

PRESENTATION OF PREFILED RESOLUTIONS:

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

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held June 3, 2013 be and are hereby approved.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

June 17, 2013

File: RMIN (P1)

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

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

Claim No. 31024 to Claim No. 31217 Inclusive

Total amount hereby authorized to be paid: \$ 497,269.83

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

June 17, 2013

File: Rclaims

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

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

CODES:

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

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	Structure	Village
21603		Michael Stachewicz	33 Sugarbush Ln	Er. Shed	
21604		Shaun D. Szejnar	10 Veterans Dr	Er. Fence	(V/L)
21605		Leland & Sharon Rupert	46 Hess Pl	Re-Roof	
21606		George Ludwig	195 Westwood Rd	Er. Deck	
21607		Douglas Prisinzano	24 Heritage Dr	Er. Pool-Abv Grnd	
21608		Michael P. Kapsiak	6 Michael Anthony Ln	Re-Roof	
21609		Elizabeth Bennett	53 Hemlock Ln	Er. Fence	
21610		Mark & Michelle Ostempowski	7 St Anthony St	Er. Fence	
21611		Thomas Fitzpatrick	140 Siebert Rd	Re-Roof	
21612		Scott & Melissa Syroczyński	12 Sterling Pl	Er. Shed	
21613		Pacific Pools & Spas	633 Pleasant View Dr	Er. Pool-In Grnd	
21614		Pacific Pools & Spas	633 Pleasant View Dr	Er. Fence	
21615		Kimberly A. Wutz	75 Simme Rd	Er. Fence	
21616		John R. Sparfeld, Jr.	130 Simme Rd	Er. Deck	
21617		Sebastiano Construction	163 Nathan's Trl	Er. Porch	
21618		Samuel Magistrale	66 Middlebury Ln	Er. Pool-Abv Grnd	
21619		Christine M. Blach	197 Siebert Rd	Er. Fence	
21620		D Allen & Son Contracting	43 Cedar Brook Dr	Re-Roof	
21621		KCM Custom Built Garages	63 Park Blvd	Er. Garage	(V/L)
21622		Michael J. Swayne	31 Deerpath Dr	Er. Fence	
21623		KCM Custom Built Garages	27 Steinfeldt Rd	Er. Garage	
21624		Besroi Construction	69 Stony Brook Dr	Re-Roof	
21625		Andrew M. Zajdel	51 Holland Ave	Re-Roof	(V/L)
21626		Black Rock Roofing	1 Southpoint Dr	Re-Roof	
21627		Edward Rice, Jr.	9 Huntley Dr	Re-Roof	(V/L)
21628		RJG General Home	165 Iroquois Ave	Re-Roof	
21629		Schuster Construction	188 Enchanted Forest S	Er. Res. Alt.	
21630		RJF Development JV	62 Middlebury Ln	Er. Dwlg.-Sin.	
21631		Sahlems Roofing & Siding	15 Woodgate Dr	Re-Roof	
21632		Sahlems Roofing & Siding	59 Woodgate Dr	Re-Roof	
21633		Black Rock Roofing	8 Cloverfield Ct	Re-Roof	
21634		Robert & Linda Samrock	1182 Penora St	Er. Fence	
21635		Marrano/Marc Equity Corp.	31 Jonquille Ct	Er. Dwlg.-Sin.	
21636		Home Brands Inc.	435 Pleasant View Dr	Er. Shed	
21637		Sebastiano Construction	163 Nathan's Trl	Er. Res. Alt.	
21638		William McMorris	122 Pheasant Run Ln	Er. Res. Add.	
21639		Black Rock Roofing	5 Old Orchard Comm	Re-Roof	
21640		Kenneth & Amy Czechowski	11 Bentley Cir	Re-Roof	
21641		Matthew & Laura LaPoint	15 Worthington Ln	Er. Shed	
21642		N.A.S. Sign Company	4221 Walden Ave	Er. Sign - Pole	
21643		N.A.S. Sign Company	6733 Transit Rd	Er. Sign - Wall	
21644		Richard & Debora Barone	209 Ransom Rd	Er. Shed	
21645		Superior Decks & Gazebos	2 Northwood Dr	Er. Deck	
21646		Superior Decks & Gazebos	40 Stream View Ln	Er. Deck	
21647		Superior Decks & Gazebos	40 Sussex Ln	Er. Deck	
21648		Henry & Doreen Radzikowski	8 Pelham Rd	Er. Res. Alt.	
21649		Amanda Wojcik	268 Hall Rd	Er. Pool-Abv Grnd	
21650		Besroi Construction	56 Woodgate Dr	Re-Roof	
21651		Douglas F. Wragge	37 Tranquility Trl	Er. Shed	
21652		Mark & Denise Szymusiak	5671 Broadway	Er. Sign - Temp	
21653		David G. Roaldi	90 Lake Ave	Er. Res. Alt.	(V/L)
21654		David & Alison Oun	5637 Genesee St	Er. Res. Alt.	
21655		David & Gwenn Kinnin	127 Court St	Er. Pool-Abv Grnd	(V/L)

