

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 Joint Meeting of the Town Board and the Planning Board held August 5, 2013 and the Regular Meeting of the Town Board held August 5, 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

August 19, 2013

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. 31888 to Claim No. 32178 Inclusive

Total amount hereby authorized to be paid: \$1,356,471.91

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

August 19, 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
21946		Lorraine Schalberg	73 Stony Rd	Re-Roof	
21947		Scott & Susan Hahn	12 Westbury Ln	Er. Fence	
21948		Jonathan & Sharon Clemons	3 Alyssum Ct	Er. Pool-Abv Grnd	
21949		Marrano/Marc Equity Corp.	32 Jonquille Ct	Er. Dwlg.-Sin.	
21950		Grau Builders LLC	13 Logan Ln	Er. Dwlg.-Sin.	
21951		D Allen & Son Contracting	68 Tomahawk Trl	Re-Roof	
21952		Nancy Osgood-Folman	562 Hall Rd	Re-Roof	
21953		Holiday Remodeling & Building	29 Ann Marie Dr	Er. Res. Alt.	
21954		Robert Monti	5813 Broadway	Er. Sign - Temp	
21955		Johnnie E. Hembrook	11 Prairie Ln	Er. Fence	
21956		John Smigiel	2114 Como Park Blvd	Re-Roof	(V/L)
21957		Majestic Pools Inc.	4 Hillside Pky	Er. Pool-In Grnd	
21958		Majestic Pools Inc.	4 Hillside Pky	Er. Fence	
21959		Allen & Ann Andrzejewski	84 Stony Brook Dr	Er. Fence	
21960		Superior Decks & Gazebos Inc.	5258 William St	Er. Deck	
21961		Marrano/Marc Equity Corp.	18 Kent Pl	Er. Dwlg.-Sin.	
21962		Marrano/Marc Equity Corp.	19 Kent Pl	Er. Dwlg.-Sin.	
21963		Dennis & Joyce McIntyre	77 St John St	Er. Deck	(V/L)
21964		Sitzmans Appliance Center	21 Hedge Ln	Inst. Generator	
21965		Thomas & Linda Buser	9 Devonshire Ln	Er. Fence	
21966		Paul A. Brayman	127 Lake Ave	Re-Roof	(V/L)
21967		Michael A. Vogl	614 Ransom Rd	Er. Pool-In Grnd	
21968		Michael A. Vogl	614 Ransom Rd	Er. Fence	
21969		Dorothy Haenggi	47 Madison St	Re-Roof	(V/L)
21970		Stockmohr Co. Inc.	71 Markey Ave	Re-Roof	
21971		Michael & Pamela Bowerman	26 Tranquility Trl	Er. Shed	
21972		JAZ Properties Inc.	1806 Como Park Blvd	Er. Res. Alt.	
21973		Building Solutions	10 Windsor Ridge Dr	Re-Roof	
21974		Ryan McNichol	20 Church St	Re-Roof	(V/L)
21975		Craig Hausrath	7 Prairie Ln	Er. Shed	
21976		Ivan & Matilda Iseppon	691 Ransom Rd	Er. Res. Alt.	
21977		Lehigh construction Group Inc.	3765 Walden Ave	Er. Comm. Add./Alt.	(V/L)
21978		Anthony J Perritano	138 Belmont Ave	Re-Roof	
21979		K & K Development of Alden LL	12 Summerfield Dr	Er. Dwlg.-Sin.	
21980		Luciano & Nicole Gallo	20 Creekwood Dr	Er. Fence	
21981		Dalex Constrution Inc.	9 Pondview Ct	Re-Roof	
21982		Sahlems Roofing and Siding Inc	226 Enchanted Forest N	Re-Roof	
21983		Marrano Marc Equity Corp	52 Sterling Pl	Er. Dwlg.-Sin.	
21984		Marrano/Marc Equity Corp	1 Jonquille Ct	Er. Dwlg.-Sin.	
21985		Sahlems Roofing and Siding Inc	6 Candlestick Ct	Re-Roof	
21986		Sahlems Roofing and Siding Inc	8 Village View	Re-Roof	
21987		Luciano & Nicole Gallo	20 Creekwood Dr	Er. Pool-In Grnd	
21988		Kulback's Inc.	4437 Walden Ave	Er. Comm. Add./Alt.	
21989		Gerome McLaughlin	5097 William St	Er. Res. Alt.	
21990		Kristin Kuntz	34 Pardee Ave	Re-Roof	(V/L)
21991		Robert Kordylewski	21 Red Clover Ln	Er. Fence	
21992		Homes by Walter	427 Aurora St	Er. Dwlg.-Sin.	
21993		Matthew Bruso	14 Americo Ct	Er. Deck	
21994		James & Sandra Davis	23 Village View	Er. Fence	
21995		Donald Dylag	337 Seneca Pl	Re-Roof	
21996		Jeffrey & Julie Buccieri	31 Ronald Dr	Re-Roof	

