, 2016

**LEGAL NOTICE
PUBLIC HEARING
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to 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 15th day of August, 2016, the said Town Board will hold a Public Hearing on the 6th day of September, 2016 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

CHAPTER 46

ARTICLE X – Parking, Standing, and Stopping

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

B. The parking of vehicles is hereby prohibited in any of the following locations from November 15 to March 15:

(1). Hidden Pines Subdivision

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

and

ARTICLE X – Parking, Standing, and Stopping

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

B. The parking of vehicles is hereby prohibited in any of the following locations from November 15 to March 15:

(1). Hidden Pines Subdivision

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

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**

August 18, 2016

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

WHEREAS, §1660 (18) Vehicle and Traffic Law of the State of New York authorizes the Town to restrict and prohibit the parking of vehicles on all roads within the Town except State Highways, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER";

NOW, THEREFORE,
BE IT RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle and Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 6th day of September, 2016, at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published in the Lancaster Bee newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, 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

August 15, 2016

**LEGAL NOTICE
PUBLIC HEARING
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to 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 15th day of August, 2016, the said Town Board will hold a Public Hearing on the 6th day of September, 2016 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

CHAPTER 46

ARTICLE X – Parking, Standing, and Stopping

46-14. Parking time limited in designated locations; is hereby amended by adding thereto the following:

D. The parking of a vehicle is hereby prohibited in the following locations between the hours of 6:00 a.m. and 5:00 p.m. Monday through Friday from September 1 to November 14 and from March 16 to June 30:

(1) Hidden Pines Subdivision

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

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**

August 18, 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 of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Section 17 (F) of the Code of the Town of Lancaster, upon the application of **David Hawk**, for a Special Use Permit for a Home Occupation (small machine shop) on premises located at 255 Peppermint Road, Lancaster, New York, and the Board originally issued such Special Use Permit on September 20, 2004, this Special Use Permit was subject to renewal upon application by the property owner, and

WHEREAS, **David Hawk** has requested that the Town Board renew the Special Use Permit for an additional two (2) year period, and

WHEREAS, the Code Enforcement Officer has recommended his approval of this Special Use Permit in his letter dated July 27, 2016.

NOW THEREFORE, BE IT

RESOLVED, as follows:

1. That pursuant to Chapter 50-Zoning, Section 17 (F), entitled "Home Occupation", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **David Hawk**, for a Home Occupation (small machine shop) on premises located at 255 Peppermint Road, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for a period beginning September 20, 2016 and continuing through September 19, 2018, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Section F, of the Code of the Town of Lancaster as long as the applicant continues to engage in the home occupation on the premises, namely

- a. Only persons residing on the premises shall be engaged in such an occupation;
- b. The home occupation shall be clearly incidental and subordinate to the use of the premises for residential purposes. The area devoted to the home occupation shall not exceed twenty-five percent (25%) of the ground floor area of the principal structure. The home occupation may be within the principal accessory structure;
- c. There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation & no outdoor sign advertising this business;
- d. No equipment or process shall be used which creates noise, vibration, glare, fumes, odors or electrical interference perceptible to the normal senses off the lot;
- e. Permit must be renewed every two (2) years at no additional cost to applicant.
- f. Provide proof of a valid New York State Business License from the appropriate regulatory agency for the business being conducted.

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

August 15, 2016

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

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated August 2, 2016, has requested the addition of a 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 Town Line Volunteer Fire Department the following individual:

ADDITION:

Joshua Conklin
Lancaster, New York

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

August 15, 2016

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

WHEREAS, Mark Lubera, Park Crew Chief of the Parks, Recreation and Forestry Department, by letter dated August 4, 2016, has requested an effective starting date change for the following individual(s)

NOW, THEREFORE, BE IT

RESOLVED, that this resolution shall hereby amend the resolution dated June 20, 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>
Anthony Piccolo Lancaster, NY	Recreation Attendant	\$20.00	July 20, 2016
Gabby Cumbo Lancaster, NY	Recreation Attendant	\$20.00	July 16, 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

August 15, 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 August 5, 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>
Alexi Achtyl (rehire) Lancaster, NY	Laborer	\$9.00	August 4, 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

August 15, 2016

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

WHEREAS, Southeast Community Work Center, Inc., ('Southeast Works') offers a program for Developmentally Disabled adults in the communities of Lancaster, Alden, Marilla, Aurora, East Aurora and Wales, and

WHEREAS, this program consists of development, pre-vocational and work activity training programs for those individuals who are clients of Southeast Works, and

WHEREAS, Southeast Works is presently located at 181 Lincoln Street, Depew, New York 14043 and its services in the areas of evaluation, tutoring, development of self-help skills, personal adjustment training, recreation and counseling are of substantial benefit to residents of the Town of Lancaster, and

WHEREAS, Southeast Community Work Center, Inc., has offered to contract with the Town of Lancaster for the aforementioned services during the year 2016 for the total sum of One Thousand Dollars (\$1,000.00);

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute an Agreement with Southeast Community Work Center, Inc., for a program for Developmentally Disabled adults residing in the Town of Lancaster for developmental, pre-vocational and work activity training programs together with evaluation, tutoring and development of self-help skills, personal adjustment training, recreation and counseling; such services to be provided to those individuals who are clients of Southeast Works.