21656	Samuel Magistrale	66 Middlebury Ln	Er. Deck	
21657	Majestic Pools Inc.	32 Ashwood Ct	Er. Pool-Abv Grnd	
21658	Bryan J. LeFauve	20 Schilling Ct	Er. Shed	
21659	Gregory Manikowski	7 Cobblestone Ct	Er. Shed	
21660	Jay & Rebecca Middaugh	9 Worthington Ln	Er. Fence	
21661	Travis & Julie Wilhite	402 Seneca Pl	Er. Pool-Abv Grnd	
21662	Michael Walter	65 Running Brook Dr	Er. Res. Add.	
21663	David & Carmelina Persico	47 Chicory Ln	Er. Shed	
21664	MKE Electric, LLC	368 Lake Ave	Inst. Generator	
21665	Joel & Carol Java	3548 Bowen Rd	Er. Shed	
21666	Marrano/Marc Equity Corp.	7 Kent Pl	Er. Dwlg.-Sin.	
21667	Marrano/Marc Equity Corp.	23 Jonquille Ct	Er. Dwlg.-Sin.	
21668	John P. Thielmann	32 Court St	Re-Roof	(V/L)
21669	Joseph Lorenz	69 Camner Ave	Er. Fence	(V/L)
21670	Tri-Town Construction Inc.	4805 Transit Rd	Re-Roof	
21671	Donald Panzarella	88 Kennedy Ct	Er. Pool-Abv Grnd	
21672	Scott & Nancy Brownson	6 Robins Nest Ct	Er. Fence	
21673	Lancaster IDA-Debra Arno	4087 Walden Ave	Er. Comm. Add./Alt.	
21674	Charles J. Sorrento	1154 Penora St	Er. Pool-In Grnd	
21675	Dave & Darlene Wirgilio	26 Signal Dr	Er. Shed	
21676	David Jakubowski	149 Nathan's Trl	Er. Fence	
21677	St. Marys Church & School	1 St Marys Hill	Er. Comm. Add./Alt.	(V/L)
21678	David Jakubowski	149 Nathan's Trl	Er. Pool-In Grnd	
21679	Michael J. Ziolo	6 Traceway	Re-Roof	
21680	The Drain Doctor Inc.	6635 Transit Rd	Er. Comm. Add./Alt.	
21681	Kavathas Kostandino	649 Aurora St	Re-Roof	
21682	Town of Lancaster IDA	2500 Commerce Pkwy	Er. Comm. Bldg.	(V/L)
21683	F&D Construction Inc.	45 Briarwood Dr	Er. Res. Alt.	(V/L)
21684	Buffalo Bungalow	1 Joseph Dr	Er. Dwlg.-Sin.	
21685	Rebecca Brozyna	27 St Joseph St	Er. Deck	(V/L)
21686	Sebastiano Construction	128 Westwood Rd	Er. Garage	
21687	Jeffrey & Janel DeLair	13 Cambria St	Er. Garage	(V/L)
21688	Neth & Son Inc.	21 Windsor Ridge Dr	Re-Roof	
21689	Neth & Son Inc.	43 Creekwood Dr	Re-Roof	
21690	Neth & Son Inc.	25 Sussex Ln	Re-Roof	
21691	Forbes Homes	9 Silent Meadow Lane	Er. Dwlg.-Sin.	