21997	Ohrt & Goodman Inc.	43 Doris Ave	Re-Roof	(V/L)
21998	DJC Land Development	7 Silent Meadow Lane	Er. Dwlg.-Sin.	
21999	James & Amy Ward	10 Peachtree Ct	Er. Fence	
22000	Mataji's Inc.	6623 Transit Rd	Er. Comm. Add./Alt.	
22001	Marrano/Marc Equity Corp	17 Kent Pl	Er. Dwlg.-Sin.	
22002	RJF Development JV	50 Middlebury Ln	Er. Dwlg.-Sin.	
22003	Occihiuto Mary A	5 Hedge Ln	Er. Deck	
22004	Joshua James	304 Pleasant View Dr	Er. Res. Add.	
22005	Brayten & Kathleen Meyer	96 Sixth Ave	Er. Shed	(V/L)
22006	Todd Cameron	47 School St	Re-Roof	(V/L)
22007	John Hadzicki	42 Creekwood Dr	Er. Fence	

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

August 19, 2013

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

WHEREAS, the Town Board is considering the proposed construction of a 12,500 sq. ft. Building Addition located at 73 Cemetery Road, Lancaster, New York by **Mays' Tree Service**, and

WHEREAS, The Town of Lancaster Municipal Review Committee has reviewed the construction request and recommended its approval at their meeting on August 5, 2013, and

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

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

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

NOW, THEREFORE,

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

1. The proposed construction of a 12,500 sq. ft. Building Addition located at 73 Cemetery Road by **Mays' Tree Service**, 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 STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

August 19, 2013

**NEGATIVE DECLARATION
Determination of Non-Significance**

Town of Lancaster Town Board

Dated: August 19, 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 Mays' Tree Service's construction of a 12,500 sq. ft. Building Addition (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: Mays' Tree Service Building Addition

Location of Action: 73 Cemetery Road, Lancaster, New York

SEQR Status: Unlisted Action.

Description of Action: The proposed action involves the construction of a 12,500 sq. ft. addition to the Mays' Tree Service Building.

Reasons Supporting Recommendation

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.4.
- B. The action will receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)
 - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.

No significant adverse effects noted

- C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.

No significant adverse effects noted

- C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.

No significant adverse effects noted

- C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.

No significant adverse effects noted

- C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.

- Future development may impact Federal wetlands; Federal wetlands delineation may be required.

- C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.

- Future development and filling should be monitored and may require Federal, State and local permits.C.7Other impacts (including changes in use of either quantity or type of energy).

No significant adverse effects noted

- D. 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).

- E. There is not, nor is there likely to be, 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 COUNCIL MEMBER AQUINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Highway Department Superintendent, Daniel Amatura, had notified the Town that a hazardous condition exists in the floor and drainage system in the Highway Garage, and

WHEREAS, the Highway Superintendent obtained three price quotes for repairing this condition which include removing the affected area, installing a new drain with a catch basin and patching in new concrete with rebar, in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, by letter dated July 22, 2013 Terrence McCracken, General Crew Chief of the Department of Parks, Recreation and Forestry has recommended that the contract to perform the necessary repairs be awarded to Sweet Home Associates, Inc., 59 Lynbrook Drive, Tonawanda, NY, for an amount not to exceed \$26,000.00 and

WHEREAS, the 2013 adopted budget requires a transfer from the Contingency Account into the Buildings, Other Capital Outlay Account to cover the costs associated with providing the necessary repairs described herein;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to enter into a contract with Sweet Home Associates, Inc., 59 Lynbrook Drive, Tonawanda, NY to perform the necessary repairs to the Highway Garage flooring and drainage system, in accordance with their quote dated June 18, 2013 in the amount not to exceed \$26,000.00 with funds available in the 2013 Buildings Maintenance Budget Line A1620-260, and

BE IT FURTHER

RESOLVED, that the following budget transfer in the 2013 adopted budget of the Town of Lancaster be and hereby is approved:

Transfer from:	A1990.411 General Fund – Contingent Account
Transfer to:	A1620.260 General Fund - Buildings, Other Capital Outlay
Amount:	\$14,000.00

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 SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated August 5, 2013, has requested the addition of a member to the roster of said fire association.

