

Town of Lancaster

OFFICE OF THE TOWN ATTORNEY

21 Central Avenue
Lancaster, New York 14086
PHONE: (716) 684-3342
FAX: (716) 681-7475

JOHN M. DUDZIAK

Town Attorney

November 9, 2012

Honorable Town Board
Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

Planning Board
Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

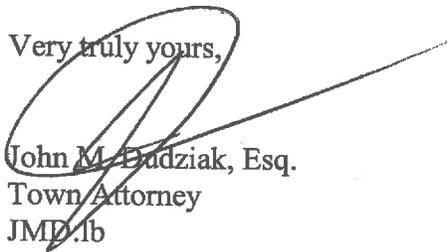
RE: Park Lane Apartments II
Transit Road, South of Michael Anthony Lane
Town of Lancaster, County of Erie

Dear Town Board and Planning Board Members:

Enclosed please find a SEQR response sent to my office via email, dated November 7, 2012 from the Erie County Department of Sewerage Management on the above-referenced project for your review. Please note these comments were sent to the Town prior to the County Agencies receiving the developer's revised site plan.

Should you have any questions or concerns, please call me.

Very truly yours,

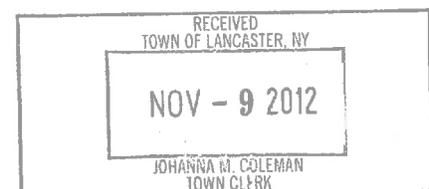

John M. Dudziak, Esq.

Town Attorney

JMD:lb

Enc.

CC: Supervisor
Building Inspector
Town Clerk
Town Engineer



iFrom: Knight, AICP, Jason [<mailto:Jason.Knight@erie.gov>]
Sent: Wednesday, November 07, 2012 9:38 AM
To: 'Leza Braun'
Subject: RE: Town of Lancaster SEQR procedures..

I haven't got to that project for the apartments on Transit, been totally swamped and it slipped through. I will send in comments anyway, if that's OK. There were only comments of relevance to the sewer department. I have copied them below but will send a letter with them attached as well.

Jason

The Division of Sewerage Management (DSM) has reviewed the SEQRA submittal for the above-mentioned project and has the following comments:

1. The proposed five: 16 unit apartment buildings are located in the Town of Lancaster and Erie County Sewer District No. 4.
2. Please show access to the parcel.
3. A sanitary sewer easement and maintenance agreement amongst the owner of this property and the owner of the private sanitary sewers north of this project is required. The easement must have a clause regarding maintenance of the private sewers, connection, and transport. The following is an example of language expected: The Grantor agrees to maintain access to the sanitary sewer for maintenance purposes in the event that the Grantor is unable for any reason to maintain the private sanitary sewer on his premises in proper working order the Grantee can do so.
4. DSM and Health Department approval of the sanitary sewer is required.
5. The developer/engineer must submit sanitary sewer design drawings as part of a complete submittal to Matt A. Salah, P.E. of this office. The submittal must be in accordance with *Erie County Sewer District Rules and Regulations* and *Design Requirements*. The design engineer is encouraged to discuss preliminary sewer design with DSM before submitting plans.
6. Inflow and Infiltration removal is required.
7. The DSM does not oppose to the Town of Lancaster acting as Lead Agency.

The above comments do not constitute DSM approval or disapproval for this project.

If you have any questions feel free to call me at Ext. 6974.

Natalie

Jason Knight, AICP | Community Planning Coordinator
Erie County | Environment & Planning
95 Franklin St., Room 1016 | Buffalo, NY 14202
P:(716) 858-4809 | F:(716) 858-7248
Jason.Knight@erie.gov | <http://www.erie.gov>



Town Line Fire Department

6507 BROADWAY

LANCASTER, NEW YORK 14086

(716) 683-0385

Fax: (716) 683-0658

November 8, 2012

Ms. Johanna Coleman
Lancaster Town Clerk
21 Central Avenue
Lancaster, NY 14086

Dear Ms. Coleman:

This letter is to advise you that the following individual has been approved for membership by the Town Line Volunteer Fire Department, Inc. Proper background checks have also been conducted and the individual has been approved by the Town of Lancaster Police Department and the Erie County Sheriffs.

Mr. Brandon Servos

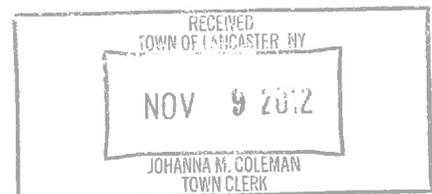
Alden, NY 14004

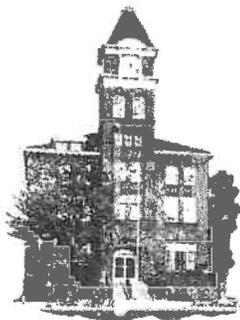
Please notify me once the above-mentioned member has been approved by the Town Board so they can be obligated as a member of our department.

Thank you for your attention to this matter. Should you have questions, please do not hesitate to contact me at 716-818-0089.

Regards,

Richard E. DeVries
Vice President – Town Line Fire Department





Town of Lancaster

OFFICE OF THE TOWN ATTORNEY

21 Central Avenue
Lancaster, New York 14086
PHONE: (716) 684-3342
FAX: (716) 681-7475

JOHN M. DUDZIAK
Town Attorney

MEMO

To: Johanna Coleman, Town Clerk
From: John M. Dudziak, Town Attorney
Date: November 9, 2012
Subject: The Greens at Pleasant Meadows, Phase II-Subdivision IV

Dear Mrs. Coleman:

Enclosed please find the Maintenance Bonds for the Street Lights public improvement for the above-referenced subdivision for your records.

Please prepare a resolution accepting P.I.P. No. 691 (Street Lights) for the next scheduled board meeting.

If there are any questions, please call.

Very truly yours,

John M. Dudziak, Esq.
Town Attorney
JMD:lh
Enc.

RECEIVED
TOWN OF LANCASTER, NY
NOV - 9 2012
JOHANNA M. COLEMAN
TOWN CLERK



COUNTY OF ERIE

CHRISTOPHER L. JACOBS
COUNTY CLERK

November 8, 2012

The Honorable Johanna Coleman
Lancaster Town Clerk
21 Central Avenue
Lancaster, New York 14086

Dear Johanna:

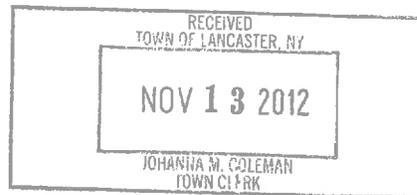
I am very pleased that our Passports on the Move outreach brought passport services directly to the residents of Lancaster via your office. Through our joint efforts, 18 people who had been waiting to get a passport came out on October 31 and got one. Many more stopped in to get information. Everyone expressed their appreciation for making the process so convenient. The event ran smoothly because of the organization, scheduling and preparation by you and your staff. Thanks for hosting this event. We look forward to coming back.

If you would like to schedule another passport outreach event in the future, please contact Camille Brandon or Michael Cecchini at 716 858-8867.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Jacobs", is written over a circular embossed seal.

Christopher L. Jacobs
Erie County Clerk

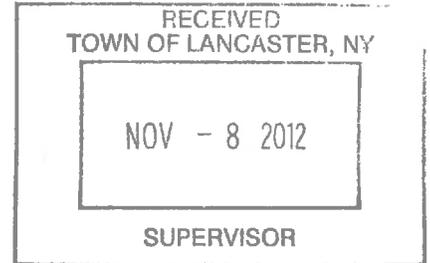




TOWN OF LANCASTER

OFFICE OF THE ASSESSOR
21 CENTRAL AVENUE
LANCASTER, NEW YORK 14086
(716) 683-1311
FAX (716) 681-7054

MEMO



TO: Supervisor Fudoli
FROM: Christine Fusco, Assessor *CF*
DATE: November 7, 2012
RE: Appointment of Real Property Appraisal Technician

As you know, Jim Juliano has submitted his letter of resignation and will be leaving effective December 31, 2012. His part time position of Real Property Appraiser will be replaced by a full time Real Property Appraisal Technician position that has been added to the assessor's budget for 2013. After working closely with Lois Palano and Morgan Miner on what procedure to follow, a list of eligible candidates was obtained from Erie County. This list had only one Lancaster resident on it, and according to Civil Service, she would have preference. I interviewed this individual and she comes very qualified to fill the position. Her name is Nancy A. Carlon and lives at _____ in the Town of Lancaster. She has agreed to accept the position if offered to her.

