

Justice Court of the Town of Lancaster
525 Pavement Road
Lancaster, New York 14086
Phone: 716-683-1814, Fax - 685-5313

November 21, 2013

Dino J. Fudoli, Supervisor
Lancaster Town Board
21 Central Avenue
Lancaster, NY 14086



Gentlemen:

At this time we would like to hire our substitute part time court officer:

Ryan M. Gerevics
Amherst, NY 14226

Mr. Gerevics will be working on a substitute basis at \$14.47 per hour, three hours minimum per court session, usually two court sessions a week.

Your prompt response to our request will be greatly appreciated.

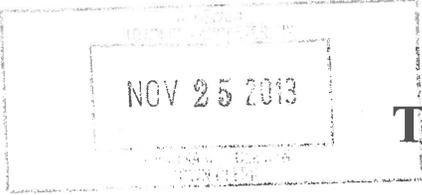
Very truly yours,

Michael Kelleher
Town Justice

Mark A. Montour
Town Justice



732



**Twin District Volunteer Fire Co.
4999 William Street
P.O. Box 406
Lancaster, NY 14086**

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

November 20, 2013

Dear Ms. Coleman:

As of our monthly meeting held Monday, November 18, 2013, please add the following to the rolls of Twin District Volunteer Fire Company.

John Jason

Lancaster, NY 14086

Thank you in advance for your attention in this matter.

Firematically Yours,

A handwritten signature in black ink, appearing to read "Keith R. Reed". The signature is written in a cursive, flowing style.

Keith R. Reed
Corresponding Secretary

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

COPY

November 25, 2013

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

Re: **Advantage Trucks.com, LLC**
Application for a 2014 License to Conduct A Salvage Yard

Dear Town Board Members:

Enclosed is a copy of the above referenced renewal application for your review. Please notify me if you wish this office to prepare a resolution authorizing the issuance of this license.

Sincerely yours,

OFFICE OF THE TOWN CLERK


Johanna M. Coleman
Town Clerk

JMC/dt
Encl.

cc: Jeffrey Simme, Building Inspector

COPY

COPY

COPY

COPY

Rev: November 1, 2007

TOWN OF LANCASTER
21 Central Avenue
Lancaster, New York 14086
Office Of The Town Clerk

- Original License Application
- Renewal License Application

Application For License Pursuant to the Provisions of Chapter 4 of the Code of the Town of Lancaster entitled:

SALVAGE YARDS

Location of Place of Business:

933 Ransom Rd
Lancaster, ny 14086

Zoning of Place of Business:

General Industrial

Premises are owned or leased by applicant (circle one). If leased, attach copy of lease.

INFORMATION ON APPLICANT

Name of Applicant:

Joseph M. Stearns

Street Address:

933 Ransom Rd

City/Town/Village:

Lancaster, ny 14086

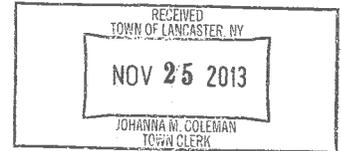
Phone: (Home)

652-2655

(Business)

685-6757

Date of Birth:



Corporate Applicants:

Use Exhibit "A" to list the name, address, corporate position, date of birth and past five (5) year residences of each corporate officer, director, or holder of ten percent (10%) or more of corporate stock of the applicant corporation.

Co-partnerships Applicants:

Use Exhibit "A" to list information on partners.

Individual Owner Applicants:

Use Exhibit "A" to list information on self.

INSURANCE REQUIREMENT

Applicant must attach to the application Certificates of Insurance indicating current insurance coverage for Worker's Compensation and Disability Benefits Insurance on the applicant's employees. Please note that Acord forms are not acceptable proof of New York State Workers' Compensation or disability benefits insurance coverage. If you have **no employees**, check here []

Advantage Trucks. Com, LLC
Print Name of Applicant

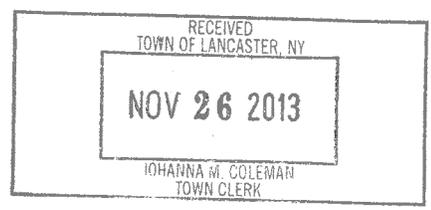
[Signature]
Signature and Title

Side Member

Date: 11.19, 2013

\$250.00 non-refundable application fee received on (Date) _____

SEQR
State Environmental Quality Review
Negative Declaration
Notice of Determination of Non-Significance



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

The Department of Environmental Conservation as lead agency, has determined that the proposed action described below will not have a significant impact on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Lancaster (Cayuga Creek) Flood Control Project - Shoal Removal.

