

**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  
March 17, 2014 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

April 7, 2014

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 Assistant to the Supervisor, to wit:

Claim No. 34853 to Claim No. 35085 Inclusive

Total amount hereby authorized to be paid: \$4,663,057.39

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

April 7, 2014

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
22419		Besroi Construction	39 Chestnut Corner	Re-Roof	
22420		Besroi Construction	89 Kurtz Ave	Re-Roof	(V/L)
22421		Essex Homes of WNY Inc.	656 Pleasant View Dr	Er. Dwlg.-Sin.	
22422		Transit French Associates	4779 Transit Rd	Er. Sign - Temp	
22423		Lancaster-Rehm Assocs, LLC	6363 Transit Rd	Er. Sign - Temp	
22424		Timothy & Rebecca Hoag	54 Maple Dr	Er. Res. Alt.	
22425		Matthew & Meghan Schobert	6 St Anthony St	Er. Pool-Abv Grnd	
22426		Ronald & Margaret Fruck	2046 Como Park Blvd	Er. Res. Alt.	(V/L)
22427		William Robinson	646 Pleasant View Dr	Er. Shed	
22428		Michael & Jill Maraschiello	17 Grace Way	Er. Res. Add.	
22429		Michele Langan	136 Richmond Ave	Er. Fence	(V/L)
22430		Tara Doster	5080 William St	Re-Roof	
22431		Brian A Schaal	6 Prairie Ln	Er. Shed	
22432		Santoro Signs Inc.	56 Gunnville Rd	Er. Sign – Wall	
22433		Douglas Sherman	5 Robins Nest Ct	Er. Fence	
22434		Family Video Movie Club Inc	5207 Broadway	Er. Comm. Add./Alt.	(V/L)
22435		Vincent A DiBenedetto	475 Pleasant View Dr	Inst. Generator	
22436		Sahlems Roofing and Siding Inc	5201 Broadway	Re-Roof	(V/L)
22437		Norman & Shirley Dischner	11 Apple Blossom Blvd	Re-Roof	
22438		Kevin Farmer	47 Creekwood Dr	Er. Pool-Abv Grnd	
22439		Pleasant Meadows Assoc	38 Newberry Ln	Er. Dwlg.-Sin.	
22440		Colley's Pool Sales Inc.	7 Dorchester Ct	Er. Pool-In Grnd	
22441		Colley's Pool Sales Inc.	7 Dorchester Ct	Er. Fence	
22442		Jeffrey Feuerstein	4 Milton Dr	Er. Fence	(V/L)
22443		RJF Development JV	26 Middlebury Ln	Er. Dwlg.-Sin.	
22444		RJF Development JV	35 Middlebury Ln	Er. Dwlg.-Sin.	
22445		RJF Development JV	9 Bennington Ln	Er. Dwlg.-Sin.	
22446		Pleasant Meadows Assocs LLC	39 Newberry Ln	Er. Dwlg.-Sin.	
22447		Jeffrey Rassman	24 Sterling Pl	Er. Res. Alt.	
22448		Richard Wery	247 Schwartz Rd	Er. Res. Add.	
22449		Schuster Construction LLC	48 Cowing St	Re-Roof	(V/L)
22450		H Cope Enterprises Inc.	756 Aurora St	Re-Roof	
22451		Aaron Tallman	81 Middlebury Ln	Er. Shed	
22452		Gerald Lewis DBA	297 Broezel Ave	Re-Roof	
22453		Dome Broadcasting Corp	5426 William St	Re-Roof	
22454		Craig Meacham	5176 William St	Re-Roof	
22455		Tri-Town Construction Inc.	296 Aurora St	Re-Roof	(V/L)
22456		Scott Dominique	19 Summerfield Dr	Re-Roof	
22457		Grau Builders LLC	32 Logan Ln	Er. Dwlg.-Sin.	
22459		Robert & Darlene Pitzonka	183 Nathan's Trl	Re-Roof	
22460		Beauty Pools Inc.	28W Payne St	Er. Pool-In Grnd	(V/L)
22461		Thomas Gervasio	5220 William St	Re-Roof	
22462		Gerald Yost	40 Kennedy Ct	Er. Shed	
22463		Faith Lester-Perkins	13 Quail Run Ln	Er. Shed	
22464		E & E + 7 LLC	5071 Transit Rd	Er. Sign - Temp	
22465		Ivy Lea Construction Inc.	39 Heritage Dr	Re-Roof	
22466		Ryan Homes - NVR Inc.	10 Bennington Ln	Er. Dwlg.-Sin.	
22467		Bryan J LeFauve	20 Schilling Ct	Er. Pool-Abv Grnd	
22468		Dalex Construction, Inc.	14 Kelly Ann Dr	Re-Roof	
22469		Sylvia Rucinski	2060 Como Park Blvd	Re-Roof	(V/L)
22472		Thomas Czeriejewski	17 Glendale Dr	Re-Roof	