As we discussed, the Civil Service List is due to expire November 25th. Morgan checked with Civil Service and was told that as long as the appointment was made prior to November 25th, she could start at a later date. To aid in a smooth transition, I would like to have Ms. Carlon start the week of December 3rd and overlap with Jim Juliano to be sure that all bases are covered before he leaves. I did check with Dave Brown and was advised there is money available in the 2012 assessor's budget to carry both positions for the month.

At this time I would request that the appointment of Nancy A. Carlon to the position of Real Property Appraisal Technician be added to the Town Board agenda for the meeting on November 19, 2012. This will allow us to use the list we canvassed before it expires.

If you have any questions, please don't hesitate to call.

TC 501



Town of Lancaster

TOWN PLANNING BOARD
21 Central Avenue
LANCASTER, NEW YORK 14086

MEMO

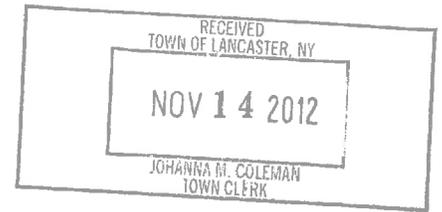
TO: Honorable Town Board
Town of Lancaster

FROM:  The Town of Lancaster Planning Board

DATE: November 7, 2012

RE: Park Lane Apartments II

PROJECT #: 1227



LOCATION: Transit Road South of Michael Anthony Lane (Behind Kohl's Dept. Store)

TYPE: Revised Site Plan Review

RECOMMENDATION: Approval

Roll call vote:

Chair Keysa – Yes	Kristin McCracken – Yes
Rebecca Anderson – Yes	Steven Socha – Excused
Neil Connelly - Yes	Melvin Szymanski – Excused
Lawrence Korzeniewski – Yes	

CONDITIONS: 1. Landscaping plan to be provided to General Crew Chief Terrence McCracken for approval.
2. All buildings to be fully sprinklered.
3. Applicant to provide results of water line test to Town Engineer for approval.
4. All details of engineering report to be approved by Town Engineer.
5. Clarification to be provided to Town Board on how leasing will be limited to seniors.

COMMENTS: None

TC 502



Town of Lancaster

TOWN PLANNING BOARD

21 Central Avenue
LANCASTER, NEW YORK 14086

November 7, 2012

Planning Board Members: Stanley J. Keysa, Chairman
Rebecca Anderson
Neil Connelly
Lawrence Korzeniewski
Kristin McCracken
Steven Socha
Melvin Szymanski

Town Board Members: Dino Fudoli, Supervisor
John M. Abraham
Mark Aquino
Ronald Ruffino, Sr.
Donna G. Stempniak

Engineering Consultant: Robert Harris, Wm. Schutt & Associates

Town Attorney: John M Dudziak

Town Highway Superintendent: Daniel J. Amatura

Building & Zoning Inspector: Jeffrey H. Simme

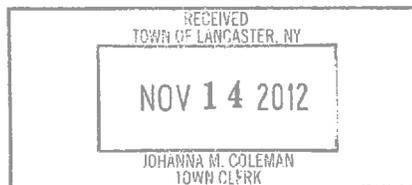
Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held November 7, 2012. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,


Stanley J. Keysa
Planning Board Chairman

SJK:mn
Encl.



A meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the seventh day of November 2012 at 7:30 P.M, and there were present:

PRESENT: Stanley J. Keysa, Chairman
Rebecca Anderson, Member
Neil Connelly, Member
Lawrence Korzeniewski, Member
Kristin McCracken, Member

EXCUSED: Steven Socha, Member
Melvin Szymanski, Member

ABSENT: None

ALSO PRESENT:

Town Board Members: Donna G. Stempniak

Other Elected Officials: None

Town Staff: Robert Harris, Engineering Consultant-Wm. Schutt & Assoc.
Scott Pease, Asst. Code Enforcement Officer
Nicholas LoCicero, Town Prosecutor
Mary Nowak, Recording Secretary

Meeting called to order by Chair Keysa at 7:30.M.

Pledge Of Allegiance led by Member Rebecca Anderson.

Minutes – Motion was made by Kristin McCracken to approve the minutes from the October 17, 2012 Planning Board meeting. Motion seconded by Neil Connelly and unanimously carried.

Administrative Item –

Planning Board Meeting Schedule for 2013 (Tentative) – The Planning Board was provided with the tentative schedule of Planning Board Meeting dates for 2013. Chair Keysa asked the Planning Board members to look over the schedule for any corrections or comments. It was noted that the first meeting date in July is scheduled for July 3. Due to the Fourth of July holiday the next day, it was recommended that the first meeting in July be changed to July 10, 2013. A motion was made by Lawrence Korzeniewski to approve the revised 2013 Planning Board Meeting Schedule. Motion seconded by Kristin McCracken and unanimously carried. Roll call vote as follows:

Chair Keysa – Yes	Kristin McCracken – Yes
Rebecca Anderson – Yes	Steven Socha – Excused
Neil Connelly – Yes	Melvin Szymanski – Excused
Lawrence Korzeniewski – Yes	

**Communications received by November 7th 2012
for the Town of Lancaster Planning Board**

- 11-7-01 Letter dated October 2nd 2012 from Town Attorney John Dudziak transmitting SEQR response dated October 1st 2012 from EC DEP regarding addition to Russell's Steaks, Chops and More at 6675 Transit Road.
- 11-7-02 Letter dated October 2nd 2012 from Highway Superintendent Daniel Amatura with comments on cul de sacs in subdivisions.
- 11-7-03 Memo dated October 3rd 2012 from Director of Administration & Finance David Brown with tentative budget for 2013 for Planning Board; salaries stay as in 2012, and travel cut by \$2800.
- 11-7-04 Copy of letter dated March 15th 2005 from former Town Attorney Richard Sherwood clarifying the need for a public hearing on preliminary plats.
- 11-7-05 Copy of letter dated March 11th 2011 from Town Attorney John Dudziak clarifying provisions of Town Law Section 276(5)(d)(i) regarding public hearings on preliminary plats.
- 11-7-06 Memo dated September 19th 2012 from Supervising Code Enforcement Officer Jeff Simme transmitting application for site plan approval for Park Lane Apartments II off Transit Road south of Michael Anthony Lane.
- 11-7-07 Copy of letter dated October 2nd 2012 from Steven Socha to Town Clerk Johanna Coleman documenting 2 hours attendance at training session held by EC Extension Service.
- 11-7-08 Fall 2012 issue of NYPF Planning News.
- 11-7-09 September/October 2012 issue of Talk of the Towns & Topics.