SEQR Status: Type I Action

Conditioned Negative Declaration: No

Description of Action: Removal of 60,000 cubic yards of accumulated shoal material from the Cayuga Creek Flood Control Project in the Villages of Depew and Lancaster. The removal of the material (gravel, sediment and Japanese Knotweed) is required to restore the designed hydraulic capacity of the creek / channel to the approximate original design configuration from 1947. The material will be transported to a disposal site in the Town of Lancaster. Shoal material which contains Japanese Knotweed will be buried deeply so it does not propagate.

Location: Village of Depew, Village of Lancaster, Town of Lancaster, Erie County

Reasons Supporting this Determination:

Impacts on Land: The proposed work involves removal of approximately 60,000 cubic yards of accumulated shoal material (sand, silt and clay) from the engineered channel of Cayuga Creek within the limits of the Cayuga Creek, Lancaster, Federal Flood Control Project. The Project extends from its upstream limit at Lake Avenue in the Village of Lancaster to its downstream limit at Penora Street in the Village of Depew. The removal of shoal material is considered an essential maintenance activity. Side slopes will be appropriately seeded and mulched to restore vegetation and help prevent erosion.

Some shoal material to be removed from the channel of Cayuga Creek will become the property of the Contractor and is proposed to be reused in accordance with a Beneficial Use Determination that will be issued by the Department prior to advertising the contract. The material will be placed in an upland location outside any Federal or State-regulated wetlands and shall be suitably stabilized so as not to re-enter any waterways.

The Contractor will be responsible for acquiring any other permits and landowner permissions that may be required for disposal of the material prior to the start of work.

There is approximately 30,000 cubic yards of shoal material which contains Japanese Knotweed plant parts. Due to the invasive nature of this plant, its disposal will be handled differently than other shoal material. Arrangements have been made with LaFarge Corporation for disposal of these shoal materials at a former quarry located in the vicinity of 6125 Genesee Street in the Town of Lancaster. An area at the former mine about 3 acres in size has been identified as an appropriate disposal site. The shoal material containing Japanese Knotweed plant parts will be buried deeply to prevent its spread into the environment. Burial of the knotweed plant materials beneath approximately 5 feet of shoal material is expected effectively to kill the plant parts.

The project is expected to continue to help protect areas within the Villages from flooding. The project does not change the community's existing plans or goals as officially adopted nor does it change in land use or intensity of land use. No growth, subsequent development, or related activities are expected to be induced by the proposed action.

Impacts to Ground/Surface Waters: There will be no adverse impacts upon the quality or quantity of ground/surface waters. The project will not impound or impede the flow of water. Project activities are not expected to alter groundwater recharge which may exist in the flood control project or the disposal location.

Removal of the sediment deposits will restore the design hydraulic capacity of the creek channel. The project was initially designed to protect the Villages of Depew and Lancaster from a storm which approximates the theoretical 500-year storm. The accumulated sediment in the channel causes an increase in the water surface profile within the project which reduces its effectiveness. Removal of the sediment deposits will restore the design hydraulic capacity of the creek channel. The plan is to restore the project, as nearly as possible, to conditions from the 1947 Design Plans which will ensure the project helps protect the Villages against flooding.

The shoal removal will be accomplished with excavators, bulldozers and dump trucks. Work will be performed during low water periods. Before commencing construction activity, and for the duration of the proposed work, the contractor will evaluate the site and identify Best Management Practices (BMPs) that will be used to prevent contamination of Cayuga Creek and adjacent lands by silt, sediment, fuels, solvents, lubricants, or any other pollutants associated with the proposed work. In addition, a storm water pollution prevention plan will be developed to ensure compliance with a required SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001).

Two shoals will require creek crossings for temporary access: temporary access culverts are proposed to be placed at Calumet Street and a temporary access ford is proposed to be placed at Pershing Avenue. The purpose of the temporary access

waterway crossings is to provide safe, environmentally sound access across the creek for construction purposes. The crossings are proposed to be placed for a period of a few weeks and to be removed when the shoal removal is completed. The Contractor will be required to abide by the New York State Standards and Specifications for Temporary Access Waterway Crossing.

Impacts on Natural Resources: As verified from review of the Department's Natural Heritage Program database, the project site does not contain any rare, threatened or endangered species or unique plant communities. In addition, no regulated freshwater wetlands have been identified at the project site or the disposal site. The project is not expected to create a barrier to the movement of fish or create an adverse impact to terrestrial or aquatic species. Therefore, no significant adverse impacts to natural resources are expected.

Impacts on Air Quality: The potential for adverse impacts to air quality from the project is viewed as minimal. Off-site impacts from dust are not likely to be significant because of the distance to nearby receptors and because the shoal material will be somewhat damp reducing the potential for dust generation. Air pollutants from machine operations are not expected to be generated in sufficient amounts to be perceptible beyond property boundaries. No processing (i.e. screening or crushing) of shoal material is proposed as part of this project.