2. That the sum of One Thousand Dollars (\$1,000.00) will be paid by the Town to Southeast Community Work Center, Inc., in four equal quarterly payments: January 1st, April 1st, July 1st, and October 1st, 2016.

3. This Agreement is subject to the approval of the Town Attorney and appropriate State and County agencies or departments, where such approval is mandated by 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

August 15, 2016

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

WHEREAS, the Supervising Code Enforcement Officer, Matthew Fischione, has received information that the building located at 29 Hess Place in the Town of Lancaster, has become dangerous, unfit and unsafe to the general public and their use or occupancy is prohibited; and

WHEREAS, said building has been inspected and a written report of the condition has been completed by the Supervising Code Enforcement Officer for the Town of Lancaster, setting forth his findings and recommendations in regard to the repair or demolition and removal of the building, and said written report describes extensive deterioration and damage to the building and premises and recommends that the building be demolished and removed; and

WHEREAS, due diligence was completed to locate any interested persons and pursuant to Town Code §44-1(C), the Supervising Code Enforcement Officer posted a thirty (30) day notice to remedy said property with an effective date of August 7, 2016; and

WHEREAS, the Town Board has fully considered such written report and has determined that the building is dangerous and unsafe to general public and unfit for the purpose for which it may lawfully be used.

NOW THEREFORE

BE IT RESOLVED, pursuant to §44-3 of the Code of the Town of Lancaster, a Public Hearing on the proposed demolition of property located at 29 Hess Place (SBL No. 104.07-6-29.1) will be held at the Town Hall of the Town of Lancaster, 21 Central Avenue, Lancaster, New York on the 6th day of September, 2016 at 8:00 o'clock P.M., Local Time, to elicit from the owner and/or parties of interest, comments relative to the repair or demolition and removal of said building

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

August 15, 2016

**LEGAL NOTICE
PUBLIC HEARING
29 HESS PLACE
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted August 15, 2016, the said Town Board will hold a Public Hearing on the 6th day of September, 2016 at 8:00 o'clock P.M. Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York , to hear all interested person upon the following proposed demolition of an unsafe building and notice of removal of such structure by the Town of Lancaster in the event that the owner refuses to repair or remove himself located at 29 Hess Place, Lancaster, New York 14086 (SBL No. 104.07-6-29.1).

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

August 18, 2016

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

WHEREAS: through the efforts of State Senator Patrick Gallivan,
\$100,000 in grant monies may be available from the Dormitory Authority for the State for
New York through the State and Municipal Facilities Program, and

WHEREAS: funds will be allocated to making necessary repairs to
the Town of Lancaster Historical Society building;

NOW, THEREFORE BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant
consultants, be authorized and directed to complete the necessary application, forms, etc. to be
submitted to the Dormitory Authority for the State of New York for the purpose of securing
this grant, and

BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and
directed to execute all documents pertaining to the application and to the acquisition of said
funding.

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

August 15, 2016

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

WHEREAS, by resolution adopted on July 5, 2016, the Town Board of the Town of Lancaster authorized May's Tree Service, Inc. to remove twenty-five dead Ash trees located on the Town's right of way for an amount to be paid for with funds coming from the Town's Parks, Recreation and Forestry Department's 2016 Forestry and Community Beautification Budget Line Item 001.8510.0411, and

WHEREAS, due to an administrative error the Forestry and Community Beautification Budget Line Item 001.8510.0411 funding for the project was incorrect, it should have come from the Tree Fees fund, and

WHEREAS, the Town Board of the Town of Lancaster has reviewed this request and determined that the July 5, 2016 resolution should be amended as requested.

NOW, THEREFORE, BE IT

RESOLVED, that the resolution adopted July 5, 2016 authorizing May's Tree Service to remove twenty-five dead Ash trees with funding coming from the Town's Parks, Recreation and Forestry Department's 2016 Forestry and Community Beautification Budget Line Item 001.8510.0411 be and is hereby amended to indicate the correct funding source as the Tree Planting Fees fund, account no. 33-8000-0400, and

BE IT FURTHER

RESOLVED that any and all funds expended to date from the Town's Parks, Recreation and Forestry Department's 2016 Forestry and Community Beautification Budget Line Item 001.8510.0411 pursuant to the resolution adopted July 5, 2016 shall be reimbursed from Tree Planting Fee Fund account no. 33-8000-0400.