**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

**BE IT FURTHER**

**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

April 7, 2014

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 March 13, 2014, has requested the deletion of one member from the active roster of said fire association,

**NOW, THEREFORE, BE IT**

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

**DELETION:**

Timothy Dickinson

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

April 7, 2014

File: RFIRE (P6)

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute on behalf of the Town of Lancaster the Memorandum of Agreement between the Town and the Hull House Foundation, as presented, in order to provide financial assistance for the support of a historical edifice located within the Town, in the amount of \$2,000 as appropriated in account code A7989.449 in the adopted budget for the 2014 fiscal year 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

April 7, 2014

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

**WHEREAS**, NOCO Energy Corp, is the owner of property located at 4221 Walden Avenue at the southeast corner of Pavement Road, in the Town of Lancaster, constructed a Convenience Store with Fueling Facilities and related improvement on said premises (the “Project”), and

**WHEREAS**, the Project requires the installation of an additional fire hydrant to service the premises, and

**WHEREAS**, the Town will direct the Erie County Water Authority to install the hydrant at 4221 Walden Avenue, on the Pavement Road side of the property, north of the driveway entrance, and

**WHEREAS**, NOCO Energy Corp, or its successors and assigns agrees to reimburse the Town any/and all installation fees imposed on it by the Erie County Water Authority for said hydrant, with fees to be determined by the Erie County Water Authority, and

**WHEREAS**, the Town Engineer of the Town of Lancaster has reviewed the proposed agreement and recommends approval of same, and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized and directed to execute the Hydrant Installation Agreement, between the Town of Lancaster and NOCO Energy Corp, subject to the approval by the Town Attorney.

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

April 7, 2014

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

**WHEREAS**, NOCO Energy Corp, owner of property located at 4221 Walden Avenue at the southeast corner of Pavement Road, in the Town of Lancaster, constructed a Convenience Store with Fueling Facilities and related improvement on said premises (the “Project”), and

**WHEREAS**, the Project requires the installation of an additional fire hydrant to service the premises per the site plan resolution that was approved on June 18, 2012, and

**WHEREAS**, the Town Line Fire District has reviewed this requirement and has no objection to same;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Water Authority is hereby directed to install a fire hydrant on the NOCO Energy Corp. premises located at 4221 Walden Avenue, in the Town of Lancaster, specifically at the Pavement Road side of the property, north of the driveway entrance;

**BE IT FURTHER**

**RESOLVED**, that NOCO Energy Corp will be responsible for reimbursing the Town all costs associated with the installation of said hydrant pursuant to a separate agreement;

**BE IT FURTHER**

**RESOLVED**, that the Town of Lancaster shall be responsible to the Erie County Water Authority for annual hydrant rental fees for this hydrant.

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

April 7, 2014

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

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

**WHEREAS**, Brent Sala 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 March 25, 2014, has recommended the appointment of Brent Sala to fill the position of Public Safety Dispatcher in the Town of Lancaster.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Brent Sala 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 April 9, 2014, 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 STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

April 7, 2014

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

**WHEREAS**, the Town of Lancaster, by deed dated June 15, 2005, and recorded in Erie County Clerk's Office on June 17, 2005, in Liber 11096 of Deeds at page 7529, transferred to the Town of Lancaster Industrial Development Agency (the "Agency") a parcel of vacant land of approximately 30 acres in the Town of Lancaster extending from the Village of Lancaster line on the East to Cemetery Road on the West, and extending along, and including, the abandoned New York, Lackawanna & Western Railway right of way (the "Property"), and

**WHEREAS**, prior to the transfer of the Property to the Agency, the Town of Lancaster had issued a State Environmental Quality Review Negative Declaration Notice of Determination of Non-Significance, dated August 2, 2004, with respect to the transfer of the Property to the Agency, and

**WHEREAS**, the Agency, by agreement dated May 1, 2009, and recorded in the Erie County Clerk's Office in Liber 11161 of Deeds at page 6605, granted to the Town of Lancaster a 75 foot wide Right of Way and Easement running along the Northerly boundary line of the Property, for the purpose of creating the Heritage Bike Trail along the abandoned New York, Lackawanna & Western Railway right of way, and

**WHEREAS**, the Agency has determined that the Property is surplus to the needs of the Agency and has proposed that a portion of the Property consisting of approximately 9.4 acres be sold and that the unsold portion of the Property, consisting of approximately 20.6 acres, be transferred back to the Town of Lancaster, and

**WHEREAS**, the Agency has proposed that, prior to such sale or transfer, the Agency will grant to the Town of Lancaster an additional 24 foot wide Right of Way and Easement along the length of the Property, which easement will run adjacent to and expand the existing easement used by the Heritage Bike Trail.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Town of Lancaster accept the conveyance to it by the Town of Lancaster Industrial Development Agency of a portion of the Property consisting of approximately 17.7 acres, which parcel is subject to an existing 75 foot wide Right of Way and Easement in favor of the Town of Lancaster presently used by the Heritage Bike Trail, and it is

**BE IT FURTHER**

**RESOLVED**, that the Town of Lancaster accept the grant to it by the Agency of and an additional 24 foot wide Right of Way and Easement along the length of the Property, which easement shall run adjacent to and expand the existing easement used by the Heritage Bike Trail.