Noise Impacts: The project has the potential to affect noise levels in the surrounding locale. However, trucks and equipment which will be used to excavate and transport shoal materials will be regularly maintained and equipped with appropriate sound mufflers. Any noise generated is expected to be limited to the short term. The equipment will excavate shoal material in any particular location and will then move to the next location where shoaling needs to be removed. The existing levee system will help to minimize noise levels in the community by reducing straight lines between noise producing equipment and receptors. In addition, work will be undertaken during normal work hours and week days when ambient noise levels are higher and residents are less likely to be home.

Noise impacts at the disposal location are expected to be minimal due its isolated location. The closest residence is more than 1,000 feet from the disposal site. The distance and screening vegetation is expected to attenuate noise impacts.

Traffic Impacts: Traffic impacts related to the implementation of the project are not expected to be significant or adverse. Access to the project will be from three locations: Calumet Street, Pershing Avenue and Colonial Avenue. Having more than one access site will help to spread out the traffic impacts. It is anticipated that access through each site will be only of a limited duration. No more than 10 trucks trips per day are expected when shoal material is being removed from the project area. Vehicles hauling shoal material will likely use Broadway (NYS Route 20) to leave the project area. It is not expected that this relatively small number of trucks will have any discernable impact upon NYS Route 20's level of service.

Other Impacts: The project is not recognized as being within an area of archaeological resources due to its disturbed nature. No historic resources on the national or state register are located in or near the project site. No other long term, short term, cumulative, or other adverse, significant environmental impacts including the use of energy have been identified.

Summary / Conclusions: The Department of Environmental Conservation, therefore, concludes that the action will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic considerations. In reaching this decision, the Department carefully considered the "Criteria" for Determination of Significance listed in the SEQR Regulations (6NYCRR 617.7).

For Further Information:

Contact Person: David S. Denk
NYSDEC - Region 9 Headquarters
270 Michigan Avenue
Buffalo, New York 14203
(716) 851-7165

Date: 11/25/2013



David S. Denk, Regional Permit Administrator

Distribution:

Honorable Dino Fudoli, Town of Lancaster
Honorable Steven P. Hoffman, Village of Depew
Honorable Paul M. Maute, Village of Lancaster
Mr. Theodore Myers, NYSDEC Buffalo
Mr. Andrew Fleck, NYSDEC Albany

VILLAGE OF LANCASTER, NY

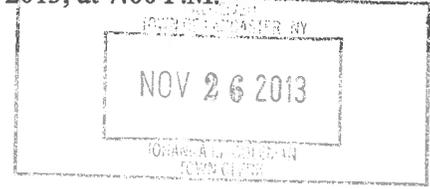
October 28, 2013

OFFICIAL MEETING MINUTES

Page 1 of 12

The regular meeting of the Village of Lancaster Board of Trustees was held in the Municipal Building Council Chambers, 5423 Broadway, Lancaster, NY, on Monday, October 28, 2013, at 7:00 P.M.

Trustee Sugg led the pledge to the flag.



MEETINGS TO DATE	14
NO. OF REGULARS	11
NO. OF SPECIALS	3

Attendance:		Attended / Absent
Paul M. Maute	Mayor	12 / 2
Kenneth L. O'Brien III	Trustee / Deputy Mayor	13 / 1
Dawn M. Robinson	Trustee	14 / 0
William C. Schroeder	Trustee	14 / 0
Russell W. Sugg	Trustee	14 / 0

Also Present:	
Michael E. Stegmeier	Clerk – Treasurer
Arthur A. Herdzik	Village Attorney
William G. Cansdale	DPW Superintendent
Scott Kuhlmeier	Fire Chief
Ryan McNichol	Code Enforcement Officer
Jeffrey Stribing	Director of Community Development
James Allein	Planning Commission Chairperson

Motion by Trustee O'Brien and seconded by Trustee Robinson to accept the minutes of the September 23, 2013 regular meeting.

Adopted Resolution: **276** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

Motion by Trustee O'Brien and seconded by Trustee Robinson to accept the minutes of the October 21, 2013 special meeting.

Adopted Resolution: **277** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

ABSTRACT OF AUDITED VOUCHERS

Motion by Trustee Robinson and seconded by Trustee Sugg that the Treasurer be authorized to pay, from the vouchers, all the claims against the GENERAL, WATER, SEWER, TRUST, CAPITAL, EQUIPMENT RESERVE, COMMUNITY DEVELOPMENT and SPECIAL REPAIR RESERVE FUNDS for the period from 9/24/13 to 10/28/13.

