

**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 October 21, 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

November 4, 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. 32960 to Claim No. 33111 Inclusive

Total amount hereby authorized to be paid: \$674,783.76

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

November 4, 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
22259		James Nayman	46 Sterling Pl	Er. Res. Alt.	
22260		Zenner & Ritter Co Inc.	358 Lake Ave	Inst. Generator	
22261		Dan Zupelli	236 Ransom Rd	Er. Fence	
22262		Robert Campbell	8 Ellicott Pl	Er. Fence	(V/L)
22263		Four Seasons Contractors	10 Chestnut Corner	Er. Porch	
22264		Jason Czerniak	1986 Como Park Blvd	Re-Roof	(V/L)
22265		Besroi Construction	171 Pleasant View Dr	Re-Roof	
22266		Besroi Construction	714 Pavement Rd	Re-Roof	
22267		Joe Christ	60 Pheasant Run Ln	Re-Roof	
22268		Mark Cherenzia	2 Sterling Pl	Er. Shed	
22269		ECC Electrical Construction	25 Matthews Dr	Inst. Generator	
22270		Marrano/Marc Equity	29 Cumberland St	Er. Townhouses	
22271		Marrano/Marc Equity	31 Cumberland St	Er. Townhouses	
22272		Marrano/Marc Equity	33 Cumberland St	Er. Townhouses	
22273		Marrano/Marc Equity	35 Cumberland St	Er. Townhouses	
22274		Marrano/Marc Equity	37 Cumberland St	Er. Townhouses	
22275		Marrano/Marc Equity	39 Cumberland St	Er. Townhouses	
22276		Marrano/Marc Equity	41 Cumberland St	Er. Townhouses	
22277		Marrano/Marc Equity	43 Cumberland St	Er. Townhouses	
22278		Marrano/Marc Equity	260 Peppermint Rd	Er. Dwlg.-Sin.	
22279		Steven Buscaglia	16 Wetherby Way	Er. Deck	
22280		Nathan Howell	16 Worthington Ln	Er. Res. Alt.	
22281		Donald & Beth Palmisano	1707 Como Park Blvd	Er. Res. Add.	
22282		Sahlems Roofing and Siding	3949 Walden Ave	Re-Roof	
22283		Marrano/Marc Equity	21 Jonquille Ct	Er. Dwlg.-Sin.	
22284		Holy Mother of the Rosary	6298 Broadway	Er. Deck	
22285		Jerry & Bonnie Sterling	145 Siebert Rd	Er. Shed	
22286		Stockmohr Co Inc.	110 Court St	Re-Roof	(V/L)
22287		Wm & Antoinette Bosse	54 Hinchey Ave	Re-Roof	(V/L)
22288		N.A.S. Sign Company	370 Central Ave	Er. Sign - Pole	
22289		N.A.S. Sign Company	370 Central Ave	Er. Sign - Wall	
22290		Paul Gustas	511 Aurora St	Re-Roof	
22291		Donald & Linda Hermann	25 Redlein Dr	Inst. Generator	
22292		Thomas & Ann O'Connel	4 Devonshire Ln	Re-Roof	
22293		Francis Grasso	7 Harewood Run	Er. Shed	
22294		Vincent Passucci	45 Southwest Pky	Re-Roof	(V/L)
22295		Schuster Construction LLC	65 Michael Anthony Ln	Er. Deck	
22296		Michele Metz-McGowan	40 Livingston St	Er. Fence	(V/L)
22297		Michele Metz-McGowan	40 Livingston St	Er. Pool-In Grnd	(V/L)
22298		Schuster Construction	702 Townline Rd	Re-Roof	
22299		Gordon and Zoerb Electrical	1818 Como Park Blvd	Inst. Generator	

**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

November 4, 2013

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

**WHEREAS**, Anzalone Electrical Contracting, Inc., P.O. Box 309, Lockport, New York 14095 has applied to the Town Board of the Town of Lancaster for a permit to construct a Public Improvement upon real property in the Town of Lancaster within Windsor Ridge South Subdivision, Phase 1B; and

**WHEREAS**, the Town Engineer has certified on the following permit application that he has reviewed the improvement plan and permit application for the installation of the public improvement requested, and that it conforms to the Ordinances of the Town of Lancaster.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Public Improvement Permit Application No.712 of Anzalone Electrical Contracting, Inc. for the installation of:

P.I.P. No. 712	Install ten (10) light poles - 50 watt HPS, bulb and eyes per specs.
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be and is hereby approved and the installation of the improvement requested be and is hereby authorized.

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

November 4, 2013

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

**WHEREAS**, Terrence McCracken, the General Crew Chief of the Department of Parks, Recreation and Forestry of the Town of Lancaster by letter dated October 23, 2013 has requested the purchase of one (1) new 2014 4 x 4 Extended Cab F250 XL 6' Box Pickup Truck and one (1) new 2014 4 x 4 Regular Cab F250 XL 8' Box Pickup Truck for the use in the Parks, Recreation and Forestry Department, and

**WHEREAS**, this truck is available from a New York State Bid Contract which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

**WHEREAS**, the Town Board deems it in the public interest to approve the purchase of said truck;

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

The Town Board of the Town of Lancaster hereby approves the purchase of one (1) new 2014 4 x 4 Extended Cab F250 XL 6' Box Pickup Truck for a cost of \$26,136.28 including the options package and one (1) new 2014 4 x 4 Regular Cab F250 XL 8' Box Pickup Truck for a cost of \$23,737.49 including the options package, from the 2013 authorized New York State Bid Contractor Van Bortel Ford, 71 Marsh Road, East Rochester, New York 14445 under State Bid Contract #22539/PC 65855, as proposed by the General Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster for a total sum not to exceed the state contract price of \$49, 873.77 which sum shall be paid for with funds available in the 2013 Department of Parks, Recreation and Forestry's budget, line item # 7110.220, 7110.225 & 8510.225.