- 11-7-10 Memo dated October 5th 2012 from Town Attorney noticing special Town Board meeting for October 15th 2012 at which the Municipal Review Committee will conduct a SEQR review of a grant sought for a town skate and bike park.
- 11-7-11 Memo dated October 8th 2012 from Chief James Koral of Twin District Fire Company with comments and questions on Park Lane Apartments II.
- 11-7-12 Memo dated October 9th 2012 from Supervising Code Enforcement Officer transmitting revised sketch plan for Bowen Road Subdivision.
- 11-7-13 Memo dated October 10th 2012 from Town Attorney noticing special Town Board meeting for October 15th 2012 at which the Municipal Review Committee will conduct a SEQR review of a grant sought for a town handicapped ramp and sidewalk replacement.
- 11-7-14 Memo dated October 15th 2012 from Highway Superintendent indicating no issues with sketch plan for William and Bowen Road Subdivision.
- 11-7-15 Minutes of Zoning Board of Appeals meeting held October 11th 2012 at which the ZBA considered petition of Philip Gonser, Jr. of 3 St. Anthony Street for accessory structure setbacks (denied).
- 11-7-16 Minutes of Special Town Board meeting held October 15th 2012 at which the Municipal Review Committee conducted SEQR reviews of: 1.) a proposed town skate and bike park in Keysa Park (negative declaration issued); and 2.) town handicapped ramp and sidewalk replacement (negative declaration issued).
- 11-7-17 Letter dated October 16th 2012 from Town Attorney transmitting a SEQR response dated October 12th 2012 from NYS DEC regarding Park Lane Apartments II.
- 11-7-18 Planning Board expense ledger as of September 30th 2012.
- 11-7-19 Notice of free energy seminar scheduled for November 7th 2012 from 11:30 am to 1 pm at Curly's Grill in Lackawanna.
- 11-7-20 Notice of "One Region Forward Local Government Council" to be held November 13th 2012 from 8 am to 9:30 am at Hearthstone Manor.
- 11-7-21 Info distributed by EC DEP Commissioner Maria Whyte at AECG meeting Regarding Buffalo Erie Niagara Land Improvement Corporation (BENLIC).
- 11-7-22 E-mailed notice dated October 24th 2012 of GBNRTC meeting scheduled for November 7th 2012 at EC DPW, 95 Franklin Street, Buffalo.
- 11-7-23 Memo dated October 25th 2012 from Supervising Code Enforcement Officer transmitting revised site plan for Park Lane Apartments II.
- 11-7-24 Copy of letter dated October 31st 2012 from James A. Broglioli of Benderson Development Company, LLC to Town Board asking for extension of site plan approval issued November 3rd 2008.
- 11-7-25 E-mail dated November 2nd 2012 from Supervisor Dino Fudoli regarding request for acceptance of Juniper Boulevard without connection to Walden Avenue.
- 11-7-26 Copy of article in Buffalo News from November 4th 2012 entitled: "Community Overview: Lancaster."

- 11-7-27 E-mailed communication dated November 5th 2012 from Kristin Keane asking 5.5 hours training credit for service as Chair of ECSD#4 Board of Managers.
- 11-7-28 October 2012 newsletter of Buffalo River Trustee Council.
- 11-7-29 October 2012 issue of CRT News

ACTION ITEMS –

REVISED SITE PLAN REVIEW – PARK LANE APARTMENTS II, TRANSIT ROAD, SOUTH OF MICHAEL ANTHONY LANE, SEVEN 16-UNIT MULTI-FAMILY APARTMENTS FOR SENIOR HOUSING BEHIND KOHL'S DEPT. STORE. PROJECT NO. 1227. CONTACT PERSON: DAVID HUCK

David Huck, 6105 Transit Rd. Suite 140 and Michael Metzger, Metzger Engineering presented to the Planning Board the revised site plan for the proposed Park Lane Apartments II located on Transit Road, south of Michael Anthony Lane behind the existing Kohl's Dept. Store. The site plan shows seven 2-story, 16-unit multi-family apartment buildings for senior housing (55 years and older). There will be 1-bedroom and 2-bedroom apartments available. A community building and a fenced-in pool are shown on the site plan. Mr. Huck stated that the detention pond shown on the previous site plan has been moved away from the fence. The following items were discussed:

Landscaping – Chair Keysa referred to a memo from General Crew Chief Terrence McCracken stating that a landscaping plan has not been submitted for this project, and comments on a previously submitted landscaping plan for this project requesting more extensive planting to better provide screening to the adjacent residential property owners on Petersbrook Circle. The Planning Board stated that a landscaping plan for this project must be submitted to General Crew Chief Terrence McCracken for approval.

Sprinkler System – Mr. Huck told the Planning Board that this project will be fully sprinklered.

Water Pressure – Chair Keysa referred to com. 11-7-11 from Chief James Koral of Twin District Fire Co. with comments and questions on this project. There was discussion regarding an existing water line that was capped years ago and that additional testing of the water line would be required. Town Engineer Robert Harris recommended that a water line test be done on the private system. The Planning Board stated that the applicant must provide the results of a water line test to the Town Engineer for approval.

Engineering – Town Engineer Robert Harris told the Planning Board that there are still a few minor details that he would like to go over with Mr. Metzger. The Planning Board stated that all details of the engineering report for this project must be approved by the Town Engineer.

Lighting – Mr. Huck told the Planning Board that this project will have one pole light at the entrance to this project. All other lighting will be mounted on the buildings.

Leasing – Chair Keysa asked how the leasing of the units will be limited to seniors, 55 years and older. Following a brief discussion, the Planning Board stated that clarification must be provided to the Town Board on how leasing will be limited to seniors.

Transit Road Traffic – The Planning Board asked how this project will impact traffic on Transit Road. Mr. Huck stated that since this will be senior apartments, the traffic generated by this project would have a minimal effect on Transit Road. No traffic study has been done.

DETERMINATION

Based on the information provided to the Planning Board, a motion was made by Lawrence Korzeniewski to recommend approval of the revised site plan to the Town Board with the following conditions: 1.) Landscaping plan to be provided to General Crew Chief Terrence McCracken for approval. 2.) All buildings to be fully sprinklered. 3.) Applicant to provide results of water line test to Town Engineer for approval. 4.) All details of engineering report to be approved by Town Engineer. 5.) Clarification to be provided to Town Board on how leasing will be limited to seniors. Motion seconded by Kristin McCracken and unanimously carried. Roll call vote as follows:

Chair Keysa – Yes	Kristin McCracken – Yes
Rebecca Anderson – Yes	Steven Socha – Excused
Neil Connelly – Yes	Melvin Szymanski – Excused
Lawrence Korzeniewski – Yes	

OTHER MATTERS – None

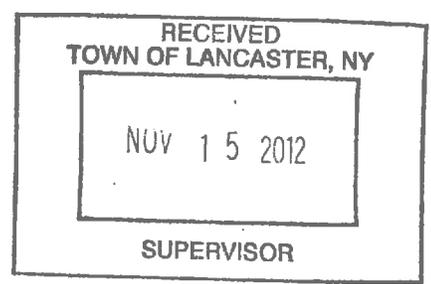
At 8:08 PM Neil Connelly made a motion to adjourn the meeting. Motion seconded by Rebecca Anderson and unanimously carried.

TC
TB

503



COUNTY OF ERIE
MARK C. POLONCARZ
COUNTY EXECUTIVE



GALE R. BURSTEIN, MD, MPH
COMMISSIONER OF HEALTH

November 9, 2012

Dan W. Bissell, PE
Bissell Stone Associates
19 North Ellicott Street
Williamsville, NY 14221

RE: 272 Pavement Road sanitary sewer extension
(T) Lancaster
SNOK-82VL5L

Dear Mr. Bissell:

This is to acknowledge receipt of the construction plans for the above project. This material has been referred to our Plan Review Section and will be processed as soon as possible.

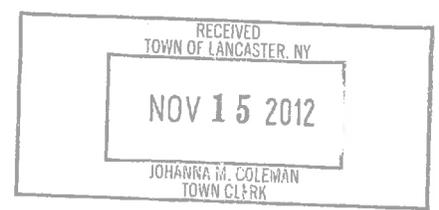
This Department will review the above plans for compliance with the Erie County Department of Health and New York State Department of Environmental Conservation standards, and where appropriate issue a final project approval. The final approval will be applicable to the following:

SNOK-82VL5L Public Sewer System Improvement

A brief review of your submission package revealed missing documentation needed for a complete project review. Please see the attached checklist for more information. A quick response will help to expedite final review. Should you have any questions regarding the progress of your plans, please contact me at 843-4699.

Sincerely,

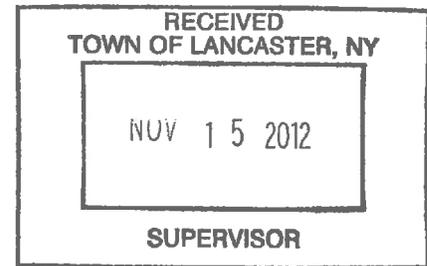
Rebecca R. Wightman, PE
Public Health Consultant III
Public Health Engineering



Cc: File
Matt Salah, ECDEP/DSM
Jeff Konsella, NYSDEC
David Denk, PE, NYSDEC
Town of Lancaster

Tc
TB

504



November 16, 2012

Dear Chief Executive Officer:

As the holiday season approaches we are mindful of the long standing tradition observed by many of our suppliers who give gifts not only to friends and relatives, but also to business associates and customers.