Further, that the report of the Finance Committee be accepted from the abstract of the audited vouchers, a total of 108 claims were approved, and that all claims were paid against the:

GENERAL FUND -----	in the amount of	\$	236,782.40
WATER FUND -----	in the amount of	\$	--
SEWER FUND -----	in the amount of	\$	12,309.13
TRUST FUND -----	in the amount of	\$	6,386.71

CAPITAL FUND -----	in the amount of	\$	7,700.00
EQUIPMENT RESERVE -----	in the amount of	\$	--
COMMUNITY DEVELOPMENT -----	in the amount of	\$	--
SPECIAL REPAIR RESERVE FUND ----	in the amount of	\$	--
For the period from		<u>9/10/13</u>	To <u>9/23/13</u>

Claims that were processed and paid are identified by the following check numbers:

- General Fund checks # 76976 through # 77044
- Sewer Fund checks # 10255 through # 10258
- Trust Fund checks # 2161 through # 2162
- Capital Fund check # 1390

Adopted Resolution: 278 Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

Motion by Trustee Robinson and seconded by Trustee Sugg that the report of the Finance Committee be accepted from the abstract of the audited vouchers, a total of 117 claims were approved, and that all claims were paid against the:

GENERAL FUND -----	in the amount of	\$	453,498.14
WATER FUND -----	in the amount of	\$	--
SEWER FUND -----	in the amount of	\$	21,077.12
TRUST FUND -----	in the amount of	\$	1,226.57
CAPITAL FUND -----	in the amount of	\$	--
EQUIPMENT RESERVE -----	in the amount of	\$	--
COMMUNITY DEVELOPMENT -----	in the amount of	\$	--
SPECIAL REPAIR RESERVE FUND ----	in the amount of	\$	--
For the period from		<u>9/24/13</u>	To <u>10/14/13</u>

Claims that were processed and paid are identified by the following check numbers:

- General Fund checks # 77045 through # 77129
- Sewer Fund checks # 10259 through # 10266

Adopted Resolution: 279 Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

CORRESPONDENCE:

Motion by Trustee O'Brien and seconded by Trustee Robinson to receive and file correspondence from Dennis Kihl, 30 Lancaster Avenue, requesting consideration to reimburse him for sidewalk replacement in front of his property, and further to refer the matter to the Department of Public Works for more information.

Adopted Resolution: 280 Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

RESOLUTIONS:

Motion by **Trustee O'Brien** and seconded by **Trustee Robinson** to accept and approve the following applications for membership to the Lancaster Volunteer Fire Department:

- Cameron Bishop, 63 Park Boulevard, to the Eagle Hose Company, and
- Stephen Gaglione, 64 Erie Street, to the Explorer Post #333.

Adopted Resolution: **281** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

Motion by **Trustee Sugg** and seconded by **Trustee Robinson** to approve the change in status from active membership to inactive life membership for the following members of the Lancaster Volunteer Fire Department:

- Richard J. Bonk, 35 Linden Avenue, of the Protective Hose Company,
- Laverne Love, 43 Banner Avenue, of the Protective Hose Company, and
- Michael Johnson, 30 Cotton Street, of the Eagle Hose Company.

Adopted Resolution: **282** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

Motion by **Trustee O'Brien** and seconded by **Trustee Robinson** to appoint the following individuals to fill vacant positions at the Department of Public Works in accordance with the terms of the CSEA union contract:

<u>Employee Name</u>	<u>Position Title</u>	<u>Effective Date</u>
Dennis A. Snyder, Jr.	Motor Equipment Operator	10/21/2013
Joseph Latello	Heavy Equipment Operator – Sewer	9/30/2013

Adopted Resolution: **283** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

Motion by **Trustee Robinson** and seconded by **Trustee Sugg** to authorize Code Enforcement Officers Ryan McNichol and Douglas Lahnen to attend the Niagara Frontier Building Officials Education Conference from January 27 – 29, 2014.

Adopted Resolution: **284** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

Motion by **Trustee Robinson** and seconded by **Trustee O'Brien** to authorize the Clerk-Treasurer to file a transcript of unpaid village taxes, as of November 1, 2013, with the Commissioner of Finance of Erie County no later than November 15, 2013, and further to direct the Clerk-Treasurer to submit the transcript to the Village Board for certification at the first possible board meeting in November 2013.

Adopted Resolution: **285** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

Motion by **Trustee O'Brien** and seconded by **Trustee Robinson** to approve budget amendments in the General Fund for the fiscal year ended May 31, 2013 as presented on the attached spreadsheet.

Adopted Resolution: **286** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

Motion by **Trustee O'Brien** and seconded by **Trustee Robinson** authorizing Mayor Maute to sign and execute a Dog Control Services Agreement with the Town of Lancaster for a five year period covering November 1, 2013 through October 31, 2018.

Adopted Resolution: **287** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

Motion by **Trustee Sugg** and seconded by **Trustee Robinson** authorizing Mayor Maute to sign and execute the Snow Removal and Ice Control Agreement with the County of Erie for the period of September 1, 2013 through August 31, 2016 as negotiated by the Town Highway Superintendents Association of Erie County, Inc.