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

August 15, 2016

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

RESOLVED that the Supervisor be and hereby is authorized to execute the Financial Advisory Services Agreement, dated July 1, 2016, between the Town of Lancaster and Capital Markets Advisors, LLC, as presented.

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

August 15, 2016

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

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letter dated July 27, 2016, has recommended the appointment of the following individual(s) to the following part-time permanent position(s), which is to be entering data on the Town's GIS mapping system;

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time permanent position(s) in the Highway Department, working not more than nineteen and three-quarter hours per week, 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 permanent employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Spencer Podsiadlo (rehire) Cheektowaga, NY	Clerk	\$12.00	August 22, 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

August 15, 2016

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

WHEREAS, federal grant monies are available to local governments through the New York State Department of Transportation Bridge NY program to rehabilitate or replace bridges on public highways; and

WHEREAS, the Town of Lancaster seeks funding to rehabilitate or replace the Iroquois Avenue Bridge, BIN # 2213340;

NOW, THEREFORE, BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Department of Transportation for the purpose of securing this grant;

BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and to the acquisition of said funding.

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

August 15, 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 requested maintenance work (addition of crumb rubber, turf grooming, yearly cleaning, & a GMAX test for 2016) be done to obtain a softer and safer soccer field playing surface at Westwood Park in the Town of Lancaster, and

WHEREAS, the Park Crew Chief, obtained three (3) quotes for the maintenance work for the soccer field in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, by letter dated August 11, 2016 Mark Lubera has recommended that the Town of Lancaster award the contract for the maintenance work to obtain a softer and safer soccer field playing surface at Westwood Park, to Rich's Sport Fields, Inc., in the amount of \$13,300.00 per their quote dated July 25, 2016, and

WHEREAS, funding for the maintenance work of the soccer field turf at Westwood Park is available from the Town's Recreation Filing Fees Trust and Agency Account;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to execute the estimate for maintenance work of the Soccer field at Westwood Park to Rich's Sports Fields, Inc., 110 Pavement Road, Lancaster, NY 14086, in accordance with their quote dated July 25, 2016 in the amount not to exceed \$13,300.00 and to be paid for with funds available from the Town's Recreation Filing Fees Trust and Agency Account.

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

August 15, 2016

COMMUNICATIONS & REPORTS

452. Park Crew Chief to Planning Board, Council Member Abraham, Council Member Ruffino, Council Member Gaczewski and Council Member Walter – Landscape recommendation for Site Plan for Apple Rubber Expansion, 204 Cemetery Road, Proj. #2562. Disposition = Planning Committee
453. Park Crew Chief to Planning Board, Council Member Abraham, Council Member Ruffino, Council Member Gaczewski and Council Member Walter – No issues with Site Plan for Precision Scale & Balance, 140 Rotech Drive, Proj. #5281. Disposition = Planning Committee
454. Police Officer James Formato to Supervisor – Letter of intent to retire from the Lancaster Police Department effective November 5, 2016. Disposition = Payroll Supervisor
455. Lancaster Rural Cemetery to Supervisor and Town Board – Thank you for financial support and request for continuation of annual allowance to Lancaster Rural Cemetery. Disposition = Director of Finance
456. Bowmansville Volunteer Fire Association to Supervisor – Questions regarding zoning issues or any other circumstances for the future use of 620 Pavement Road. Disposition = Code Enforcement Officer
457. Town Clerk to Code Enforcement Officer – Transmittal of Application for a Game Room License for AMF Bowling Centers (Lancaster Lanes). Disposition = Received & Filed
458. Park Crew Chief to Supervisor and Town Board – Request for resolution rescinding prior resolution funding removal of 25 trees from the Forestry and Community Beautification budget and stating that the monies for this project come out of the tree fees. Disposition = Assistant to the Supervisor & Resolution 8/15/16
459. Town Attorney to NYSDEC, Erie County DPW, Erie County Health Dept., Div. of Sewerage Management, NYSDOT and Erie County DEP – Request for Town of Lancaster Lead Agency designation for Apple Rubber Products Project (addition), 204 Cemetery Road, Proj. #2562. Disposition = Planning Committee
460. Town Attorney to NYSDEC, Erie County DPW, Erie County Health Dept., Div. of Sewerage Management, NYSDOT and Erie County DEP – Request for Town of Lancaster Lead Agency designation for Precision Scale & Balance Project, 140 Rotech Drive, Proj. #2581. Disposition = Planning Committee
461. S. Rusinski to Town Clerk and Town Board – Request for a representative from the Town to meet with the residents of 34, 36, 38 & 40 Pheasant Run Lane to resolve the problem with the original swale behind their homes that has overgrown with cat tails. Disposition = Highway Superintendent
462. Town Clerk to Various News Media – Notice of rescheduled meeting of the Lancaster Town Board to be held on Tuesday, September 6, 2016. Disposition = Received & Filed
463. Town Clerk to Various News Media – Notice of Special Meeting of Town Board and Planning Board to be held on August 15, 2016 at 6:15PM for the SEQRA Review: Site Plan - Russell's Metal Storage Addition, 6675 Transit Road. Disposition = Received & Filed
464. Town Line Volunteer Fire Department, Inc. to Town Clerk – Change in roster. Disposition = Resolution 8/15/16