We believe that as responsible business people, we must focus not only on the substance of our daily actions, but also on the standards we set for others throughout the community. Our company's policies generally prohibit our associates from accepting gifts from our suppliers, either during the holiday season or at other times during the year. Our policies allow limited exceptions for food items that can be shared with co-workers, items of nominal value and attendance at events where a vendor representative is present. Samples provided for testing and vendor sponsored corporate events and contests are not considered gifts. A summary of our policies is attached.

We gratefully decline most gifts for two reasons:

1. To encourage our suppliers to put all such funds into lowering our net cost, and
2. To avoid a potential conflict of interests for our associates.

We sincerely request your complete cooperation in refraining from offering prohibited gifts to any of our people.

In the years to come, we will plan to send a similar letter to you and all of our suppliers in order to maintain a strong awareness of our policies and avoid potential problems. We request that you circulate this letter, along with a request for cooperation, to those individuals in your company who have business relations with associates of Tops Markets.

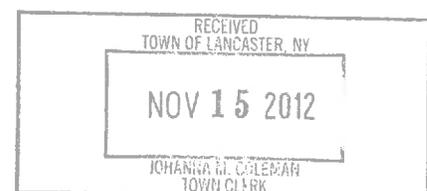
It is not our intention to lessen the tradition of warmth associated with this season, but this is a matter we all must treat seriously. Some of our suppliers have adopted the policy of making a gift to charity instead of sending holiday presents. This is a wonderful idea, especially in these economic times that find many of our neighbors in need. However, the gift we appreciate most is your continuing effort to help us grow together and serve our customers.

If you have any questions or comments, please feel free to discuss with your regular Tops contact.

On behalf of all the people at Tops, we would like thank you for your support of Tops Markets during 2012. We extend to you and your organization our sincere wishes for a happy, healthy holiday and a prosperous New Year.

Sincerely,

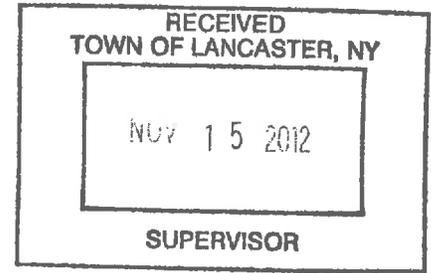
The Tops Markets, LLC Executive Committee



TC
TB

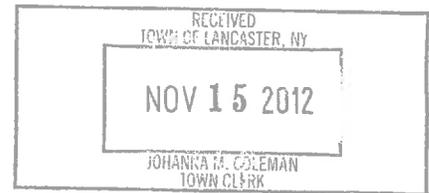
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Robert P. Thill
5329 Broadway
Lancaster NY 14086



November 13, 2012

The Honorable Town Board
Town of Lancaster
21 Central Avenue
Lancaster NY 10486



Re: Variance grant 333 Pleasant View Drive

Board Members:

On Thursday, November 8, 2012, the Zoning Board of Appeals held the second of two hearings on the petition of Dominic A. Cimato, residing at 333 Pleasant View Drive, for two variances for the purpose of constructing a 20 foot high, 1,500 square foot metal pole barn on the premises for the following purpose: " Will store vehicles, RTV, lawn/outdoor equipment not for commercial use. Primarily will be used to store classic cars."

The Zoning Board granted the two variances requested in a majority, split decision with a vote of four members in favor and three members opposed.

A very persuasive argument for the granting of the area variance was put forth at the hearing by the attorney for the petitioner, Mr. Corey Auerbach of Damon & Morey. Because his reasoning does not appear in the summary minutes provided to you, I feel it needs to be brought to the attention of the town board and its advisory committees. You may or may not conclude that the Code itself is in need of a minor amendment.

Auerbach's argument follows:

Chapter 50-10 D. Design regulations for accessory structures and uses reads as follows:

"(4) A detached garage or shed may not exceed 750 square feet.

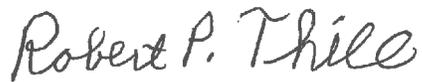
Mr. Auerbach pointed out to the board that, should the board deny the requested area variance to his client, his client could then easily apply for and receive, without the necessity of applying for any variance, multiple building permits for multiple 750 square foot structures on the premises to store his classic cars (provided that the structures were located 10 feet from each other and from the main dwelling as well as five feet from any property line).

What Mr. Auerbach is really saying is that the present code sets **no aggregate** square foot limit for accessory structures in the Residential District (R-1) of the Code.

I have researched Chapter 50 of the Code of the Town of Lancaster and it is my belief that Mr. Auerbach is correct in his interpretation of the code. His interpretation is somewhat limited, however, by the provisions of Chapter 50-10D (3) of the Code which sets a of 40% maximum lot coverage for all structures on the lot.

I suspect that the enactors of Chapter 50 of the Code of the Town of Lancaster never intended unlimited construction of multiple 750 square foot accessory structures in Residential District (R-1) areas of this township. These areas are our prime high class residential areas.

Sincerely yours,

A handwritten signature in cursive script that reads "Robert P. Thill".

Robert P. Thill, Member
Zoning Board of Appeals

506

STANLEY JAY KEYSA
ATTORNEY AND COUNSELOR AT LAW
5455 BROADWAY
LANCASTER, N. Y. 14086

CELL PHONE (716) 861-1226
OFFICE PHONE (716) 683-1017

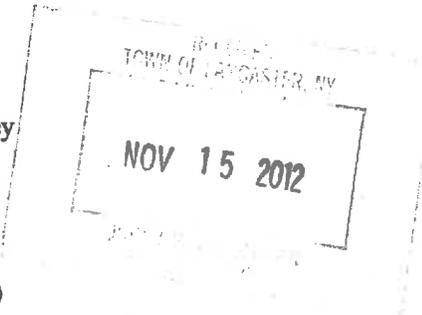
FAX (716) 685-3029
ALTERNATE FAX (716) 683-3355

e-mail: sjkeysa@roadrunner.com

November 14, 2012
4896

Arthur Herdzyk, Esq., Village Attorney
Village of Lancaster
5423 Broadway
Lancaster, NY 14086

John Dudziak, Town Attorney
Town of Lancaster
21 Central Avenue
Lancaster, NY 14086



Re: Lancaster Urban Renewal Agency ("LURA")

Gentlemen:

Chapter 373 of the 2012 Session Laws includes provisions at section 29 repealing Title 21 of article 15-B of the general municipal law, and Section 30 provides:

"Notwithstanding any other provision of law to the contrary, any existing records, property, rights, titles and interest of the Lancaster urban renewal agency shall vest in and be possessed by the town of Lancaster and its successors and assigns."

From prior research, it is my recollection that the records of LURA are located in the basement of the Municipal Building under control of the Village Clerk. Further, the Town Assessor's Office identified one piece of property still in title to LURA, that being the southeast corner of Central Avenue and Brookfield Place, commonly known as Rotary Park.

On your advice, the two municipalities may want to make arrangements between themselves regarding storage of records and maintenance of the park.

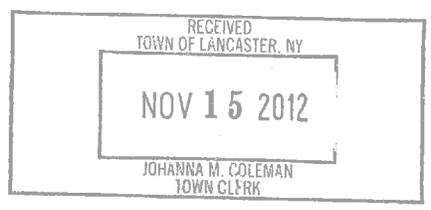
Please call me at 861-1226 if you have any questions. Thank you!