Adopted Resolution: **288** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

Motion by **Trustee O'Brien** and seconded by **Trustee Sugg** to withdraw the resolution authorizing participation in a project with the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) to officially request that BENLIC acquire certain prioritized properties within the Village of Lancaster to address the problem of vacant, abandoned, and tax delinquent properties.

The resolution will be reconsidered for approval after more information is received and reviewed for participation in the next submission for the project.

Adopted Resolution: **289** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

Motion by **Trustee Sugg** and seconded by **Trustee Robinson** authorizing Mayor Maute to sign and execute a Time and Labor Management Agreement with ADP, Inc. for web based payroll services including a time and attendance system with biometric clock and fringe benefit tracking program, with an initial discounted annual cost of \$3,516.00 with no implementation fees.

Adopted Resolution: **290** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

Motion by **Trustee Robinson** and seconded by **Trustee Sugg** authorizing Mayor Maute to sign and execute a Professional Services Agreement with Toshiba Business Solutions for the purchase of the DocuWare Task Manager module including first year maintenance and support, for an amount not to exceed \$6,868.00, to provide easier management and increased efficiency and accountability following the implementation of the DocuWare electronic voucher processing system.

Adopted Resolution: **291** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

Motion by **Trustee O'Brien** and seconded by **Trustee Robinson** to adopt the following resolution:

BE IT RESOLVED, that the Village of Lancaster hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Registration Number	Standard Work Day (Hrs / day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days / Month (based on Record of Activities)
Elected Officials						
Mayor	Paul M. Maute	43192749	6	04/01/2013 - 04/03/2017	N	5.64
Trustee	Russell W. Sugg	34563957	6	04/01/2013 - 04/03/2017	N	2.20
Village Justice	Paul T. Bumbalo	37292661	6	04/01/2013 - 04/03/2017	N	5.67
Appointed Officials						
Village Attorney	Arthur A. Herdzik	32407843	6	04/01/2013 - 04/07/2014	N	6.33
Deputy Village Attorney	Yvonne S. Tripi	50382845	6	04/22/2013 - 04/07/2014	N	2.53

Adopted Resolution: **292** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

BUILDING PERMITS:

Motion by **Trustee Sugg** and seconded by **Trustee O'Brien** to accept the report of building permits issued by the Town of Lancaster Building Department for properties within the Village of Lancaster as follows:

PERMIT NO	LAST NAME	ADDRESS	PURPOSE OF PERMIT
13-22139	Bushley	24 Sawyer Ave	Demolition – Garage
13-22145	Asposto	51 Burwell Ave	Private Garage
13-22147	Cedar	21 Randolph St	Roof
13-22152	McCoy Five Properties	166 Central Ave	Demolition – Garage
13-22153	McCoy Five Properties	166 Central Ave	Private Garage
13-22165	Geldres	105 Livingston St	Residential Alteration
13-22168	Tunis	105 Field Ave	Fence
13-22169	Sowinski	55 Court St	Residential Alteration
13-22170	Engasser	7 Huntley Pl	Shed
13-22174	Serafin	44 Broezel Ave	Roof
13-22177	Karl	95 Richmond St	Residential Alteration
13-22178	Karl	95 Richmond St	Garage
13-22180	Fahey	100 Pleasant Ave	Roof
13-22181	Diebold	97 Harvey Dr	Roof
13-22184	Fiume	24 Milton Dr	Fence
13-22193	Saporito	35 E Drullard Ave	Shed
13-22194	McKenzie	24 Lombardy St	Roof
13-22196	Dexter	9 Villa Pl	Above Ground Pool
13-22197	Tarbox	51 S Irwinwood Rd	Fence
13-22200	Smith	27 Holland Ave	Roof
13-22202	Powell	300 Aurora St	Fence
13-22203	Kerl	57 Livingston St	Roof
13-22207	Hammer	35 Newell Ave	Residential Addition

13-22210	Bishop	63 Sawyer Ave	Roof
13-22211	Lancaster Hist Society	40 Clark St	Fence
13-22214	Harter	56 Church St	Roof
13-22218	Kasinski	71 Burwell Ave	Shed
13-22221	Meegan	2129 Como Park Blvd	Roof
13-22222	Monin	159 Irwinwood Rd	Roof
13-22224	Gentile	70 Irwinwood Rd	Roof
13-22230	Keene	80 Brunswick Rd	Garage
13-22232	Kempf	1936 Como Park Blvd	Roof
13-22234	Kavanagh	19 Madison St	Roof
13-22237	Miller	5636 Broadway St	Residential Addition
13-22238	Kloster	2101 Como Park Blvd	Deck
13-22239	Hannah	10 Briarwood Dr	Roof
13-22247	Bansmer	5279 Broadway St	Roof
13-22249	Hayes	133 Central Ave	Cement Walls – Bilko Doors

Adopted Resolution: **293** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

AUDIENCE PARTICIPATION:

Robert Nichter – 151 Peppermint Road: He owns the property at 74 Church Street which has been approved for demolition by the Village of Lancaster. He was not in town at the time of the August 26th meeting and he was not aware that the building was approved for demolition until last Friday afternoon. The property is listed for sale and the building is locked with personal property inside it. The realtor and a representative from the bank were in attendance at this meeting.