**BE IT FURTHER**

**RESOLVED**, that the Town of Lancaster Industrial Development Agency deed the remaining portion of the property on Cemetery Road to the Town of Lancaster, pending the Town of Lancaster Board Approval to accept the deed.

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

April 7, 2014

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

**WHEREAS**, the Town of Lancaster, by deed dated June 15, 2005, and recorded in Erie County Clerk's Office on June 17, 2005, in Liber 11096 of Deeds at page 7529, transferred to the Town of Lancaster Industrial Development Agency (the "Agency") a parcel of vacant land of approximately 30 acres in the Town of Lancaster extending from the Village of Lancaster line on the East to Cemetery Road on the West, and extending along, and including, the abandoned New York, Lackawanna & Western Railway right of way (the "Property"), and

**WHEREAS**, prior to the transfer of the Property to the Agency, the Town of Lancaster had issued a State Environmental Quality Review Negative Declaration Notice of Determination of Non-Significance, dated August 2, 2004, with respect to the transfer of the Property to the Agency, and

**WHEREAS**, the Agency, by agreement dated May 1, 2009, and recorded in the Erie County Clerk's Office in Liber 11161 of Deeds at page 6605, granted to the Town of Lancaster a 75 foot wide Right of Way and Easement running along the Northerly boundary line of the Property, for the purpose of creating the Heritage Bike Trail along the abandoned New York, Lackawanna & Western Railway right of way, and

**WHEREAS**, the Agency has determined that the Property is surplus to the needs of the Agency and has proposed that a portion of the Property consisting of approximately 9.4 acres be sold and that the unsold portion of the Property, consisting of approximately 20.6 acres, be transferred back to the Town of Lancaster, and

**WHEREAS**, the Agency has proposed that, prior to such sale or transfer, the Agency will grant to the Town of Lancaster an additional 24 foot wide Right of Way and Easement along the length of the Property, which easement will run adjacent to and expand the existing easement used by the Heritage Bike Trail.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Town of Lancaster accept the conveyance to it by the Town of Lancaster Industrial Development Agency of a portion of the Property consisting of approximately 17.7 acres, which parcel is subject to an existing 75 foot wide Right of Way and Easement in favor of the Town of Lancaster presently used by the Heritage Bike Trail, and

**BE IT FURTHER**

**RESOLVED**, that the Town of Lancaster accept the grant to it by the Agency of and an additional 24 foot wide Right of Way and Easement along the length of the Property, which easement shall run adjacent to and expand the existing easement used by the Heritage Bike Trail

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

April 7, 2014

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

**WHEREAS**, Colvin Draperies, 2426 Elmwood Avenue, Suite 100, Kenmore, New York 14217, the contractor for providing window treatments for the new Police and Court Building (Public Safety Building), has submitted Change Order No. 1 in the amount of \$400.00 to the Town Board for their approval, based on the 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 Colvin Draperies, with respect to the outlined descriptions previously provided to the Town Board:

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

Additional compensation for the purchase and installation of two (2) additional shades for training area.

**CHANGE ORDER NO. 1:**

The original Contract Sum was .....	\$ 5,733.00
The Contract Sum will be increased by this Change Order in the amount of....	400.00
The new Contract Sum increased including this Change Order will be	\$ 6,133.00

**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

April 7, 2014

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

**WHEREAS**, the Town Board has previously duly advertised for bids for the Westwood Park Synthetic Field Project in the Town of Lancaster, and

**WHEREAS**, five (5) bids were received, opened and reviewed on March 20, 2014, and

**WHEREAS**, by letter dated April 2, 2014, Wm Schutt & Associates P.C., consulting Engineer for the Town of Lancaster, has recommended awarding the bid to Greenauer Blacktop, Inc., being the lowest responsible bidder in the amount of \$434,160.00;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster, hereby awards the bid for the Westwood Park Synthetic Field Project, to Greenauer Blacktop, Inc., 391 French Road, West Seneca, New York 14224, in conformance with the specifications on file in the Town Clerk's office, in the total amount of \$434,160.00.

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

April 7, 2014