BE IT FURTHER

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

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

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

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

WHEREAS, the Town Board is considering a proposed Local Law to clarify permitted uses in the Town's Light Industrial Zoning District (LI); and

WHEREAS, the proposed Local Law was referred to the Planning Board for its review and recommendation, and the Planning Board recommended that the proposed Local Law be adopted; and

WHEREAS, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required on the proposed Local Law;

NOW, THEREFORE,

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

1. A public hearing for the proposed Local Law is hereby set for July 1, 2013 at 7:15 o'clock P.M.
2. The Town Clerk is directed to provide notice of the public hearing as required by law.
3. The Town Attorney is directed to refer the proposed Local Law to the Erie County Department of Planning in accordance with the General Municipal Law.
4. This resolution is effective immediately.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

June 17, 2013

Town of Lancaster
Local Law No. ____ of 2013

**A Local Law Amending the Town of Lancaster Zoning Code to Clarify Permitted Uses in the
Light Industrial District**

Be it hereby enacted by the Town Board of the Town of Lancaster as follows:

Section 1: Section 50-24(B)(1)(d)[7] of the Town of Lancaster Town Code is amended to read in its entirety as follows:

[7] Panels, sheets, tubes and rods, machining, extrusion, casting. This includes, but is not limited to, manufacturing, fabrication, construction, assembly and finishing of cases and containers made of metal, plastic, and other materials, and activities and processes that are incidental to any of the foregoing.

Section 2: Section 50-24(B)(1)(f) of the Town of Lancaster Town Code is amended to read in its entirety as follows:

(f) Any commercial recreation activity including, but not limited to, private commercial airports (special use permit required).

Section 3: Severability. Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

Section 4: Effective Date. This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted June 17, 2013, the said Town Board will hold a Public Hearing on the 1st day of July, 2013 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly adopting a Local Law to amend the Town of Lancaster Zoning Code to clarify permitted uses in the Light Industrial Zoning District (LI). Copies of the proposed Local Law can be reviewed at Town Hall. At the time and place stated above, all interested members of the public shall be heard.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

By: JOHANNA M. COLEMAN
Town Clerk
June 17, 2013

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

WHEREAS, the Buffalo Lancaster Airport, situate at 4343 Walden Avenue, in the Town of Lancaster, has submitted an application for a Special Use Permit for a private commercial airport in accordance with the proposed amendments to Chapter 50-Zoning, Section 24(B)(1)(f) of the Code of the Town of Lancaster, and

WHEREAS, the Zoning Code of the Town of Lancaster and the New York Town Law require that the Town Board conduct a public hearing before the issuance of a special use permit for a use as proposed;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the Code of the Town of Lancaster and the New York Town Law, a Public Hearing on the proposed Special Use Permit for a private commercial airport on premises locally known as 4343 Walden Avenue, in the Town of Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 1st day of July, 2013, at 7:15 o'clock P.M., Local Time, and that Notice of the time and place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town, be posted on the Town Bulletin Board, and given in any other manner as required by law (which Notice shall be in the form attached hereto and made a part hereof), and that the application be referred to the Erie County Department of Planning, pursuant to the New York General Municipal Law.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

June 17, 2013

**LEGAL NOTICE
PUBLIC HEARING
SPECIAL USE PERMIT – BUFFALO-LANCASTER AIRPORT
4343 WALDEN AVE**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 50-Zoning, Section 20 (B)(1)(f) of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 17th day of June, 2013 the said Town Board will hold a Public Hearing on the 1st day of July, 2013, at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of the Buffalo-Lancaster Airport, for a Special Use Permit for a private commercial airport on premises locally known as 4343 Walden Avenue, in the Town of Lancaster, County of Erie, State of New York.

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

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
 Town Clerk
 June 17, 2013**

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

WHEREAS, a vacancy exists in the Office of Emergency Management of the Town of Lancaster for the part-time permanent position of Natural Disaster Services Coordinator, part-time, due to the retirement of Robert MacPeek, and

WHEREAS, the Town Board of the Town of Lancaster has recommended the appointment of Ronald Rozler of Lancaster, New York to the position of Natural Disaster Services Coordinator, part-time, under the direct supervision of the Supervisor of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Ronald Rozler of Lancaster, New York, be and is hereby appointed to the position of Natural Disaster Services Coordinator, part-time, under the direct supervision of the Supervisor, working not more than nineteen and three-quarter hours per week, and

BE IT FURTHER

RESOLVED, that Ronald Rozler be compensated bi-weekly in the amount of \$704.38 in accordance with the 2013 budgeted appropriation of \$18,314.00 annually, and

BE IT FURTHER

RESOLVED, that this appointment shall be effective retroactively to June 4, 2013 for the term ending December 31, 2013, and

BE IT FURTHER

RESOLVED, that this being a part-time position, provides no health insurance, sick days, vacation, or other fringe benefits not specifically mandated for part-time employees, and

BE IT FURTHER

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

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

June 17, 2013

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

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated June 7, 2013, has requested the addition of one member to the roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Town Line Volunteer Fire Department the following individual:

ADDITION:

Andrew J. St. Laurent
Lancaster, NY

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

June 17, 2013

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

WHEREAS, the Lancaster Rural Cemetery Association is seeking contribution for its operating expenses from the Town of Lancaster, and

WHEREAS, the Town Board previously reviewed this matter and has discovered that in the event that this not-for-profit organization ceases to exist, the Town of Lancaster would become responsible for the maintenance and upkeep of said cemetery pursuant to Town Law, which would place a significant financial burden on town taxpayers, and

WHEREAS, said funding was approved in the adopted 2013 Town of Lancaster budget in the sum of ten-thousand dollars (\$10,000.00), and

WHEREAS, the Town Board deems it in the public interest to provide financial assistance to the Lancaster Rural Cemetery Association so that this not-for-profit organization can continue to operate and maintain the Lancaster Rural Cemetery without this obligation falling to the Town, and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to provide the sum of ten-thousand dollars (\$10,000.00) to the Lancaster Rural Cemetery Association for its continued operation and maintenance of the before-mentioned cemetery, with said funds being provided in the adopted 2013 Town of Lancaster budget (line # A8810.449). The payments shall be dispersed in two (2) equal amounts of five-thousand dollars (\$5,000.00) each and be made during the months of May and October in the year 2013.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

June 17, 2013

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

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated June 10, 2013, has recommended appointments for the Youth Bureau's Summer Skills Building Program, Safe Summer Reinforcement & Enrichment Programs, and Summer Performing Arts Academy.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby appointed to the following part-time temporary seasonal positions in the Youth Bureau's Summer Skills Building Program, Safe Summer Reinforcement & Enrichment Programs, and Summer Performing Arts Academy, effective June 17, 2013 through August 31, 2013, for a period not to exceed five (5) months, in the Youth Bureau, and that these being part-time positions provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE/HR.</u>
Lauren Insinna (new hire) Clarence Center, NY	Tutor Part-Time Seasonal	\$15.00 hr.
Terra Bialy (new hire) Hamburg, NY	Tutor Part-Time Seasonal (Drama Director)	\$15.00 hr.
Stacy Januz (new hire) Buffalo, NY	Tutor Part-Time Seasonal (Choreographer)	\$15.00 hr.

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

June 17, 2013

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

WHEREAS, Daniel Amatura, Highway Superintendent of the Town of Lancaster, by letter dated June 5, 2013, has advised the Town Board that the Highway Department has twenty-five (25) loads of millings which are no longer of use to the department and he has therefore requested that the Town Board deem the property to be surplus property, and

WHEREAS, John D. Smith, Chief of the Town Line Volunteer Fire Department, located at 6507 Broadway in Lancaster, New York, by letter dated May 23, 2013 has expressed interest in obtaining ten (10) loads of the surplus millings, and

WHEREAS, the Lancaster Central School District, by letter dated April 23, 2013 has also expressed interest in obtaining ten (10) to fifteen (15) loads of the surplus millings, and

WHEREAS, the Town Board has given due consideration to the request of the Highway Superintendent and deems it in the public interest to declare the before mentioned millings to be surplus property and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby declares the before mentioned millings to be surplus property and authorizes the Highway Superintendent to deliver ten (10) loads of millings to John D. Smith, Chief of the Town Line Volunteer Fire Department, located at 6507 Broadway in the Town of Lancaster, New York, and ten (10) to fifteen (15) loads of millings to the Lancaster Central School District.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

June 17, 2013

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

WHEREAS, Wm. Schutt & Associates, P.C., the Town of Lancaster's consulting engineer, has requested that the Town Board authorize an invitation to bid for the construction of the Town of Lancaster Highway Department's Pre-Engineered Storage Building, and

WHEREAS, the Town Board has given due review and consideration to the request and deems it in the public interest to invite public bids in conformance with General Municipal Law Section 103 of the State of New York;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby invites public bids for the construction of the Town of Lancaster Highway Department's Pre-Engineered Storage Building, said bids are to be in conformance with the plans and specifications which are available at the office of Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 and to be received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on July 10, 2013 and opened thereafter.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

June 17, 2013

NOTICE TO BIDDERS

FOR THE

TOWN LANCASTER

TOWN HIGHWAY DEPARTMENT PRE-ENGINEERED STORAGE BUILDING

Sealed bids for the proposed construction of the Town Highway Department Pre-Engineered Storage Building in the Town of Lancaster will be received by the Town Clerk at her office in the Town Hall, 21 Central Avenue, Lancaster, New York on or before 10:00 A.M. local time on July 10, 2013, at which time they will be publicly opened and read aloud.

Contract Documents may be examined at the office of the Town Clerk and at the office of the ENGINEER, Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 between the hours of 9:00 A.M. and 4:00 P.M., except Saturdays, Sundays and Holidays.

Contract Documents for a pre-engineered building system (Contract G), a concrete floor slab (Contract C), a HVAC system (Contract H) and electrical work (Contract E) may be obtained at the office of the ENGINEER upon deposit of \$50.00 per set [two (2) checks of \$25.00 each payable to the ENGINEER]. If requested in writing, the ENGINEER will mail the Contract Documents to those wishing to obtain a set upon receipt of the \$50.00 deposit plus a non-refundable mailing charge of \$25.00 per set, made payable to the ENGINEER. Bidders will receive a refund of the entire deposit upon returning plans and specifications in good condition within thirty (30) days of the bid award; non-bidders will be refunded one-half of the deposit upon the return of such plans and specifications in good condition within the thirty (30) days following the award of the Contract.

Proposals shall be made and received upon the following conditions:

Each proposal must be accompanied by the deposit of a certified check, payable to the Town of Lancaster, for a sum equal to five percentum (5%) of the total amount of the Bid, or a bond with sufficient sureties in a penal sum equal to five percentum (5%) of such total bid amount, conditioned that if the proposal is accepted, that he will execute within fifteen (15) days from the date of the acceptance of the proposal, a suitable security bond in the amount of the Contract, conditioned for the faithful and prompt performance and completion of the Work specified in the Contract.

All bid deposits except that of the successful bidder will be returned.

Upon acceptance of his Bid, if the successful bidder fails to enter into a Contract pursuant to the requirements of the Contract Documents, or fails to give the further security prescribed in this Notice, with the same time limited therein, then the check deposited as aforesaid and the monies standing to the credit of the same, shall be forfeited to the Town as liquidated damages, or the payment of the bond enforced for the benefit of the Town. The Town of Lancaster reserves the right to waive informalities in or to reject any and all bids

Consulting Engineers:
William Schutt & Associates, P.C.
37 Central Avenue
Lancaster, NY 14086-2143
(716) 683-5961
Date: June 20, 2013

By the Order of the Town Board of
Lancaster, Erie County, New York

Johanna Coleman
Town Clerk

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

WHEREAS, a Public Hearing was held on the 17th day of June, 2013 for the purpose of amending Chapter 46 -Vehicle and Traffic Ordinance of the Code of the Town of Lancaster and persons for and against such amendment have had an opportunity to be heard,

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

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on June 17, 2013;
3. That a Certified Copy thereof be published in the Lancaster Bee on June 20, 2013;
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

June 17, 2013

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

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

CHAPTER 46

ARTICLE VIII -Stop Intersections; Non-Intersection Stops; Yield intersections

46-8.1 Stop Intersections designated, is hereby amended by adding thereto the following:

PLEASANT MEADOWS SUBDIVISION

STREET NAME	INTERSECTING STREET	SIGN LOCATION
Jonquille Court	Juniper Lane	S.W. Corner
Sterling Place	Sterling Place	N.W. Corner

June 17, 2013

**STATE OF NEW YORK :
COUNTY OF ERIE :
OF LANCASTER :**

THIS IS TO CERTIFY that I, **JOHANNA M. COLEMAN**, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 17th day of June 2013 and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 17th day of June, 2013.

Johanna M. Coleman, Town Clerk
June 17, 2013

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

WHEREAS, the Town Board is considering the construction of a 42 Single Family Home Subdivision to be known as Autumnwood Subdivision by K & K Development of Alden, LLC to be located at 0 Bowen Road, Lancaster, New York, and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the construction request and recommended its approval at their meeting of May 20, 2013, and

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

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

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

NOW, THEREFORE,

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

1. The proposed construction of a 42 Single Family Home Subdivision to be known as Autumnwood Subdivision by K & K Development of Alden, LLC will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

June 17, 2013

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: June 17, 2013

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

The Town of Lancaster Town Board (the "Town Board"), has reviewed the proposed 42 Single Family Home Subdivision to be known as Autumnwood Subdivision by K & K Development of Alden, LLC (the "Project"). The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Autumnwood Subdivision (Formerly William & Bowen Subdivision)

Location of Action: 0 Bowen Road, Lancaster, New York (SBL 127.00-3-1.12)

SEQR Status: Unlisted Action.

Description of Action: Engineering and development of a 42+/- lot, single family home subdivision on a 16.9 +/- acre parcel of land located east of Bowen Road and south of William Street in the Town of Lancaster, Erie County, New York.

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

1. The proposed action will result in a small to moderate physical change to the project site.
 - It is noted that construction will be on land where the seasonal depth to the water table is less than three feet and construction will be in two phases and continue for two years.
2. The proposed action will not affect any unique or unusual land forms found on the site.
3. The proposed action will have a small to moderate impact upon a water body designated as protected.
 - It is noted that the sewer extension is through a federal wetland.

4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a small to moderate impact on surface or ground water quality or quantity.
 - It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required during construction.
 - The action will use approximately 22,000 gallons of water per day.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will not affect air quality.
8. The proposed action will have a small to moderate impact on threatened or endangered species.
 - Pesticide and herbicide will be used for lawn care.
 - It is noted that the New York State Department of Environmental Conservation has made no comment about the Henslows Sparrows, although they have been noted on adjacent property.
9. The proposed action will not substantially affect non-threatened or non-endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).

15. The proposed action will have a small to moderate impact on existing transportation systems.
 - Although the two roadways on Bowen Road are approximately 400 feet apart, for emergency access purposes it was determined that the Bowen Road access was necessary.
16. The proposed action will not affect the community's sources of fuel or energy supply.
17. There will be a small to moderate noise impact during construction.
18. The proposed action will not affect public health and safety.
19. The proposed action will have a small to moderate impact on the character of the existing community.
 - Additional demand for school, police and fire services will be created.
 - The proposed action will create employment during construction.
20. There is not, nor is there likely to be, public controversy related to potential adverse environmental impacts.

For Further Information:

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

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

WHEREAS, the General Crew Chief Terrence McCracken, by letter dated June 11, 2013, has requested the appointment of four (4) part-time temporary seasonal employees to work in the Parks, Recreation and Forestry Department of the Town of Lancaster for the 2013 summer season.

NOW, THEREFORE, BE IT

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

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE/HR.</u>
Ryan Cook (new hire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$7.25
Amanda Sheff (new hire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$7.25
Emily Weigand (new hire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$7.25
Zachary Zika (new hire) Lancaster, NY	Laborer (Maintenance)	\$7.25

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

June 17, 2013

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

WHEREAS, the Twin District Volunteer Fire Company, Inc., by letter dated June 10, 2013, has requested the deletion of one member from the roster of said fire association.

NOW, THEREFORE, BE IT

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

DELETION:

Steven Sorlie

WHEREAS, the Twin District Volunteer Fire Company, Inc., by letter dated June 11, 2013 has requested the addition of three members to the roster of said fire association.

NOW, THEREFORE, BE IT

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

ADDITIONS:

Jason Cellino
Lancaster, New York

Joe Ross Cellino
Lancaster, New York

Frank Filipski
24 Hemlock Lane

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

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

WHEREAS, the New York State Public Service Commission has promulgated regulations at 16 N.Y.C.R.R. Part 753 (“Code Rule 53”) for the purpose of protecting underground facilities in order to assure public safety and to prevent damage to public and private property, and

WHEREAS, Code Rule 53 requires only that an “excavator” or contractor provide notice of excavation or demolition by calling Dig Safely NY, and

WHEREAS, Code Rule 53 does not require property owners or other persons conducting the work on their own, without excavators or contractors, to notify Dig Safely NY before conducting excavation or demolitions, and

WHEREAS, the Town Board has determined that, in the interest of public safety, all persons should be required to notify Dig Safely NY of any demolition or excavation activities.

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Lancaster that:

1. Excavators have the primary obligation to notify Dig Safely NY under Code Rule 53.
2. Non-excavators (property owners or other persons not regularly engaged in the trade or business of excavation and demolition) shall notify Dig Safely NY if they choose to conduct demolition or excavation without hiring an excavator or contractor.
3. To facilitate the mandate of this resolution, all building permits issued by the Town shall include the following language:
“Pursuant to Code Rule 53, all excavators and/or contractors are required to notify Dig Safely NY (1-800-962-7962) before commencing or engaging in any excavation or demolition. If a property owner chooses to conduct the work on his/her own, without hiring an excavator or contractor, the property owner is required to notify Dig Safely NY himself/herself.”
4. This resolution is effective immediately.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

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

WHEREAS, Herbert K. Guenther, AIA, of Premier Presentations, PLLC, Architect hired by the Town of Lancaster, has requested that the Town Board authorize invitations for bids for the construction of the Lancaster Depew Baseball (LDB) Indoor Baseball Training Facility under multiple prime contracts at the Town of Lancaster's Westwood Park, and

WHEREAS, the Town Board has given due review and consideration to the request and deems it in the public interest to invite public bids in conformance with General Municipal Law Section 103 of the State of New York;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby invites public bids for the construction of the Lancaster Depew Baseball (LDB) Indoor Baseball Training Facility under multiple prime contracts at the Town of Lancaster's Westwood Park, said bids are to be in conformance with the plans and specifications which are available at the office of Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 and to be received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on July 11, 2013 and opened thereafter.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

June 17, 2013

NOTICE TO BIDDERS

FOR THE

**TOWN OF LANCASTER
LDB INDOOR BASEBALL TRAINING FACILITY**

Sealed bids for the proposed Lancaster Depew Baseball (LDB) Indoor Baseball Training Facility under multiple prime contracts will be received by the Town Clerk at her office in the Town Hall, 21 Central Avenue, Lancaster, New York 14086 on or before 10:00 A.M. local time on July 11, 2013, at which time they will be publicly opened and read aloud.

Contract Documents may be examined at the office of the Town Clerk and at the office of the Town Engineer, Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 between the hours of 9:00 A.M. and 4:00 P.M., Monday through Friday except Saturdays, Sundays and holidays.

Contract Documents may be obtained at the office of the Town Engineer upon deposit of \$50.00 per set [two (2) checks of \$25.00 each payable to the Town Engineer]. If requested in writing, the Town Engineer will mail the Contract Documents to those wishing to obtain a set upon receipt of the \$50.00 deposit plus a non-refundable mailing charge of \$25.00 per set, made payable to the Town Engineer. Documents will also be made available for viewing only at the Construction Exchange's Electronic Online Plan Room, 'Planroom'. Bidders will receive a refund of the entire deposit upon returning plans and specifications in good condition within thirty (30) days of the bid award; non-bidders will be refunded one-half of the deposit upon the return of such plans and specifications in good condition within the thirty (30) days following the award of the Contract.

Proposals shall be made and received upon the following conditions:

Each proposal must be accompanied by the deposit of a certified check, payable to the Town of Lancaster, for a sum equal to five percentum (5%) of the total amount of the Bid, or a bond with sufficient sureties in a penal sum equal to five percentum (5%) of such total bid amount, conditioned that if the proposal is accepted, that he will execute within fifteen (15) days from the date of the acceptance of the proposal, a suitable security bond in the amount of the Contract, conditioned for the faithful and prompt performance and completion of the Work specified in the Contract.

All bid deposits except that of the successful bidder will be returned.

Upon acceptance of his Bid, if the successful bidder fails to enter into a Contract pursuant to the requirements of the Contract Documents, or fails to give the further security prescribed in this Notice, with the same time limited therein, then the check deposited as aforesaid and the monies standing to the credit of the same, shall be forfeited to the Town as liquidated damages, or the payment of the bond enforced for the benefit of the Town. The Town of Lancaster reserves the right to waive informalities in or to reject any and all bids.

Consulting Engineers:
William Schutt & Associates, P.C.
37 Central Avenue
Lancaster, NY 14086-2143
(716) 683-5961
Date: June 20, 2013

By the Order of the Town Board of
Lancaster, Erie County, New York

Johanna Coleman
Town Clerk
June 17, 2013

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

WHEREAS, the Highway Superintendent of the Town of Lancaster by letter dated June 5, 2013, has requested that the Town authorize the expenditure of funds for curb removal and replacement at various locations and one wheelchair ramp removal and replacement and one driveway apron and curb at various specified locations throughout the Town of Lancaster; and

WHEREAS, the Highway Superintendent has sufficient funds in the 2013 Highway Department Budget to undertake curb, driveway apron and wheelchair ramp replacement and removal; and

WHEREAS, the Highway Superintendent solicited three (3) price quotes for furnishing the materials and labor required for curb, driveway apron and wheelchair ramp replacement and removal at various specified locations throughout the Town of Lancaster; and

WHEREAS, E.J. Militello Concrete, Inc., 6465 Transit Road, East Amherst, New York 14051, was the sole bidder to provide a price quote of \$85.00 per linear foot of concrete for a length of 325 linear feet of curb removal and replacement at various locations and 96 linear feet plus an additional 10 square feet for removal and replacement of one wheelchair ramp and one driveway apron and curb at specified locations within the Town for a cost not to exceed \$29,525.00.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes Daniel Amatura, Highway Superintendent to sign a contract for the materials and labor required for curb removal and replacement at various locations and one wheelchair ramp removal and replacement and one driveway apron and curb at specified locations within the Town of Lancaster to E.J. Militello Concrete, Inc., 6465 Transit Road, East Amherst, New York 14051, in accordance with the aforementioned price quote, noting that all wages shall be paid at prevailing wage rates; and will be paid for with funds from the Highway Department's 2013 budget (line item 13-5110-0413) with the following condition:

- Proposal to include language stating "Contractor shall name the Town of Lancaster as an additional insured for work performed including ongoing and completed operations."

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

June 17, 2013

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

WHEREAS, The Town of Lancaster, recognizes that plowing and de-icing town, as well as county roads, is in the best interest and safety of its residents, and

WHEREAS, Erie County and the 25 towns within the county have negotiated contracts which assure that the majority of the county roads within the towns would be maintained according to the same snow and ice control methods used on all town roads, and

WHEREAS, such methods have been approved by the Erie County Department of Public Works, and

WHEREAS, in the past, all costs of manpower, equipment, and materials have been calculated to the satisfaction of all parties, and

WHEREAS, any issues that have arisen during snow and ice control in previous years have been resolved by all parties involved, and

WHEREAS, a new contract between the Towns and Erie County is currently being negotiated, and

WHEREAS, on March 20, 2013, there was a tentative agreement between the towns and Erie County which included a 3 year term with an annual increase of 5.0% as was past practice, and

WHEREAS, this agreement was considered fair and within the budgeting confines of Erie County, and

WHEREAS, on April 16, 2013, Erie County made a counter proposal to increase the contract from 3 years to 5 years and to reduce the monetary increase to 0.5%, and

WHEREAS, the county proposed rate is one the towns cannot afford, and

WHEREAS, the budgetary planning for 2014 is going to be starting in many municipalities, and

WHEREAS, the deadline for towns to order road salt de-icer is now past

NOW THEREFORE BE IT

RESOLVED, that the Town of Lancaster calls on the Erie County Executive and the Erie County Legislature to help resolve the issue between the Erie County Department of Public Works and the 25 towns within the County of Erie with regards to snow removal and de-icing of county roads within the towns that is fair and equitable to all parties, and

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster is to transmit copies of this resolution to Erie County Executive Mark Poloncarz, Erie County Legislator Terry McCracken, Erie County Legislature Chairwoman Betty Jean Grant, and Erie County Department of Public Works Commissioner John Loffredo, and the other towns within Erie County.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

June 17, 2013

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

WHEREAS, by resolution dated July 2, 1990 the Town Board of the Town of Lancaster extended longevity benefits to qualifying non-union employees, including to certain part-time employees; and

WHEREAS, upon consideration of the Town's present fiscal challenges, and in the interests of fiscal responsibility, the Town Board has determined that no additional part-time employees should be eligible for or receive longevity payments;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby rescinds that portion of the aforementioned July 2, 1990 resolution which granted longevity benefits to part-time employees, and hereby affirms that the only Town employees who remain eligible for longevity are those full-time Town employees who are covered by either a union contract or by the Personnel Rules for Employees in the Service of the Town of Lancaster ("Personnel Rules"), and

BE IT FURTHER

RESOLVED, that any part-time employees who are currently receiving longevity benefits based upon the aforementioned July 2, 1990 resolution will continue to receive those benefits and a list of such employees will be maintained in the Supervisor's Office, and

BE IT FURTHER

RESOLVED, that the terms of this resolution shall supersede any contrary provisions of the Personnel Rules and/or any other resolutions previously adopted by the Town Board and/or any previous actions of the Town Board.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

June 17, 2013

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

WHEREAS, after consideration of the Town of Lancaster's communication needs, the Town Board has determined that it is in the best interests of the Town to contract with Time Warner Cable for purposes of obtaining dial tone service for all Town facilities and internet connectivity at the Town's new police/court building; and

WHEREAS, Time Warner Cable is the New York State contract vendor for the aforementioned services under contract #PS63596;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Time Warner Cable service agreements and related documents, as presented, and authorizes their execution on behalf of the Town, in order for the Town to obtain from Time Warner Cable dial tone service for all Town facilities and internet connectivity at the Town's new police/court building.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

June 17, 2013