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

November 4, 2013

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER AQUINO, 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 Cross Creek Subdivision Phase IV within the Town of Lancaster, and

**WHEREAS**, the Town Engineer by letter to the Town Clerk dated October 29, 2013 has inspected the improvements and has recommended the approval thereof, and

**WHEREAS**, the Town Attorney, by letter to the Town Clerk dated October 29, 2013, has reported his favorable review for the acceptance of these public improvements.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that completed Public Improvements No. 708 - Water Line, No. 709 - Pavement & Curb, No. 710 - Storm Sewer, and No. 711 – Detention Basin within Cross Creek Subdivision Phase IV 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 roads 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 STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

November 4, 2013

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 October 30, 2013, has recommended the appointment of Sara Wozniak of Lancaster, New York to the position of Recreation Attendant part-time permanent in the Parks, Recreation and Forestry Department of the Town of Lancaster working not more than nineteen and three-quarter hours per week.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Sara Wozniak be and is hereby appointed to the position of Recreation Attendant part-time permanent in the Parks, Recreation and Forestry Department at the rate of \$9.00 per hour, effective November 5, 2013, and 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

November 4, 2013

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

**WHEREAS**, Terrence McCracken, General Crew Chief of the Parks, Recreation and Forestry Department, by letter dated October 29, 2013, has requested a correction to the rate of pay for Lifeguard, Jennifer Kennedy due to a clerical error.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the rate of pay for Jennifer Kennedy be corrected from \$9.50 per hour to \$10.00 per hour, 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

November 4, 2013

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 October 30, 2013, has recommended the appointment of Meghan Waterman of Lancaster, New York to the position of Recreation Attendant part-time permanent in the Parks, Recreation and Forestry Department of the Town of Lancaster working not more than nineteen and three-quarter hours per week.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Meghan Waterman be and is hereby appointed to the position of Recreation Attendant part-time permanent in the Parks, Recreation and Forestry Department at the rate of \$9.00 per hour, effective November 5, 2013, and 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

November 4, 2013

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

**WHEREAS**, by resolution adopted on October 7, 2013, the Town Board of the Town of Lancaster approved a contract with Good Earth Organics Corp., located at 5960 Broadway, Lancaster, New York, for the purpose of allowing the Town's Highway Department to deliver leaves for composting to their property, and

**WHEREAS**, by letter dated October 29, 2013, Town Supervisor Dino Fudoli, is requesting that the resolution adopted on October 7, 2013 be amended to include "wood chips" as a material the Highway department will be delivering for composting;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the resolution adopted October 7, 2013, approving a contract with Good Earth Organics Corp., located at 5960 Broadway, Lancaster, New York, for the purpose of allowing the Town's Highway Department to deliver leaves for composting to their property be and is hereby amended to include "wood chips" as a deliverable material for composting.

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

November 4, 2013

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

**WHEREAS**, Sweet Home Associates, Inc., 59 Lynbrook Drive,  
Tonawanda, New York 14150, the contractor for the repairs to the Highway Garage flooring  
and drainage system, has submitted Change Order No. 1 in the amount of \$1,892.68 to the  
Town Board for their approval, based on the addendum descriptions of additional work to be  
performed provided to the Town Board, 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 additional repairs described;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby  
approves Change Order No. 1 to Sweet Home Associates, Inc., with respect to Addendum one  
as outlined on the descriptions previously provided to the Town Board:

**DESCRIPTION OF CHANGE ORDER NO. 1:**

Additional compensation for Additional Piping work required for Highway Department  
Flooring and Drainage Repair.

**CHANGE ORDER NO. 1:**

The original Contract Sum was .....	\$26,000.00
The Contract Sum will be increased by this Change Order in the amount of....	1,892.68
The new Contract Sum increased including this Change Order will be	\$27,892.68

**BE IT FURTHER**

**RESOLVED**, that the Supervisor be and is hereby authorized to  
execute this Change Order on behalf of 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

November 4, 2013

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

**WHEREAS**, Xybix, Systems, Inc., 8207 South Park Circle, Littleton, Colorado, 80120, the contractor for providing furniture and cabinetry for the dispatch center at the new Police and Court Building (Public Safety Building), has submitted Change Order No. 1 in the amount of \$606.44 to the Town Board for their approval, based on the addendum descriptions of additional work to be performed provided to the Town Board;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves Change Order No. 1 to Xybix, Systems, Inc., with respect to Addendum one as outlined on the descriptions previously provided to the Town Board:

**DESCRIPTION OF CHANGE ORDER NO. 1:**

Additional compensation for Adjustments to the Cabinetry to accommodate final layout after buildout.

**CHANGE ORDER NO. 1:**

The original Contract Sum was .....	\$51,717.48
The Contract Sum will be increased by this Change Order in the amount of....	606.44
The new Contract Sum increased including this Change Order will be	\$52,323.92

**BE IT FURTHER**

**RESOLVED**, that the Supervisor be and is hereby authorized to execute this Change Order on behalf of 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

November 4, 2013