NOW, THEREFORE, BE IT

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

ADDITION:

Panagiotis P. Styliadis
Lancaster, New York

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

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

August 19, 2013

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 19th day of August, 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 August 19, 2013;
3. That a Certified Copy thereof be published in the Lancaster Bee on August 22, 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

August 19, 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
the
Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the
Town of Lancaster is hereby amended as follows:

CHAPTER 46

ARTICLE X

ARTICLE X – Parking, Standing, and Stopping

46-14. Parking time limited in designated locations.

- C. The parking of a vehicle is hereby prohibited in the following locations for a period of longer than two hours between the hours of 9:00 a.m. and 3:00 p.m. daily, Monday through Friday, from September 1 through June 30:

.....

(3) Meadow Lea Drive

(4) Donna Lea Drive

August 19, 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 19th day of August 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 19th day of August, 2013.

Johanna M. Coleman, Town Clerk
August 19, 2013

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

WHEREAS, The Town Board has previously duly advertised for bids for the proposed Town of Lancaster's 2013 Culvert Replacement of two (2) box culverts on Lake Avenue project, and

WHEREAS, a bond resolution was adopted on April 15, 2013 for a maximum amount not to exceed Four Hundred and Fifty Thousand dollars (\$450,000.00), and

WHEREAS, bids were received, opened and reviewed on August 14, 2013, and

WHEREAS, Wm. Schutt, the Town of Lancaster's engineering consultant, by letter dated August 16, 2013, has recommended award of the bid to Union Concrete and Construction Corp., being the lowest responsible bidder in the amount of \$288,640;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for the Town of Lancaster's 2013 Culvert Replacement of two (2) box culverts on Lake Avenue project to Union Concrete and Construction Corp., in the amount of \$288,640 being the lowest responsible bidder in conformance with the specifications on file in the office of the Town Engineer, Wm. Schutt and Associates;

BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to execute this contract on behalf of the Town of Lancaster and to do all things necessary to effectuate the intent of this resolution.

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

August 19, 2013

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

WHEREAS, since 1951 the Cornell Local Roads Program has been providing technical assistance and training for local highway officials through Cooperative Extension, and

WHEREAS, effective September 30, 2014 the College of Agriculture and Life Sciences at Cornell University has decided to terminate the Local Technical Assistance Program which is the outreach program of the Cornell Local Roads Program, and

WHEREAS, this decision by Cornell is apparently based on the program being judged as no longer being a priority for the College of Agriculture and Life Sciences, and

WHEREAS, yet, this program is acknowledged within the College to be valuable, meeting a need and doing a good job, and

WHEREAS, all local highway officials are aware of the program's value, especially in providing technical assistance and meeting ongoing needs for training.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Lancaster Highway Department and Lancaster Town Board strongly urge reversal of this decision by the College of Agriculture and Life Sciences, and

BE IT FURTHER,

RESOLVED, that we ask other local highway official colleagues to join us in seeking this reversal in a timely way since the New York State Department of Transportation solicits proposals every five years to maintain the Local Technical Assistance Program with the current agreement due to expire on September 30, 2014, and

BE IT FURTHER,

RESOLVED, that we would like to let it be known that this Local Roads Program provides Cornell University, our land grant university, and specifically the College of Agriculture and Life Sciences, the opportunity to directly impact local governments in New York State by applying their expertise to local road issues.

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 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 revised 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 revised 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 September 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

August 19, 2013

NOTICE TO BIDDERS

FOR THE

TOWN LANCASTER

TOWN HIGHWAY DEPARTMENT PRE-ENGINEERED STORAGE BUILDING

Sealed bids for the proposed construction of the revised 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 September 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 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 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: August 22, 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 STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS Clyde A. Mays, Jr., has submitted a site plan prepared by King Consulting Engineers & Land Surveyors, PC, dated May 2013, for the proposed construction of a 12,500 sq. ft. Building Addition to Mays' Tree Service, located at 73 Cemetery Road, in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their June 19, 2013 meeting, and

WHEREAS, a SEQR Review of this project was held and a negative declaration was issued on August 19, 2013;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by King Consulting Engineers & Land Surveyors, PC, dated May 2013, for the proposed construction of a 12,500 sq. ft. Building Addition to Mays' Tree Service, located at 73 Cemetery Road in the Town of Lancaster.