Richard Fay – Rosicki, Rosicki & Associates: He represents the bank (Wells Fargo) that holds the mortgage on the property at 74 Church Street.

Carl Brautlacht – 18 Parkdale Drive: He is the realtor listing the property for sale at 74 Church Street. The property was listed on September 9th and he provided the paperwork to Code Enforcement Officer Ryan McNichol.

Attorney Herdzik explained the procedures that were taken to approve demolition of the building including a public hearing that was held to consider unsafe conditions at the property. He further discussed that no plans for rehabilitation have been received at this point. Mr. McNichol notified him that there was a “for sale” sign at the property and questioned what steps could be taken. He sent a notice to the realtor with a copy to the owner which led to their appearance at this meeting.

Mr. Nichter indicated that no repairs have been done to the building since he is selling the property. He was unable to list the property sooner due to divorce issues.

Mr. Brautlacht stated that he is showing the property on Wednesday to a contractor who is aware of the situation.

Mr. McNichol explained the procedures for an asbestos survey including damage to the inside walls during the process. The survey should not be done unless it is certain that demolition is moving forward.

Mr. Fay reviewed the bank’s position on the matter. The bank is working with the owner towards a short sale. The pending demolition is an incentive for the bank to move forward quickly. The bank is not in a position to make repairs to the property at the current time, and there must be underwriter disclosure to approve any offers. He expects that a short sale can be expedited to close within 30 to 45 days.

The owner was advised to contact Attorney Herdzyk with a purchase contract by Friday this week. The asbestos survey will be put on hold until that time. If there is no contract by the deadline, then the asbestos and demolition services will move forward.

PUBLIC HEARING @ 7:15 PM -**RECODIFICATION OF VILLAGE CODE**

Mayor Maute opened the public hearing at 7:15 p.m. The following is an abstract of the public notice advertised in the Lancaster Bee.

PLEASE TAKE NOTICE that, for the purpose of adopting a codification of the local laws, ordinances and certain resolutions of the Village of Lancaster, said codification to be known as the "Code of the Village of Lancaster," a public hearing will be held by the Board of Trustees at the Municipal Building in the Village of Lancaster, on the 28th day of October, 2013, at 7:15 p.m., to consider the enactment of the proposed local law described and summarized below:

A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE VILLAGE OF LANCASTER INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE VILLAGE OF LANCASTER"

This local law:

- (1) States the legislative intent of the Board of Trustees in adopting the Code.*
- (2) Provides for the designation of the local laws, ordinances and certain resolutions of the Village of Lancaster as the "Code of the Village of Lancaster."*
- (3) Repeals local laws and ordinances of a general and permanent nature not included in the Code, except as provided.*
- (4) Saves from repeal certain local laws and ordinances and designates certain matters not affected by repeal.*
- (5) Retains the meaning and intent of previously adopted legislation.*
- (6) Provides for the filing of a copy of the Code in the Village Clerk's office.*
- (7) Provides for certain changes in or additions to the Code.*
- (8) Prescribes the manner in which amendments and new legislation are to be incorporated into the Code.*
- (9) Requires that Code books be kept up-to-date.*
- (10) Provides for the sale of Code books by the village and the supplementation thereof.*
- (11) Prohibits tampering with Code books, with offenses punishable by a fine of not more than \$250 or by imprisonment for not more than 15 days, or both.*
- (12) Establishes severability provisions with respect to the Code generally.*
- (13) Provides that the local law will be included in the Code as Chapter 1, Article I.*

Copies of the local law described above and of the Code proposed for adoption thereby are on file in the office of the Village Clerk of the Village of Lancaster, where the same are available for public inspection during regular office hours.

PLEASE TAKE FURTHER NOTICE that all interested persons will be given an opportunity to be heard on said proposed local law at the place and time aforesaid.

NOTICE IS HEREBY GIVEN, pursuant to the requirements of the Open Meetings Law of the State of New York, that the Board of Trustees of the Village of Lancaster will convene in public meeting at the place and time aforesaid for the purpose of conducting a public hearing on the proposed local law described above and, as deemed advisable by said Board, taking action on the enactment of said local law.

DATED: October 10, 2013

**BY ORDER OF THE BOARD OF TRUSTEES
VILLAGE OF LANCASTER**

**MICHAEL E. STEGMEIER
VILLAGE CLERK/TREASURER**

Audience Participation: -none-

Motion by **Trustee O'Brien** and seconded by **Trustee Robinson** to close the public hearing.