465. Alden Town Clerk to Supervisor –
Copy of Town of Alden Local Law #2 of the Year 2016 entitled “Solar Siting” for review. Disposition = Planning Committee
466. Town Clerk to Town Board –
Town Clerk Monthly Report for July 2016. Disposition = Received & Filed
467. Dog Control Officer to Town Board –
Dog Control Report for July 2016. Disposition = Received & Filed
468. Supervisor to Town Board –
Notice of Special Town Board Meeting on August 17, 2016 at 6:00PM.
Disposition = Received & Filed
469. Park Crew Chief to Supervisor and Town Board –
Request for resolution to appoint one individual to the position of Laborer for the summer of 2016 in the Parks, Recreation & Forestry Dept. effective August 4, 2016. Disposition = Resolution 8/15/16
470. Park Crew Chief to Supervisor and Town Board –
Request for amended resolution to change the effective dates for two Recreation Attendants previously hired on a resolution dated June 20, 2016.
Disposition = Resolution 8/15/16
471. Lancaster Village Clerk to Town Board –
Meeting minutes from regular meeting held on April 25, 2016.
Disposition = Received & Filed
472. Lancaster Village Clerk to Town Board –
Meeting minutes from regular meeting held on May 9, 2016.
Disposition = Received & Filed
473. Lancaster Village Clerk to Town Board –
Meeting minutes from regular meeting held on May 23, 2016.
Disposition = Received & Filed
474. Lancaster Village Clerk to Town Board –
Meeting minutes from regular meeting held on June 13, 2016.
Disposition = Received & Filed
475. Lancaster Village Clerk to Town Board –
Meeting minutes from regular meeting held on June 27, 2016.
Disposition = Received & Filed
476. Lancaster Village Clerk to Town Board –
Meeting minutes from regular meeting held on July 11, 2016.
Disposition = Received & Filed
477. Town Clerk to Various News Media –
Press Release announcing Special Town Board Meeting on August 17, 2016 at 6:00PM. Disposition = Received & Filed
478. Supervising Code Enforcement Officer to Town Clerk –
Approve issuance of Game Room License for AMF Bowling Centers (Lancaster Lanes). Disposition = Received & Filed
479. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Sewerage Management regarding Apple Rubber Products Addition, 204 Cemetery Rd.; Proj. #2562.
Disposition = Planning Committee

- 480. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Public Works regarding
Apple Blossom 3-Lot Development, South of Apple Blossom Blvd.; Proj. #6030.
Disposition = Planning Committee**
- 481. Town Attorney to Town Board and Planning Board –
SEQR response from NYS Dept. of Environmental Conservation regarding
Upstate Cellular, S. Penora Street; Proj. #6018.
Disposition = Planning Committee**
- 482. Town Attorney to Town Board and Planning Board –
SEQR response from NYS Dept. of Environmental Conservation regarding
Upstate Cellular, Mohawk/Juniper Blvd.; Proj. #6023.
Disposition = Planning Committee**
- 483. Code Enforcement Officer to Supervisor and Town Board –
Approve issuance retroactively of Special Use Permit for the 2016 season for
C.J. Krantz Topsoil, 4106 Walden Avenue.
Disposition = Town Attorney for Resolution**
- 484. Highway Superintendent to Town Board –
Request for resolution reappointing Spencer Podsiadlo from seasonal part-time
to permanent part-time to assist the Highway Dept. with GIS input.
Disposition = Resolution 8/15/16**
- 485. District Clerk, Lancaster Central School District to Town Clerk –
Copy of resolution regarding partial payments of school tax bills.
Disposition = Received & Filed**
- 486. Town Clerk to Town Board –
Final report of the 2016 County/Town tax collection.
Disposition = Received & Filed**
- 487. Park Crew Chief to Supervisor and Town Board –
Request for resolution awarding work to be done on the turf soccer field
at Westwood Park to Rich's Sports Fields Inc., 110 Pavement Rd., Lancaster, NY.
Disposition = Resolution 8/15/16**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY
COUNCIL MEMBER WALTER AND CARRIED,** the meeting was adjourned in memory
of Cathleen (Wendel) Lista at 9:06 P.M.

Signed _____

Diane M. Terranova, Town Clerk