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

August 19, 2013

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

WHEREAS, the developer has requested the Town Board of the Town of Lancaster accept completed Public Improvements within Creekside at Pleasant Meadows Subdivision VI Phase 1 within the Town of Lancaster, and

WHEREAS, the Town Engineer by letter to the Town Clerk dated July 31, 2013 has inspected the improvements and has recommended the approval thereof, and

WHEREAS, the Town Attorney, by letter to the Town Clerk dated August 12, 2013, has reported his favorable review for the acceptance of these public improvements.

NOW, THEREFORE, BE IT

RESOLVED, that completed Public Improvements No. 687 - Storm Sewers, No. 688 - Water Line, and No. 689 - Pavement & Curb within Creekside at Pleasant Meadows Subdivision VI Phase 1 be and are hereby approved and accepted by the Town Board of the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that the Town of Lancaster, under the Lease Management Agreement with the Erie County Water Authority, shall commence payment for the additional fire hydrants authorized for this subdivision with the next billing cycle, and

BE IT FURTHER

RESOLVED, that the Town Attorney is directed to attend to filing the deed causing the dedication of the road(s) to the Town of Lancaster.

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

August 19, 2013

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

WHEREAS, the Recreation Leader of the Senior Center of the Town of Lancaster, by letter dated August 7, 2013 has recommended the appointment of Edith Earleywine of Lancaster, New York to the position of Recreation Instructor part-time permanent to teach Tap Dancing class at the Senior Center, working not more than nineteen and three-quarter hours per week.

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

1. That Edith Earleywine be and is hereby appointed to the position of Recreation Instructor part-time permanent in the Town of Lancaster Senior Center to teach Tap Dancing class at the Senior Center, working not more than nineteen and three-quarter hours per week. Tap Dancing class is currently scheduled to meet once per week for approximately one hour per class.
2. That Edith Earleywine shall be compensated at an hourly rate of \$11.00.
3. That this appointment shall take effect August 20, 2013.
4. 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.
5. That the Supervisor of the Town of Lancaster shall be authorized to 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

August 19, 2013

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

WHEREAS, the Highway Superintendent of the Town of Lancaster, in a letter dated August 13, 2013, has advised the Town Board that the Highway Department no longer has use for a 1991 Autocar Dump with Plow and Wing, VIN #4V2SABBE7MU508407, a 1993 John Deere 544G Loader, VIN #DW544GD541860, a 2003 Ford F250 4x4 pickup, Vin #3FTNF20L13MB29960, a 2003 Ford F250 4x2 pickup, VIN #3FTNF20L33MB29961, and a 2005 Ford F550 4x4 Dump, Vin #1FDAF57P65EA37966, and has requested that the Town Board therefore deem these items to be surplus equipment and permit the Highway Superintendent to offer this equipment at an online auction, 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 equipment to be surplus equipment and permit placement of said items on an online auction;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby declares the before mentioned 1991 Autocar Dump with Plow and Wing, VIN #4V2SABBE7MU508407, a 1993 John Deere 544G Loader, VIN #DW544GD541860, a 2003 Ford F250 4x4 pickup, Vin #3FTNF20L13MB29960, a 2003 Ford F250 4x2 pickup, VIN #3FTNF20L33MB29961, and a 2005 Ford F550 4x4 Dump, Vin #1FDAF57P65EA37966; to be surplus equipment and authorizes the Highway Superintendent to place said items up for public bid at an online auction with Auctions International, 808 Borden Road, Buffalo, New York 14227 from August 21, 2013 until September 6, 2013 with the funds received from said auction to be made payable to the Town of Lancaster and delivered to the Town Supervisor's Office.

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

August 19, 2013

PUBLIC AUCTION
OF TOWN OWNED SURPLUS EQUIPMENT

Notice is hereby given that the Town Board of the Town of Lancaster has the following equipment as surplus equipment: 1991 Autocar Dump with Plow and Wing, 1993 John Deere 544G Loader, 2003 Ford F250 4x4 pickup, 2003 Ford F250 4x2 pickup, and 2005 Ford F550 4x4 Dump.

This surplus equipment will be auctioned at an online auction with Auctions International, 808 Borden Road, Buffalo, New York 14227 from August 21, 2013 until September 6, 2013.

Successful bidders must provide a payment of 100% of the bid price offered payable to the Town of Lancaster prior to taking possession of the equipment.

The surplus equipment may be inspected at the Town of Lancaster Highway Department, 525 Pavement Road, Lancaster, New York by contacting the Highway Department at 683-3426 to make an appointment.