Adopted Resolution: **294** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

Motion by **Trustee O'Brien** and seconded by **Trustee Sugg** to adopt the local law as presented.

Adopted Resolution: **295** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

PUBLIC HEARING @ 7:20 PM -	SITE PLAN REVIEW FILING FEE
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Mayor Maute opened the public hearing at 7:20 p.m. The following is an abstract of the public notice advertised in the Lancaster Bee.

PLEASE TAKE NOTICE that the Village of Lancaster Board of Trustees passed a resolution at their September 23, 2013 Village Board meeting to conduct a public hearing in the Council Chambers of the Lancaster Municipal Building, 5423 Broadway, Lancaster, NY on Monday, October 28, 2013 at 7:20 p.m.

The purpose of this hearing is to consider amending Chapter 75 "Fees" of the Code of the Village of Lancaster to establish a filing fee for a Planning Commission site plan review. If adopted, the proposed amendment would revise Section 75-1.1 "Building permits" of the Village Code to include paragraph E which shall provide as follows:

E. Site plan review.

In all instances where a building permit application shall be subject to a site plan review, the building permit applicant shall tender in advance to the Clerk of the Village of Lancaster \$150.00 in consideration of the cost to be incurred by the Village in administrating such site plan review.

At said hearing all persons so desiring shall have the opportunity to be heard.

*Michael E. Stegmeier
Village Clerk*

Audience Participation: -none-

Motion by **Trustee O'Brien** and seconded by **Trustee Sugg** to close the public hearing.

Adopted Resolution: **296** Ayes: Mayor Maute, Trustees O'Brien, Robinson,
Schroeder, and Sugg

Motion by **Trustee Sugg** and seconded by **Trustee O'Brien** to adopt the amendment as presented.

Adopted Resolution: **297** Ayes: Mayor Maute, Trustees O'Brien, Robinson,
Schroeder, and Sugg

PUBLIC HEARING @ 7:25 PM -	SITE PLAN REVIEW NOTIFICATION
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Mayor Maute opened the public hearing at 7:25 p.m. The following is an abstract of the public notice advertised in the Lancaster Bee.

PLEASE TAKE NOTICE that the Village of Lancaster Board of Trustees passed a resolution at their September 23, 2013 Village Board meeting to conduct a public hearing in the Council Chambers of the Lancaster Municipal Building, 5423 Broadway, Lancaster, NY on Monday, October 28, 2013 at 7:25 p.m.

The purpose of this hearing is to consider amending Chapter 152 "Zoning" of the Code of the Village of Lancaster to provide notice to adjacent land owners of scheduled site plan reviews. If adopted, the proposed amendment would revise Section 152-61.1 "Site plan review" of the Village Code as follows:

- 1) *The following paragraph "B" shall be added to provide as follows:*
 - B. *The Planning Commission shall arrange that written notice of a site plan review by the Commission be mailed or otherwise delivered to all residential and commercial developed premises within 150 feet of the boundary lines of the premises which is the subject of the site plan review. Said written notice shall be mailed or delivered not later than 20 days prior to the site plan review and shall identify the subject premises, the date and place of the site plan review and the time of the meeting during which the site plan review has been scheduled. Adjournments or continuances of a site plan review to the date of a future meeting of the Planning Commission need not be noticed as aforesaid if the date of the adjournment or continuance is established during a meeting during which a site plan review of the subject premises was scheduled.*
- 2) *All other lettered paragraphs of Section 152-61.1 subsequent to paragraph "A" shall be re-lettered to accommodate the introduction of language identified as paragraph "B" above.*

At said hearing all persons so desiring shall have the opportunity to be heard.

*Michael E. Stegmeier
Village Clerk*

Audience Participation: -none-

Motion by **Trustee Sugg** and seconded by **Trustee Robinson** to close the public hearing.

Adopted Resolution: **298** Ayes: Mayor Maute, Trustees O'Brien, Robinson,
Schroeder, and Sugg

Motion by **Trustee Sugg** and seconded by **Trustee Robinson** to adopt the amendment as presented.

Adopted Resolution: **299** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

COMMITTEE REPORTS & FOLLOW UPS:

➤ **FINANCE & CLAIMS** – Trustee Robinson

No report.

➤ **PUBLIC WORKS** – Trustee Schroeder

No report.

➤ **PUBLIC SAFETY** – Trustee Robinson

She will be meeting with NYSEG tomorrow to continue discussions regarding the street light inventory.

➤ **BUILDING, LIGHTS & CODES** – Trustee Sugg

No report.

➤ **HUMAN RESOURCES** – Trustee O'Brien

Motion by **Trustee O'Brien** and seconded by **Trustee Robinson** to hire Thomas Gardiner as a seasonal employee (Laborer) for the Department of Public Works at a wage rate of \$7.75 per hour effective on November 18, 2013, for a period not to exceed six (6) weeks.

Adopted Resolution: **300** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

➤ **COMMUNITY EVENTS** – Trustee Schroeder

No report.

➤ **ECONOMIC DEVELOPMENT** – Trustee Sugg

No report.

➤ **SEWER** – Trustee O'Brien

No report.

DEPARTMENT HEAD REPORTS & FOLLOW UPS:

➤ **ATTORNEY** – Arthur A. Herdzik

He presented a proposed local law for revisions to fines for parking violations.

Motion by **Trustee Sugg** and seconded by **Trustee Robinson** to schedule a public hearing in Council Chambers on Monday, November 25, 2013, at 7:15 p.m. to consider a proposed local law to increase fines for parking violations within the Village of Lancaster.

Adopted Resolution: **303** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

Leaf pick up is continuing and there is a route map available for residents.

He attended the NYCOM Public Works training school with Crew Chief George Miller. There were a number of topics that were informative and relevant to his department.

The procedure for hiring a contractor for demolition of unsafe buildings was referred to the Building, Lights, and Codes Committee for further discussion.

Trustee Robinson requested an updated list of vehicles including the types of usage for each vehicle.

➤ **VILLAGE CLERK-TREASURER** – Michael E. Stegmeier

The independent auditors (Drescher & Malecki, LLP) attended the work session prior to the board meeting to give a presentation of the draft financial statements for the fiscal year ended May 31, 2013.

The next workers' compensation Safety Committee meeting is scheduled for Wednesday, November 6, 2013 at 10:00 a.m.

MISCELLANEOUS:

Trustee Schroeder recognized the Lancaster High School Marching Band for finishing in 1st place at a competition held in Syracuse, NY. Their performance was dedicated to soldiers and veterans.

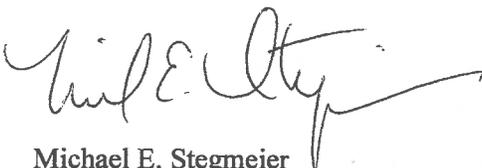
There is no meeting on November 11, 2013 (Veterans Day). The next regular board meeting is scheduled for Monday, November 25, 2013 at 7:00 p.m.

ADJOURNMENT:

Motion by **Trustee Schroeder** and seconded by **Trustee Sugg** to adjourn the meeting at 8:04 p.m. in memory of Karl F. Koestler, Ruth Geblein, Trudy O'Neil, Tim Young, Geraldine Sullivan, Colleen Jones, Valentine Michalak, Sr., Mrs. Kell, and Mr. Cieslik.

Adopted Resolution: **304** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

Respectfully submitted,



Michael E. Stegmeier
Village Clerk – Treasurer

VILLAGE OF LANCASTER
BUDGET AMENDMENTS - GENERAL FUND
FISCAL YEAR ENDED 5/31/2013

ESTIMATED REVENUES - INCREASE		APPROPRIATIONS - INCREASE		Amount
Account #	Description	Account #	Description	
A1120	Non-Property Tax Distribution (Sales Tax)	A3120.475	Town of Lancaster Police Fund - Sales Tax	\$165,523.91
A1710	Public WorkService	A3989.475	Code Enforcement - Property Maintenance	\$66,646.50
A2089	Celebrations Revenue	A7550.102	Celebrations - DPW Overtime	\$10,000.00
A2110	Zoning Fees - Variance Applications	A8010.430	Zoning - Printing & Advertising	\$150.00
A2665	Sale of Equipment	A5110.2	Streets Maintenance - Equipment	\$14,945.00
A2680	Insurance Recoveries	A8560.1	Shade Trees - Personal Services	\$24,550.00
A2690	Other Compensation for Loss	A5110.401	Streets Maintenance - Highway Markings	\$1,450.00
A2690	Other Compensation for Loss	A5110.412	Streets Maintenance - Signs	\$300.00
A3089	State Aid - Other General Govt	A5010.442	Streets Administration - Safety & Training	\$5,700.00
A3089	State Aid - Other General Govt	A5010.450	Streets Administration - Consulting Svcs	\$450.00
A3089	State Aid - Other General Govt	A5010.472	Streets Administration - Alcohol & Drug Tests	\$2,100.00
A3501	CHIPS - Highway Aid	A5112.1	CHIPS Program - Personal Services	\$4,418.95
A3910	State Aid - Conservation Programs	A5010.2	Streets Administration - Equipment	\$8,000.00
A3910	State Aid - Conservation Programs	A8889.2	Economic Development - Equipment	\$4,550.00
A3910	State Aid - Conservation Programs	A1325.2	Clerk-Treasurer Office - Equipment	\$2,363.45