Very truly yours,

Stanley Jay Keysa

SJK:ms
Encl. as

cc: Johanna M. Coleman, Town Clerk
Michael Stegmeier, Village Clerk
Jeffrey Stribing, VLCDC





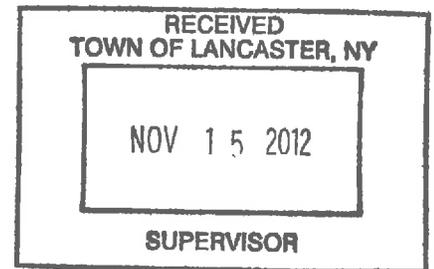
TOWN OF LANCASTER
HIGHWAY DEPARTMENT
525 PAVEMENT ROAD
LANCASTER, NY 14086

Daniel Amatura
Highway Superintendent
Tel (716)683-3426
Fax (716)685-0271

COMMUNICATIONS
REVISED

November 14, 2012

Honorable Town Board
21 Central Avenue
Lancaster, NY 14086



Re: One New and Unused JRB Coupler and 12' Reversible Snowplow

Dear Honorable Town Board

I respectfully request that the Town Board authorize publication of a bid for a New and Unused JRB Coupler and 12' Reversible Snowplow with advertising to begin on Thursday, November 29, 2012 and with the bids to be opened up at 10:00 AM on Tuesday, December 11, 2012. This JRB Coupler and 12' Reversible Snowplow will be installed on our 2005 John Deere 624J Loader. The JRB Coupler and 12' Reversible Snowplow will be paid from my 2012 budget line item 13-5142-0210 – Other Equipment.

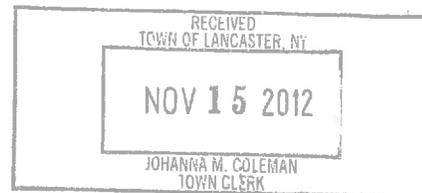
Attached please find the proposed bid specifications for the JRB Coupler and 12' Reversible Snowplow. If you have any further questions, please do not hesitate to contact me.

Respectfully yours,

Daniel Amatura
Highway Superintendent
Town of Lancaster

DA/mb
Attachments

Cc: Dino Fudoli, Supervisor
John Dudziak, Town Attorney
Johanna Coleman, Town Clerk



TOWN OF LANCASTER, NEW YORK

SPECIFICATIONS

FOR

**ONE NEW AND UNUSED JRB COUPLER WITH 12' REVERSIBLE
SNOWPLOW**

NOTICE TO BIDDERS:

Sealed bids will be received by the Town Clerk of the Town of Lancaster, or his designee, at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, until 10:00 o'clock AM, local time, on Tuesday, December 11, 2012 furnishing to the Town of Lancaster, the following equipment:

**ONE NEW AND UNUSED JRB COUPLER WITH 12' REVERSIBLE
SNOWPLOW**

GENERAL SPECIFICATIONS:

TAX:

No federal, state, county, or local taxes are to be included in the purchase price. Purchases by the Town of Lancaster are exempt from these taxes.

PRICE:

Price shall be net, F.O.B. point of delivery, Town Highway Department Garage, 525 Pavement Road, Lancaster, New York 14086.

INFORMATION TO BE FURNISHED WITH BID:

Bidder must submit with his bid detailed specifications, circulars, and all other necessary data on the equipment he proposes to furnish.

INFORMATION TO BE FURNISHED BY SUCCESSFUL BIDDER:

The successful bidder, at time of delivery, must provide to the Town of Lancaster, a resume of specific specifications applicable solely to the equipment being delivered.

REJECTION OF BIDS:

The Town Board of the Town of Lancaster reserves the right to reject any or all bids and to waive any informalities.

QUALIFICATION OF BIDDERS:

No bid will be considered unless the firm submitting the bid is representative of a manufacturer who can meet the following conditions:

- 1) That it has in operation, a factory adequate for and devoted to the manufacture of the equipment, which it proposes to furnish.
- 2) That it has in operation, and has had at least twelve (12) months prior to the time of bid opening, a service facility within a reasonable distance of the using agency equipped with spare parts, which can be delivered and installed within twenty-four (24) hours.
- 3) That there are at least twenty-five (25) units of the type and size bid upon which have been in satisfactory operation for a period of one (1) year.

WITHDRAWAL OF BID:

No bidder may withdraw his bid within sixty (60) days after the opening thereof, but may withdraw at any time prior to the opening thereof.

BID SECURITY:

A certified check or bid bond, in an amount representing five percent (5%) of the "Gross Bid", to the Supervisor of the Town of Lancaster, shall accompany each bid.

DELIVERY DATE:

Delivery date is to be not more than thirty (30) days from date of Contract Award. Bidder to state exception if any.

DELIVERY PLACE:

The equipment is to be delivered complete as per specifications to the Town of Lancaster Highway Department Garage, 525 Pavement Road, Lancaster, New York 14086.

ADDRESSING BIDS:

All bids shall be submitted in sealed envelopes, plainly marked "ONE NEW AND UNUSED JRB COUPLER WITH 12' REVERSIBLE SNOWPLOW" and addressed to:

Johanna Coleman, Town Clerk
Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

BID FORM:

The "Bid Form" and "Specification Resume Form" (see attached sheets) must be filled out completely and accompany any and all bids. Failure to complete these forms shall be reason for disqualification.

WARRANTY:

The successful bidder shall provide a full one (1) year warranty from date of delivery, or manufacturers standard warranty, whichever is greater. The warranty period shall not limit operating hours.

NON-COLLUSIVE BIDDING CERTIFICATE:

Each bid or proposal shall contain a Non-Collusive Bidding Certificate in accordance with Section 103-d of the General Municipal Law.

IMMUNITY WAIVER:

"The vendor hereby agrees, pursuant to the provisions of Section 103-a of the General Municipal Law, which requires that upon refusal of a person when called before a grand jury, head of a state department, temporary state commission or other state agency, the organized crime task force in the department of law, head of a city department, or other city agency, which is empowered to compel the attendance of witnesses and examine them under oath to testify in an investigation concerning any transaction or contract had with the state, any political subdivision thereof, public authority or with any public department, agency or official of the state or of any political subdivision thereof or of a public authority, to sign a waiver of immunity against subsequent criminal prosecution or to answer any relevant question concerning such transaction or contract".

- a) Such person, and any firm, partnership or corporation of which he is a member, partner, director or officer shall be disqualified from thereafter selling to or submitting bids to or receiving awards from thereafter selling to or submitting bids to or receiving awards from or entering into any contracts with any municipal corporation or fire district, or any public department,

agency or official thereof, for goods, work or services, for a period of five years after such refusal, and to provide also that

- b) Any and all contracts made with any municipal corporation or any public department, agency or official thereof on or after the first day of July, 1959, or with any fire district or any agency or official thereof on or after the first day of September, 1960, by such person, and by any firm, partnership or corporation of which he is a member, partner, director or officer may be canceled or terminated by the municipal corporation or fire district without incurring any penalty or damages on account of such cancellation or termination, by any monies owing by the municipal corporation or fire district for goods delivered or work done prior to the cancellation of termination shall be paid.”

BID FORM

NAME OF
BIDDER: _____

ADDRESS OF
BIDDER: _____

We, the undersigned, agree to furnish as per specifications to the Town of Lancaster, New York:

**ONE NEW AND UNUSED JRB COUPLER WITH 12'
REVERSIBLE SNOWPLOW**

FOR THE TOTAL SUM OF: \$ _____

TOTAL COST TO TOWN OF LANCASTER

A certified check or bid bond, in an amount representing five percent (5%) of the "Gross Bid" payable to the Supervisor of the Town of Lancaster is enclosed.

Attached, hereto, and separately executed is the Non-Collusive Bidding Certificate of the undersigned, and the Manufacturer's specifications.