TOWN BOARD OF THE
TOWN OF LANCASTER

By: JOHANNA M. COLEMAN
TOWN CLERK

August 19, 2013

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

WHEREAS, a vacancy exists due to a retirement in the position of Public Safety Dispatcher in the Town of Lancaster Police Department, and

WHEREAS, Patricia Salamone qualifies for appointment to this position pursuant to the standards and procedures as set forth in the Civil Service Law, and

WHEREAS, the Town of Lancaster Chief of Police by letter dated August 14, 2013, has recommended the appointment of Patricia Salamone to fill the position of Public Safety Dispatcher in the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Patricia Salamone of Lancaster, New York be and is hereby appointed to the position of Public Safety Dispatcher in the Police Department in the Town of Lancaster, with full benefits, effective September 3, 2013, at the starting salary of \$38,567, on step, at 75% of full salary, 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

August 19, 2013

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

WHEREAS, the New York State Thruway operates an interstate highway system traversing the State of New York, and

WHEREAS, the New York State Thruway operates both toll and non-toll sections, and

WHEREAS, the New York State Thruway operates a section of non-toll interstate roadway in Western New York, and

WHEREAS, access to the Thruway system is important to businesses and residents of the Town of Lancaster, and

WHEREAS, the availability of efficient highway access is important to a vibrant economy and high quality of life, and

WHEREAS, the New York State Thruway Authority had planned for the relocation of the Williamsville toll facility to the east of the Transit Road, Route 78 exit, and

WHEREAS, the present location of the Williamsville toll barrier amounts to a “commuter tax” to residents of the eastern Buffalo suburbs, and

WHEREAS, the present location of the Williamsville toll barrier hinders economic activity, wastes travelers time, wastes fuel, adds to traffic congestion on adjacent roads, decreases efficiency of travel, and in general detracts from the quality of life of suburban Buffalo residents, and

WHEREAS, the New York State Thruway Authority recently reversed the decision to relocate said toll facility, and

WHEREAS, this reversal will have a negative economic impact estimated in excess of \$10 million per year on the Western New York economy.

NOW, THEREFORE, BE IT

RESOLVED, that the Lancaster Town Board requests that the New York State Thruway Authority immediately abandon plans to rebuild the Williamsville toll facility at its present location and return to the original plan to relocate said toll facility to the east of the Transit Road, Route 78 exit, and

BE IT FURTHER,

RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Supervisor and Town Councils of the Towns of Amherst, Alden and Clarence, the mayor and trustees of the Village of Lancaster, Depew and Williamsville, Governor Andrew Cuomo, State Senator Gallivan, Assemblyman Gabryszak, and the chairman of the Board of Directors of the New York State Thruway Authority.

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

August 19, 2013

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

WHEREAS, on May 20, 2013 the Town Board of the Town of Lancaster entered into an agreement with PDQ Painting, Inc., for cosmetic updates to be done to the original Town Hall Building located at 21 Central Avenue in an amount not to exceed \$13,400.00, and

WHEREAS, additional work, including time and materials, was required for the contractor to complete the approved Town Hall painting project.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to increase the scope of the agreement between the Town of Lancaster and PDQ Painting, Inc. for additional time and materials to complete the approved Town Hall Painting project in an additional amount not to exceed \$3,235.00, which will bring the new total contract amount to \$16,635.00.

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

August 19, 2013

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

WHEREAS, by resolution adopted on August 5, 2013, the Town Board of the Town of Lancaster adopted a resolution appointing Brian Kintzel to the position Dog Control Officer part-time permanent.

WHEREAS, due to an administrative error in the letter of recommendation, the resolution incorrectly stated the residence for Brian Kintzel.

NOW, THEREFORE, BE IT

RESOLVED, that the resolution adopted August 5, 2013, appointing Brian Kintzel to the position of Dog Control Officer part-time permanent in the Office of Dog Control is hereby rescinded.

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

August 19, 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 Dog Control for a Dog Control Officer part-time due to the resignation of Gary A. Sitek on May 29, 2013, and

WHEREAS, the Dog Control Officer of the Town of Lancaster, by letter dated August 15, 2013, has recommended the appointment of Brian Kintzel of Cheektowaga, New York to the position of Dog Control Officer part-time permanent working not more than nineteen and three-quarter hours per week.

NOW, THEREFORE, BE IT

RESOLVED, that Brian Kintzel of Cheektowaga, New York, be and is hereby appointed to the position of Dog Control Officer part-time permanent in the Office of Dog Control working not more than nineteen and three-quarter hours per week, retroactive to August 12, 2013, at an hourly rate of \$11.84, on step, which represents 75% of the full hourly rate of \$15.78, 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 STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

August 19, 2013