Date this _____ day of
_____, 2012

(Name of Bidder)

Signed

(Authorized Representative)

SEAL
OF CORPORATION

NON-COLLUSIVE BIDDING CERTIFICATION

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in case of a joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of his knowledge and belief:

- 1) The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor.
- 2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor, and
- 3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

Bidder

**TOWN OF LANCASTER HIGHWAY DEPARTMENT
 SPECIFICATIONS FOR A NEW JRB COUPLER WITH ALL
 NECESSARY COMPONENTS & 12' REVERSIBLE SNOWPLOW
 TO BE INSTALLED ON A 2005 JOHN DEERE 624J LOADER**

**THIS LOADER CURRENTLY HAS A 2.5 CU/YD JRB PIN ON 4 IN 1 BUCKET
 WHICH NEEDS TO BE MODIFIED TO ATTACH TO THE COUPLER.**

1.0 Modification of Bucket	YES	NO	DEVIATION
1.1 Existing Pin On Mounts shall be removed cleanly			
1.2 New Coupler Type Mounts shall be solidly welded on to JRB specifications			
1.3 Areas worked on shall be completely cleaned, primed & painted to match current color			
1.4 New high pressure hydraulic hoses are to be installed between T-blocks & new stainless steel hydraulic quick couplers for clam functions			
1.5 All removed & unused parts to be returned			
2.0 New JRB Coupler			
2.1 Shall be fully functional utilizing OEM controls			
2.2 Any new component mounts shall be painted to match existing colors			
2.3 New high pressure hydraulic hoses & fittings shall be neatly installed as required			
2.4 New stainless steel hydraulic quick couplers shall be mounted on coupler unit			
2.5 All new electrical & hydraulic components shall be installed to John Deere & JRB OEM specifications			

Coupler & Plow Cont.

		YES	NO	DEVIATION
3.0	12' Heavy Duty Reversible Snowplow with Options			
3.1	Shall be 12' in length & 45" in height minimum			
3.2	Reversing function shall utilize two HD double acting hydraulic cylinders			
3.3	Shall be a trip moldboard type with 2 to 4 heavy duty compression springs			
3.4	Moldboard shall be smooth rolled 7 gauge with 1/2" thick ribs			
3.5	Plow must attach easily to JRB coupler			
3.6	High pressure hydraulic hoses shall be routed neatly so no pinching will occur			
3.7	Stainless steel hydraulic quick couplers shall be installed			
3.8	Three 4' segmented carbide plow blades with a cover blade shall be installed			
3.9	3 to 4 moldboard shoes shall be installed			
3.10	Blade end guards shall be installed			
3.11	Complete Plow assembly shall be painted to match Loader Yellow color	*****	*****	
3.12	Name of Plow Manufacturer	*****	*****	
4.0	Other instruction			
4.1	ALL Service & Parts Manual shall be provided by all manufacturers			
4.2	A One Year Written Warranty on ALL Components must be provided			
4.3	Delivery to Awarded Bidder's facility & Pickup from of completed unit will be by the Town of Lancaster within a 50 mile radius			

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JOHANNA M. COLEMAN, TOWN CLERK
TOWN OF LANCASTER
21 CENTRAL AVE.
LANCASTER, N.Y. 14086
AREA CODE 1-716 683-9028

COPY

November 16, 2012

Robert Harris, Town Engineer
Town of Lancaster
37 Central Avenue
Lancaster, New York 14086

Mr. Jeffrey Simme, Building Inspector
Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

Re: **Application for Dumping Permit -**
Heidi M. Marki
87 Stony Road

Gentlemen:

Enclosed is an application from the above referenced petitioner requesting a permit pursuant to Chapter 22-8 of the Code of the Town of Lancaster for permission to dump and dispose of materials outside of permitted sanitary landfill areas.

Would you please review the above referenced application and recommend to the Town Board whether you approve or disapprove of the issuance of this permit.

Sincerely yours,

OFFICE OF THE TOWN CLERK



Johanna M. Coleman
Town Clerk

JMC/dt
Encl.

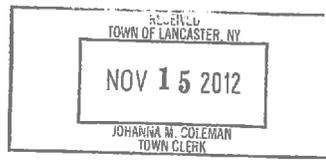
cc: Town Board
Heidi M. Marki

COPY

COPY

COPY

COPY



Official Use Only
ck # 24
Fee Received \$100.00
Date 11/15/12

TOWN OF LANCASTER

APPLICATION PURSUANT TO CHAPTER 22-8 OF THE CODE OF THE TOWN OF LANCASTER

- FOR PERMISSION TO -

DUMP AND DISPOSE OF MATERIALS OUTSIDE PERMITTED SANITARY LANDFILLS

ITEM 1. PROPERTY OWNER:

Heidi M Marki

(Name)

87 Stony Rd

(Address)

Lancaster, NY 14086

(Address)

200-9126
(Phone No.)

ITEM 2. FILL SITE LOCATION AND DESCRIPTION:

(i.e. - 5782 Broadway - private dwelling on one acre lot)

87 Stony Rd
private dwelling on one and a half acre lot

ITEM 3. ZONING CLASSIFICATION:

R1

ITEM 4. PURPOSE AND EXTENT OF FILLING OPERATION:

stop/prevent erosion to the lot

ITEM 5. EXPECTED DURATION OF FILLING OPERATION:

2 year

ITEM 6. TYPE OF FILL:

top soil / clay

ITEM 7. IDENTIFY SOURCE OF FILL:

4845 Transit Rd. Lancaster

ITEM 8. STREAMS AND DRAINAGE DITCHES:

Are there any streams or drainage ditches on this property?

(yes) (no) yes

ITEM 9. FLOOD PLAIN:

Is fill site located in a designated Town of Lancaster area flood plain?

(yes) (no) NO

AS PER Jeff Simme
Lancaster Building Inspector
11/14/2012

ITEM 10. WET LANDS AREA:

Is fill site located in a designated New York State wetlands area?
(yes) (no) NO

*per DEC. 11/14/12
716-851-7070*

ITEM 11. SITE PLAN:

Applicant must attach to this application a site plan similar to the sample attached hereto showing the following:

- a) site plan
- b) location of all buildings on fill site
- c) location of all streams or drainage ditches on fill site whether tiled or not
- d) shaded area where fill is to be deposited

ITEM 12. TOPOGRAPHICAL PLAN:

Applicant must attach to this application a topographical plan similar to the sample attached hereto showing the following:

- a) the present grade line
- b) a dotted line indicating the proposed finished grade level

ITEM 13. ADDITIONAL STATEMENT OF APPLICANT: (If desired)

*this is being done to fill in years
worth of erosion to our property and
properly guide the flow to prevent
future erosion*

AFFIRMATION OF OWNER:

I certify that I/we am/are the owner(s) of the property for which this Filling Permit is requested, that I/we have examined this application, and the statements contained therein are true to the best of my/our knowledge and belief.

Skidi M. Marki
Signature of Property Owner)

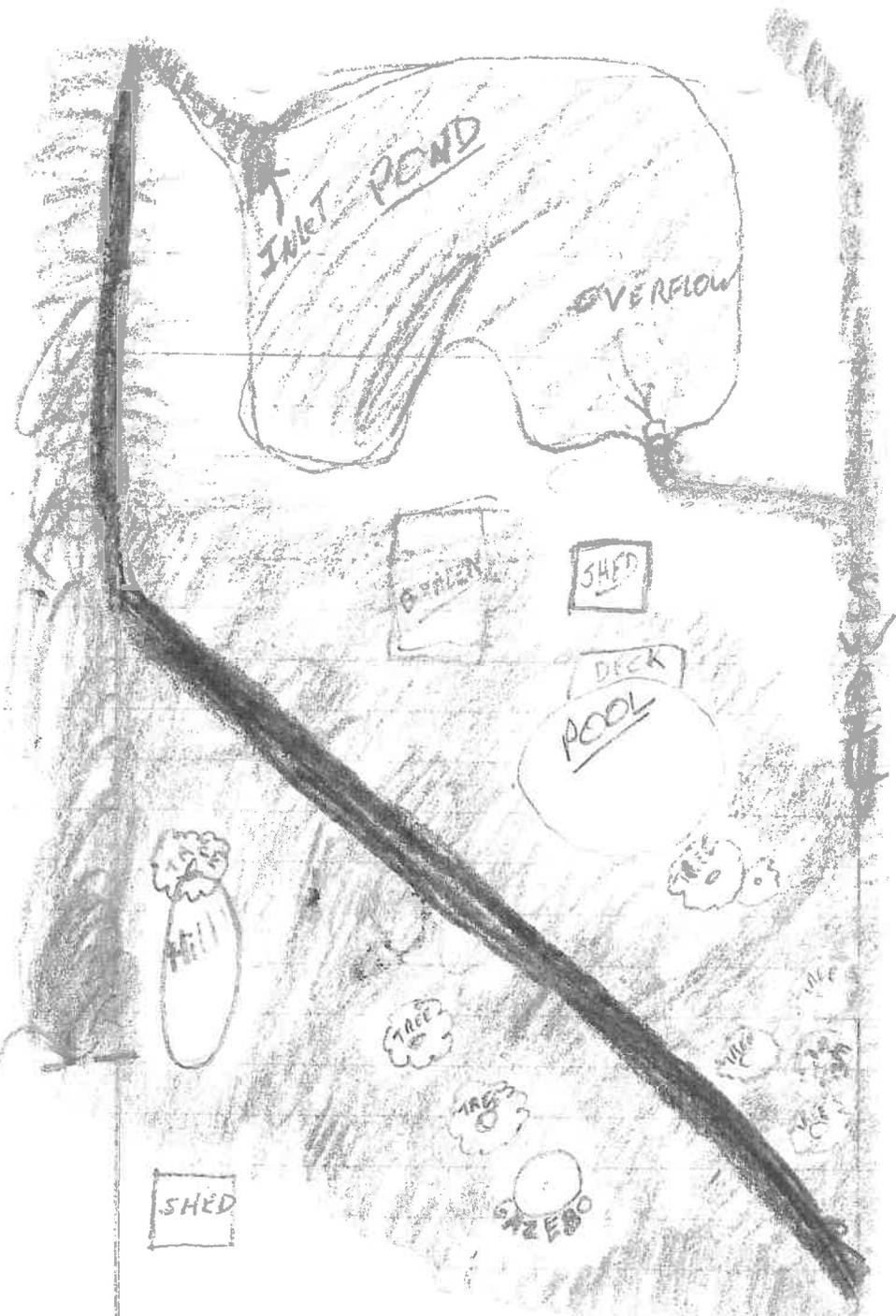
Signature of Property Owner)

INSTRUCTIONS TO APPLICANT

Applicant must complete application, draw sample site plan (see sample attached) and deliver it to the Town Clerk. with a non-refundable processing fee of \$100.00. Make check payable to "Johanna M. Coleman, Town Clerk".

The application is then forwarded to the Building Inspector and Town Engineer for recommendation.

Upon receipt of their written recommendations, the application will be presented to the Town Board for a resolution approving or denying said application.

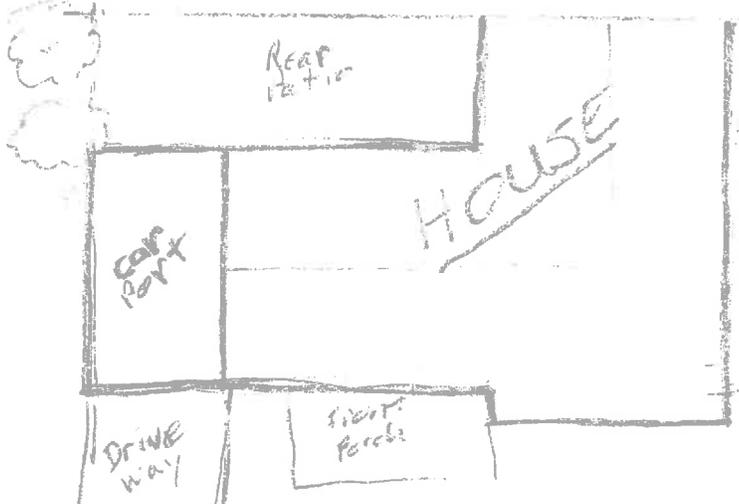


SMALL
HEDGES

IDEAL
WATER
FLOW

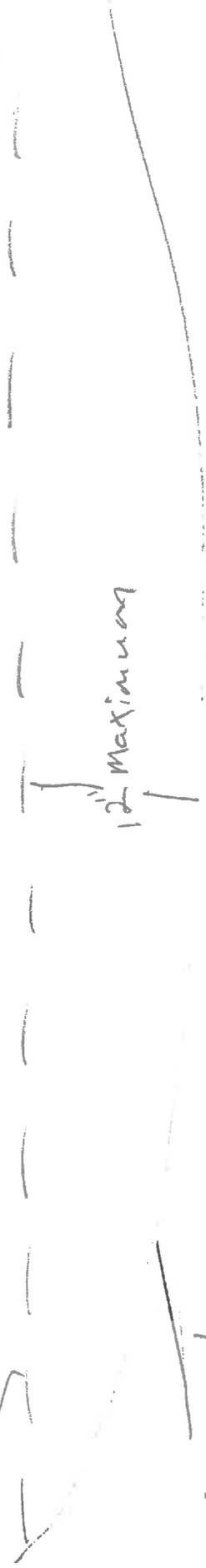


CURRENT
WATER
FLOW

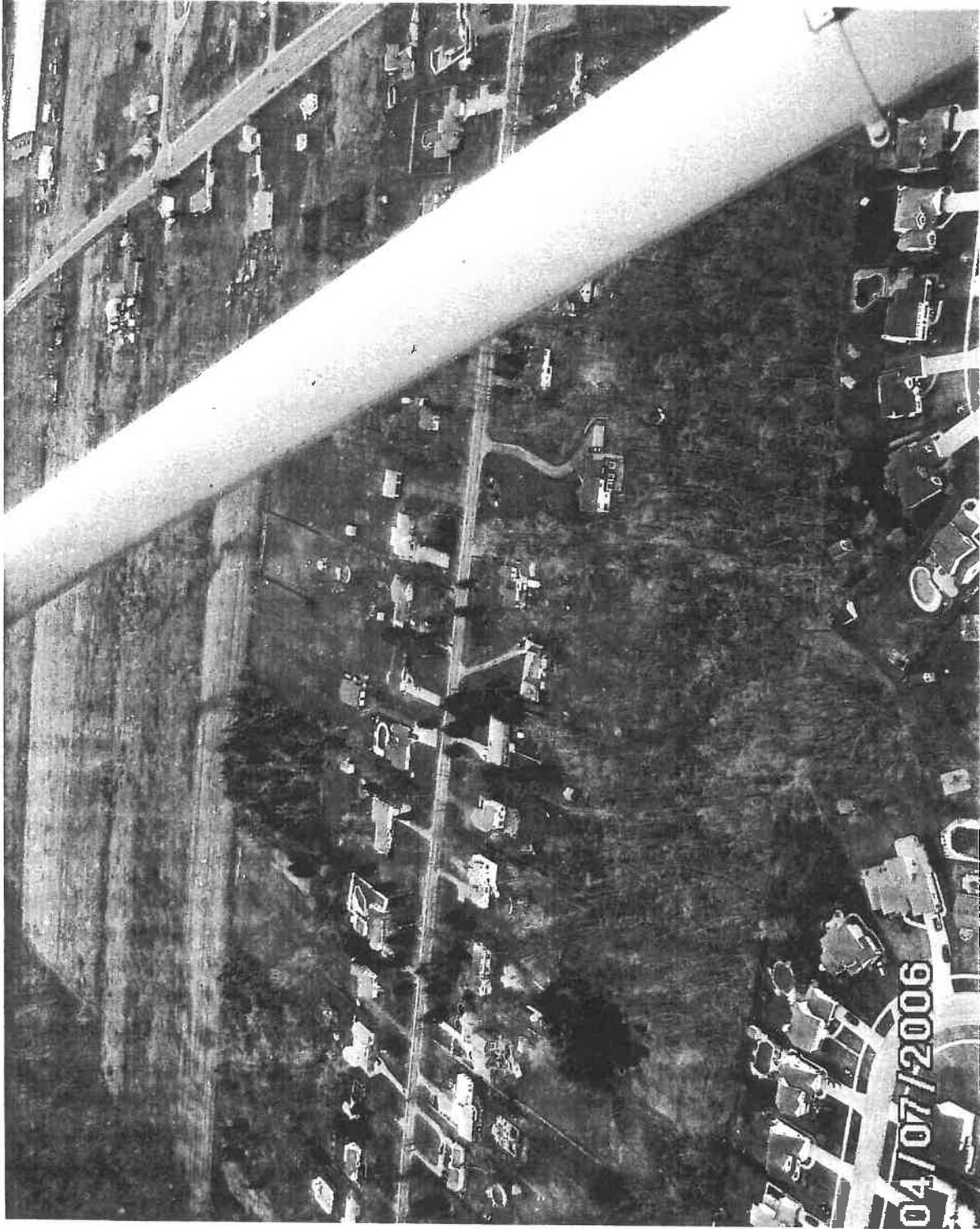


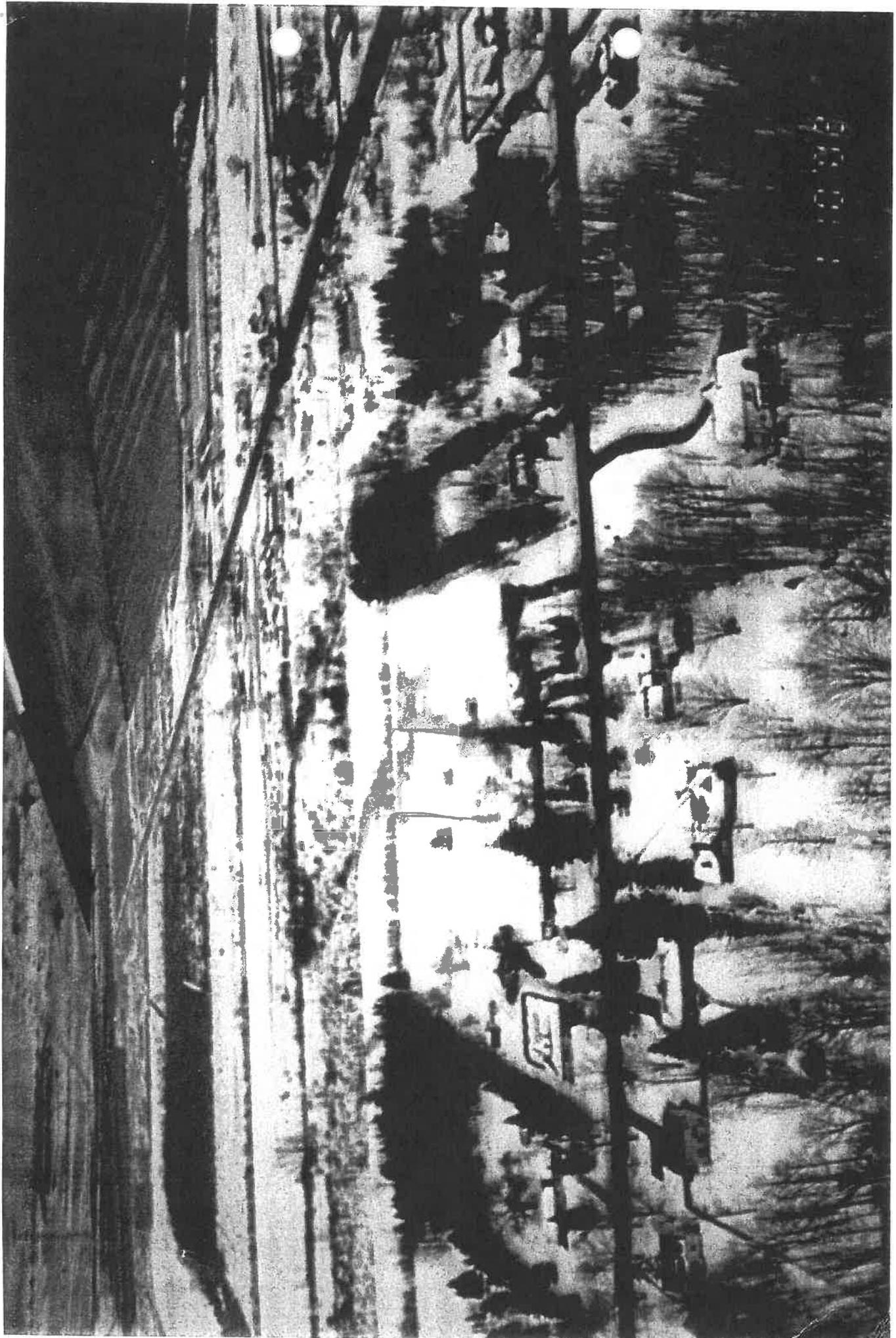
STONY RD.

Proposed
Grade



Present
Grade





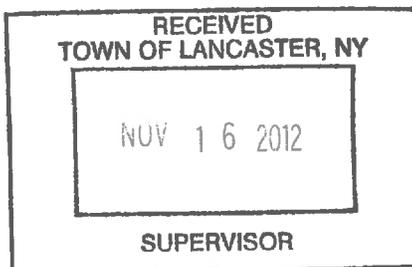


TC
TB

509

RALPH P. WITT
Alden Town Clerk

(716) 937-6969
FAX (716) 937-9817



ALDEN TOWN HALL
3311 Wende Road
Alden, New York 14004

November 15, 2012

Town of Lancaster
21 Central Ave.
Lancaster, N.Y. 14086

Re: Local Law #1/2013
"Governmental Operations Law of the Town of Alden" (the Proposed
Action") Notification of neighboring municipalities.

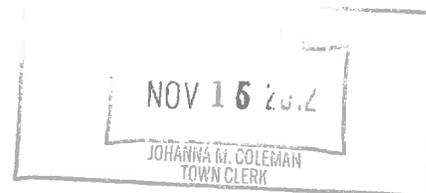
Attached please find a copy of the Proposed Local Law for your review.

Any questions please contact the Town Clerk's Office.

Very Truly Yours,

Alden Town Clerk's Office

DAC/Enc. (1)



A Local Law known as Local Law No. 1 of the Year 2013 entitled "Governmental Operations Law of the Town of Alden".

Be in enacted by the Town Board of the Town of Alden as follows:

SECTION 1. TITLE

This Law shall be known as Local Law No. 1 of the Year 2013 entitled "Governmental Operations Law of the Town of Alden" and shall amend the Code of the Town of Alden adopted on _____ to add a new chapter entitled "Governmental Operations" to be codified as Chapter 21 of the Code of the Town of Alden.

SECTION 2. PURPOSE

Pursuant to General Municipal Law §103(1), as amended, the Town is authorized to adopt a Local Law which would permit the Town to use the "best value" standard in awarding Purchase Contracts (including contracts for service work, but excluding any Purchase Contracts necessary for completion of a Public Works Contract pursuant to Article 8 of the Labor Law) by competitive bidding or accepting offers for purchase. The Town of Alden determines that it is in the best interests of the Town that such legislation be enacted and that such standard be used in the Town where appropriate for the award of such contracts.

SECTION 3. AMENDMENT

The Code of the Town of Alden is hereby amended by adding the following new Chapter 21 to be entitled "Governmental Operations" to Part 1 of the Code:

Section 21-1 - Purchase Contracts

Notwithstanding any other provision with respect to Purchase Contracts by competitive or purchase proposals and pursuant to the provisions of General Municipal Law §103(1) the Town of Alden may award such Contracts to a responsive and responsible bidder on the basis of best value.

Section 22-2 - Definition

The definition of best value as used herein shall be in accord with the definition set forth in New York State Finance Law §163(j) now enacted or hereinafter amended, which definition identifies the term "best value" to mean the basis for awarding Contracts for Purchase to the offeror which optimizes equality, cost and efficiency among responsive and responsible offerors. Such basis shall reflect, whenever possible, objective and quantifiable analysis.

SECTION 4. SEVERABILITY

If any clause, sentence, paragraph or section of this Local Law shall be held to be invalid by any Court of competent jurisdiction, or the application of this Local Law to any person or set of circumstances shall be held to be invalid, such invalidity or Judgment shall not affect, impair, or invalidate the remainder hereof but shall be confined in its operation to the clause, sentence, paragraph, section or operation of this Local Law directly involved in the controversy in which the Judgment shall have been rendered. To further this end, the provisions of this Local Law are hereby declared to be severable.

SECTION 5. EFFECTIVE DATE.

This Local Law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule.