

**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 July 6, 2015 and the Regular Meeting of the Town Board held July 6, 2015 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 RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 20, 2015

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. 40648 to Claim No. 40859 Inclusive

Total amount hereby authorized to be paid: \$2,614,074.08

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 RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 20, 2015

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
24161		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24162		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24163		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24164		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24165		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24166		Ralph & June Converse	4957 William St	Er. Res. Alt.	
24167		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24168		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24169		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24170		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24171		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24172		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24173		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24174		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24175		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24176		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24177		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24178		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24179		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24180		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24181		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24182		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24183		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24184		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24185		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24186		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24187		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24188		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24189		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24190		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24191		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24192		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24193		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24194		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24195		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
24196		Mike Boll Construction	44 Nicholas Ln	Inst. Generator	
24197		Buffalo Roofing Co. LLC	55 Lake Ave	Re-Roof	(V/L)
24198		Sturdi Built Sheds LLC	32 Middlebury Ln	Er. Shed	
24199		Thomas & Christine Doering	13 Juniper Blvd	Er. Pool-Abv Grnd	
24200		English Park Village Land	348 Harris Hill Rd	Er. Comm. Add./Alt.	
24201		Jason Britt	58 Tranquility Trl	Er. Fence	
24202		Joseph & Andrea Todoro	2 Silent Meadow Lane	Er. Fence	
24203		William & Nicole Hayden	4 Riemers Ave	Er. Shed	
24204		Anthony Genovese	107 Michael's Walk	Er. Fence	
24205		PJK Roofing Inc.	95 Burwell Ave	Re-Roof	(V/L)
24206		Buffalo Business Brokers	420 Aurora St	Er. Dwlg.-Sin.	
24207		3979 Walden Ave., LLC	3979 Walden Ave	Re-Roof	
24208		Tuscarora Roofing & Siding Co	9 Clermont Ct	Re-Roof	
24209		Jason Obstein	16 Gordon Ave	Er. Fence	(V/L)
24210		Harry & Donna Browder	46 Ivy Way	Re-Roof	(V/L)
24211		Expert Fence Company Inc.	155S Irwinwood Rd	Er. Fence	(V/L)

24212	Ronald & Linda Witt	52 Cedar Brook Dr	Er. Shed	
24213	David & Linda Rath	31 Maple Ave	Er. Res. Alt.	(V/L)
24214	David & Linda Rath	31 Maple Ave	Er. Deck	(V/L)
24215	Raymond & Dawn Ball	11 Ryan St	Er. Shed	
24216	Raymond & Dawn Ball	11 Ryan St	Er. Fence	
24217	Albert & Barbara Hapeman	2 Hillside Pky	Er. Deck	
24218	Timothy Seifert	271 Central Ave	Re-Roof	(V/L)
24219	Charles & Kimmy Marino	45 Stream View Ln	Er. Shed	
24220	Besroi Construction	58 Tomahawk Trl	Re-Roof	
24221	Besroi Construction	190 Peppermint Rd	Re-Roof	
24222	Besroi Construction	23 Hill Valley Dr	Re-Roof	
24223	Besroi Construction	48 Hedge Ln	Re-Roof	
24224	Marrano/Marc Equity Corp.	16 Jonquille Ct	Er. Dwlg.-Sin.	
24225	Antoinette Tavernier	1919 Como Park Blvd	Er. Shed	(V/L)
24226	Luther Enterprises Inc.	1 Sterling Pl	Er. Pool-In Grnd	
24228	Linda Hejmanowski	207 Lake Ave	Re-Roof	(V/L)
24229	William & Audrey Patterson	27 Candice Ct	Er. Fence	
24230	Mark A Sczepanski	22 Ivy Way	Er. Fence	(V/L)
24231	Yelana Osepchugova	44 Liberty Pl	Re-Roof	(V/L)
24232	The Pool Guy	15 Creekwood Dr	Er. Pool-Abv Grnd	
24233	Bradley & Jennifer Austin	6 Ashwood Ct	Er. Pool-In Grnd	
24234	Besroi Construction	76 Freeman Dr	Re-Roof	
24235	Mariaina Lococo	1 Nicholas Ln	Er. Fence	
24236	Gregory & Shirley Hunt	13 Cedar Brook Dr	Er. Fence	
24237	Onofrio & Arcangela Targia	3 Jonquille Ct	Er. Fence	
24238	Daniel Palumbo	24 Brunck Rd	Er. Pole Barn	
24239	Sharon Baker	12 Brady Ave	Er. Fence	(V/L)
24240	Christopher Swan	16 Partridge Walk	Er. Fence	
24241	Kevin J Koscielniak	36 Cedar Brook Dr	Er. Shed	
24242	Buffalo Roof Appeal LLC	16 Buckingham Ct	Re-Roof	
24243	Fairways Hills Development	40 Crabapple Ln	Er. Dwlg.-Sin.	
24244	James & Theresa Roberts	14 Parkedge Dr	Er. Pool-Abv Grnd	
24245	Fairways at Lancaster LLC	5360 Genesee St	Er. Sign - Temp	
24246	Anthony & Gina Campanella	3 Windcroft Ln	Re-Roof	
24247	Joshua Ball	57 Southpoint Dr	Er. Fence	
24248	Joseph Armatys	14 St Joseph St	Re-Roof	(V/L)
24249	Marrano/Marc Equity Corp	21 Brockton Dr	Er. Townhouses	
24250	Marrano/Marc Equity	23 Brockton Dr	Er. Townhouses	
24251	The Pool Guy	107S Irwinwood Rd	Er. Pool-Abv Grnd	(V/L)
24252	James W Griggs	44 Steinfeldt Rd	Re-Roof	
24253	Jeremy & Desire Dienstbier	58 Middlebury Ln	Er. Pool-Abv Grnd	
24254	Richard & Linda McDonnell	34 Apple Blossom Blvd	Er. Res. Alt.	
24255	RJF Development JV	12 Middlebury Ln	Er. Dwlg.-Sin.	
24256	John J Kaniecki	239 Warner Rd	Er. Shed	
24257	RJF Development JV	43 Middlebury Ln	Er. Dwlg.-Sin.	
24258	Majestic Pool Inc.	4 Tranquility Trl	Er. Pool-In Grnd	
24259	Majestic Pools Inc.	4 Tranquility Trl	Er. Fence	
24260	Dan Zuppelli	236 Ransom Rd	Er. Deck	
24261	Guard Const. & Contract Corp.	3825 Walden Ave	Dem. Bldg	(V/L)
24262	Michael & Colleen Tranquilli	3 Buckingham Ct	Er. Deck	
24263	Prasad Abhilash	55 Chestnut Corner	Er. Shed	
24264	Mark & Kelly Brennan	587 Lake Ave	Er. Deck	
24265	Ronald Ast Sr	234 Pleasant View 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 RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 20, 2015

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

**WHEREAS**, on July 6, 2015, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Section 17(F) of the Code of the Town of Lancaster, upon the application of **Jennifer Cuttitta**, for a Special Use Permit for a Home Occupation (Hair Salon) on premises located at 510 Town Line Road, Lancaster, New York, and

**WHEREAS**, persons for and against such Special Use Permit have had an opportunity to be heard;

**NOW, THEREFORE, BE IT  
RESOLVED,**

1. That pursuant to Chapter 50-Zoning, Section 17(F), entitled "Home Occupations" of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Jennifer Cuttitta**, for a Home Occupation (Hair Salon) on premises located at 510 Town Line Road, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50 Section 17(F), of the Code of the Town of Lancaster as long as the applicant continues to engage in the home occupation on the premises, namely:

- a) There shall be no outdoor sign advertising this business.
- b) This Special Use Permit terminates when the applicant no longer resides on the premises.
- c) Permit must be renewed every two (2) years at no additional cost to applicant. Renewal is considered upon the property owner submitting an application to the Town Clerk, on or before July 20, 2017.
- d) Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.

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 RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 20, 2015

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 11,161 square foot greenhouse expansion to the existing Adam's Nurseries' facility located at 5799 Genesee Street in the Town of Lancaster, and

**WHEREAS**, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on July 6, 2015 and recommended that a Negative Declaration be issued, 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. This project, described as an 11,161 square foot expansion on an existing greenhouse, 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 RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 20, 2015

**NEGATIVE DECLARATION**  
**Determination of Non-Significance**

**Town of Lancaster Town Board**

**Dated: July 20, 2015**

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 construction of an 11,161 square foot greenhouse expansion to the existing Adam's Nurseries' facility. 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:** Adam's Nurseries' Expansion

**Location of Action:** 5799 Genesee Street, Lancaster, New York 14086, Erie County.

**SEQR Status:** Unlisted Action.

**Description of Action:** The expansion on an existing greenhouse located at 5799 Genesee Street, Lancaster, New York. As part of the action, an existing 7,520± square foot greenhouse will be demolished. In its place, a proposed 18,681± square foot greenhouse will be erected resulting in a net expansion of 11,161± square feet of space. A storm sewer line will also be installed to convey stormwater runoff from the greenhouse expansion.

**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 not create a material conflict with an adopted land use plan or zoning regulations.
2. The proposed action will not result in a change in the use or intensity of use of land.
3. The proposed action will not impair the character or quality of the existing community.
4. The Town of Lancaster has not established a Critical Environmental Area (CEA).
5. The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.
6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.
7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.

8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.
9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).
10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.
11. The proposed action will not create a hazard to environmental resources or human health.

**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 STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS**, Adam's Farms, LLC, has submitted a site plan prepared by Greenman-Pedersen, Inc., dated May, 2015, and received May 15, 2015 for the proposed construction of an 11,161 square foot greenhouse expansion to the existing **Adam's Nurseries'** facility located at 5799 Genesee Street, in the Town of Lancaster, and

**WHEREAS**, the site plan for this project was submitted to the Planning Board and was approved at their May 20, 2015 meeting, and

**WHEREAS**, the Town, acting as lead agency has completed an environmental review on July 6, 2015, in conformance with SEQR (State Environmental Quality Review) regulations and on July 20, 2015 a Negative Declaration was issued

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Adam's Farms, LLC, and prepared by Greenman-Pedersen, Inc., dated May, 2015, and received May 15, 2015 for the proposed construction of an 11,161 square foot greenhouse expansion to the existing **Adam's Nurseries'** facility located at 5799 Genesee Street 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 RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 20, 2015

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 70,000 square foot one-story warehouse and office facility with paved parking, truck dock, landscape and drainage improvements by Kulback Construction, Inc. on behalf of Superior Pallets located at 3981 Walden Avenue in the Town of Lancaster, and

**WHEREAS**, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on July 6, 2015 and recommended that a Negative Declaration be issued, 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. This project, described as construction of a 70,000 square foot one-story warehouse and office facility with paved parking, truck dock, landscape and drainage improvements, 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 RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 20, 2015

**NEGATIVE DECLARATION**  
**Determination of Non-Significance**

**Town of Lancaster Town Board**

**Dated: July 20, 2015**

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 construction of a 70,000 square foot one-story warehouse and office facility with paved parking, truck dock, landscape and drainage improvements. 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:** Superior Pallets

**Location of Action:** 3981 Walden Avenue, Lancaster, New York 14086, Erie County.

**SEQR Status:** Unlisted Action.

**Description of Action:** The proposed construction of a 70,000 square foot one-story warehouse and office facility with paved parking lot, truck dock, landscaping and drainage improvements on a seven acre vacant parcel.

**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 not create a material conflict with an adopted land use plan or zoning regulations.
2. The proposed action will not result in a change in the use or intensity of use of land.
3. The proposed action will not impair the character or quality of the existing community.
4. The Town of Lancaster has not established a Critical Environmental Area (CEA).
5. The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.
6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.
7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.
8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.

9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).
10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.
11. The proposed action will not create a hazard to environmental resources or human health.

**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 STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS**, Kulback Construction, Inc., on behalf of **Superior Pallets**, has submitted a site plan prepared by **Tredo Engineers**, dated May 4, 2015, with a revision date of June 24, 2015 and received July 10, 2015 for the proposed construction of a 70,000 square foot one-story warehouse and office facility with paved parking, truck dock, landscape and drainage improvements located at 3981 Walden Avenue, in the Town of Lancaster, and

**WHEREAS**, the site plan for this project was submitted to the Planning Board and was approved at their May 20, 2015 meeting, and

**WHEREAS**, the Town, acting as lead agency has completed an environmental review on July 6, 2015, in conformance with SEQR (State Environmental Quality Review) regulations and on July 20, 2015 a Negative Declaration was issued

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Kulback Construction, Inc., on behalf of **Superior Pallets**, and prepared by **Tredo Engineers**, dated May 4, 2015, with a revision date of June 24, 2015 and received July 10, 2015 for the proposed construction of a 70,000 square foot one-story warehouse and office facility with paved parking, truck dock, landscape and drainage improvements located at 3981 Walden Avenue 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 RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 20, 2015

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

**WHEREAS, Pleasant Meadows Associates, LLC.,** 2730 Transit Road, West Seneca, New York 14224, has petitioned the Town Board of the Town of Lancaster for the rezone of a parcel of land located at 00 Walden Avenue (S.B.L. No.104.08-10-12), Lancaster, New York from a Neighborhood Business District (NB) to Multifamily Residential District Three (MFR-3), and

**WHEREAS,** the Petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and was approved at their July 1, 2015 meeting.

**NOW, THEREFORE**

**BE IT RESOLVED,** that pursuant to Sections 130 and 265 of the Town Law of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 3<sup>rd</sup> day of August, 2015, at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such Hearing be published in the local newspaper of general circulation in said Town and be on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.

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 RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 20, 2015

**LEGAL NOTICE**  
**REZONE-PUBLIC HEARING**  
**00 WALDEN AVENUE (S.B.L. No.104.08-10-12)**  
**TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to 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 July 20, 2015, the said Town Board will hold a Public Hearing on the 3<sup>rd</sup> day of August, 2015 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 following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from a Neighborhood Business District (NB) to Multifamily Residential District Three (MFR-3), for the property located at 00 Walden Avenue (S.B.L. No.104.08-10-12) within the Town of Lancaster, 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**

**July 23, 2015**

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

**WHEREAS, Development Unlimited of WNY/Creative Structures Services**, 1659 Amherst Street, Buffalo, New York 14214, has petitioned the Town Board of the Town of Lancaster for the rezone of a parcel of land located at 6525 & 6529 Broadway (S.B.L. No.117.11-2-17 & 117.11-2-18), Lancaster, New York from a Neighborhood Business District (NB) to General Business District (GB), and

**WHEREAS**, the Petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and was approved at their July 1, 2015 meeting.

**NOW, THEREFORE**

**BE IT RESOLVED**, that pursuant to Sections 130 and 265 of the Town Law of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 3<sup>rd</sup> day of August, 2015, at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such Hearing be published in the local newspaper of general circulation in said Town and be on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.

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 RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 20, 2015

**LEGAL NOTICE**  
**REZONE-PUBLIC HEARING**  
**6525 & 6529 BROADWAY (S.B.L. No.117.11-2-17 & 117.11-2-18)**  
**TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to 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 July 20, 2015, the said Town Board will hold a Public Hearing on the 3<sup>rd</sup> day of August, 2015 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 following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from a Neighborhood Business District (NB) to General Business District (GB), for the property located at 6525 & 6529 Broadway (S.B.L. No.117.11-2-17 & 117.11-2-18) within the Town of Lancaster, 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**

**July 23, 2015**

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

**WHEREAS**, Nick Cutaia, 1325 Millersport Highway, Williamsville, New York has applied to the Town Board of the Town of Lancaster for a permit for Public Improvement upon real property in the Town of Lancaster within The Fairways at Lancaster Subdivision, and

**WHEREAS**, the Town Engineer of the Town of Lancaster 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. 736 of Nick Cutaia, 1325 Millersport Highway, Williamsville, New York, which is a permit for Public Improvement for the installation of:

P.I.P. No. 736  
(Water Line)

The installation of approximately 35 LF of ductile iron pipe at the west end of Anna Drive. Public water extension is proposed to loop the water mains for The Fairways at Lancaster project.

be and are 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 RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 20, 2015

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 2015 Culvert Lining Project on Forestream Drive and Enchanted Forest South within the Town of Lancaster, 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 2015 Culvert Lining Project on Forestream Drive and Enchanted Forest South, 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 August 12, 2015 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 RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 20, 2015

**NOTICE TO BIDDERS**

FOR THE

**TOWN LANCASTER  
TOWN HIGHWAY DEPARTMENT 2015 CULVERT LINING PROJECT  
FORESTREAM DRIVE AND ENCHANTED FOREST SOUTH**

Sealed bids for the proposed replacement of the Town of Lancaster 2015 Culvert Lining Project on Forestream Drive and on Enchanted Forest South 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 August 12, 2015, 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 the Culvert Replacement Project 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: July 23, 2015

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

**WHEREAS**, the Highway Superintendent of the Town of Lancaster by letter dated July 13, 2015 has requested the purchase of one (1) new and unused 2016 Freightliner M2-106 w/Petersen Grapple Loader and Body for use by the Highway Department, and

**WHEREAS**, the above-referenced equipment is available from the Onondaga County Department of Purchasing, Bid Reference No. 7974, through authorized bid vendor, Mohawk Valley Freightliner, 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 2016 Freightliner M2-106 w/Petersen Grapple Loader and Body;

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of one (1) new and unused 2016 Freightliner M2-106 w/Petersen Grapple Loader and Body from the 2015 authorized Onondaga County Bid Vendor, Mohawk Valley Freightliner, 703 Oriskany Boulevard, P.O. Box 201, Truck Route 5A, Yorkville, New York 13495 under Onondaga County Bid Reference No. 7974 as proposed by the Superintendent of Highways of the Town of Lancaster in the sum not to exceed the contract price of \$145,094.35 the purchase will be paid for with funds from the Bond authorized on May 18, 2015 for Highway Equipment.

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 RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 20, 2015

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

**WHEREAS**, Patrol Captain Marco Laurienzo, of the Town of Lancaster's Police Department, by letter dated June 19, 2015 has advised the Town Board that the Police Department no longer has use for the following vehicles and trailer:

**Vehicles:**

1988	Ford E-250 Van	Vin# 1FTFE24H1JHB06886	19,442 mi.
2002	Dodge Intrepid	Vin# 2B3HD46R92H228602	63,095 mi.
2004	Forde Escape	Vin# 1FMYU92154DA10566	56,914 mi.
2000	Loader Trailer	Vin# 5A4MWXH19Y2050002	n/a

and has therefore requested that the Town Board deem these items to be surplus and permit them to be placed on an online auction, and

**WHEREAS**, the Town Board has given due consideration to the request of the Captain Laurienzo and deems it in the public interest to declare the beforementioned vehicles and trailer to be surplus 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 beforementioned vehicles and trailer to be surplus and authorizes the Police Patrol Captain Laurienzo to place said items up for public bid at an online auction with Auctions International, *www.auctionsinternational.com*, 11167 Big Tree Road, East Aurora, New York 14052, starting July 27, 2015 and concluding on August 10, 2015, 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 RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 20, 2015

**PUBLIC AUCTION**  
**OF TOWN OWNED SURPLUS EQUIPMENT**

Notice is hereby given that the Town Board of the Town of Lancaster has deemed the following vehicles as surplus:

**Vehicles:**

1988	Ford E-250 Van	Vin# 1FTFE24H1JHB06886	19,442 mi.
2002	Dodge Intrepid	Vin# 2B3HD46R92H228602	63,095 mi.
2004	Forde Escape	Vin# 1FMYU92154DA10566	56,914 mi.
2000	Loader Trailer	Vin# 5A4MWXH19Y2050002	n/a

This surplus equipment and will be auctioned at an online auction with Auctions International, [www.auctionsinternational.com](http://www.auctionsinternational.com), 11167 Big Tree Road, East Aurora, New York 14052, starting July 27, 2015 and concluding on August 10, 2015.

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's Police Department, 525 Pavement Road, Lancaster, New York by contacting Captain Marco Laurienzo at 683-2800 to make an appointment.

TOWN BOARD  
TOWN OF TOWN OF LANCASTER

By: JOHANNA M. COLEMAN  
TOWN CLERK

July 23, 2015

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

**WHEREAS**, Daniel Amatura, Highway Superintendent of the Town of Lancaster, has informed the Town that the asbestos in a vacant metal building located at 525 Pavement Road needs to be removed, and

**WHEREAS**, in accordance with the Town of Lancaster's Procurement Policy, the Highway Superintendent solicited bids from six (6) contractors for the removal and disposal of the asbestos and only two (2) price quotes were received, and

**WHEREAS**, by letter dated July 7, 2015, the Highway Superintendent has recommended that the Town of Lancaster award the removal and disposal of the asbestos project to Stohl Remediation, 4169 Allendale Parkway, Blasdell, New York 14219, being the lowest responsible in the amount of \$25,128.00 per their quote dated June 18, 2015, and

**WHEREAS**, funding for the removal and disposal of the asbestos located at 525 Pavement Road is available from the April 15, 2013, amended December 15, 2014, Town Storage Building Construction Bond.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to award the removal and disposal of the asbestos project to Stohl Remediation, 4169 Allendale Parkway, Blasdell, New York 14219 in accordance with their quote dated June 18, 2015 in the amount not to exceed \$25,128.00 and to be paid for with funds available from the April 15, 2013 and amended December 15, 2014, Town Storage Building Construction Bond.

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 RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 20, 2015

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

**WHEREAS, David Roberts**, 6345 Genesee Street, Lancaster, New York has applied for a Dumping Permit for property situated at 6349 Genesee Street, S.B.L. 95.00-2-9, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

**WHEREAS**, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

**WHEREAS**, the Building Inspector and Town Engineer have completed their review and by letter dated July 13, 2015 to the Town Board made a formal recommendation to deny said dumping permit.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that David Roberts, 6345 Genesee Street, Lancaster, New York be and is hereby denied a dumping permit within the Town of Lancaster, namely on premises owned by the applicant at 6349 Genesee Street, for the following conditions, as filed in the Office of the Town Clerk:

1. Excessive amount of fill.
  - No additional fill will be permitted on site.
2. Fill dumped into floodplain.
  - Existing fill in lower areas must be distributed evenly.
3. Drainage plan.
  - Plan for drainage on the east and west sides of fill area must be provided.

**BE IT FURTHER**

**RESOLVED**, that no building permit for the construction of any structure on the SBL premises upon which this dumping permit is denied shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated in this resolution have been fully complied with.

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

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

July 20, 2015

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

**WHEREAS**, Mark Lubera, Park Crew Chief of the Town of Lancaster's Parks Recreation & Forestry Department, has notified the Board that the Emerald Ash Borer Beetle is still infesting the trees within the Town and that traditionally a second round of injections should be started now, but due to the large quantity of trees in the Town some trees have not been given the initial injection, and

**WHEREAS**, currently there is only one town employee licensed to inject trees and due to the large quantity of trees in the area Mark Lubera is requesting that the Board authorize the hiring of a licensed tree company to assist with the tree injections on Penora Street and Warner Road, and

**WHEREAS**, Mark Lubera has obtained three price quotes for the Emerald Ash Borer Beetle tree injections in accordance with the Town of Lancaster's Procurement Policy, and

**WHEREAS**, by letter dated July 10, 2015 Mark Lubera, Park Crew Chief of the Town of Lancaster's Parks Recreation & Forestry Department has recommended that the Town of Lancaster award the contract for Emerald Ash Borer beetle tree injections to Haskell Tree Service in the amount of \$12, 903.00, per their quote dated June 26, 2015, and

**WHEREAS**, funding for the tree injections is available, from the Tree Planting Fee fund.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to award the contract for the Emerald Ash Borer Beetle tree injections on Penora Street and Warner Road in the Town of Lancaster to Haskell Tree Service, 184 Ellicott Road, West Falls, New York 14170 in accordance with their quote dated June 26, 2015 in the amount not to exceed \$12,903.00 and to be paid for with funds available from the Town's Tree Planting Fee fund.

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 RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 20, 2015

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

**WHEREAS**, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated July 15, 2015, has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Parks, Recreation and Forestry Department, for a period not to exceed five (5) months, and that these being part-time position(s), 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 PER HOUR</u>	<u>EFFECTIVE DATE</u>
William Delano (new hire) Lancaster, NY	Recreation Attendant (Lacrosse Supervisor)	\$275.00/ flat rate	June 29, 2015
Becky Edwards (new hire) Lancaster, NY	Recreation Attendant (Girls Volleyball Supervisor)	\$275.00/ flat rate	June 29, 2015
Brittany Heist (new hire) Lancaster, NY	Recreation Attendant (Girls Basketball Supervisor)	\$275.00/ flat rate	June 29, 2015
David Krull (new hire) Lancaster, NY	Recreation Attendant (Track & Field Supervisor)	\$11.00	June 29, 2015
Ryan Schlotterbeck (new hire) Lancaster, NY	Recreation Attendant (Boys Basketball Supervisor)	\$275.00/ flat rate	June 29, 2015
Margaret Schrantz (new hire) Elma, NY	Recreation Attendant (Boys Volleyball Supervisor)	\$275.00/ flat rate	June 29, 2015
	Recreation Attendant (Girls Volleyball Worker)	\$10.00	June 29, 2015
Alyssa Babinger (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Kelsey Callea (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Nicholas Cumbo (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Matthew Devic (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Samantha Doherty (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015

Kelly Fellner (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Eric Fetes (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Grace Gabriel (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Stephen George (new hire) Lancaster, NY	Recreation Attendant	\$ 9.00	June 29, 2015
Megan Hardy (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
James Harrington (new hire) Depew, NY	Recreation Attendant	\$10.00	June 29, 2015
Andrew Helenbrook (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Christopher Juergens (rehire) Depew, NY	Recreation Attendant	\$10.00	June 29, 2015
Gary Kostek (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Lauren Kowalczewski (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Craig Krempa (rehire) Depew, NY	Recreation Attendant	\$10.00	June 29, 2015
Matthew LaPiana (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Tyler Meegan (new hire) Depew, NY	Recreation Attendant	\$10.00	June 29, 2015
Joseph Mescall (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Hannah Nagowski (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Brittnee Nicoloff (new hire) Orchard Park, NY	Recreation Attendant	\$10.00	June 29, 2015
Kara Paradowski (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Kaleigh Ross (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Emma Santoro (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Dan Schlotterbeck (new hire) West Seneca, NY	Recreation Attendant	\$10.00	June 29, 2015
Lacey Stamp (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Aaliyah Staufenger (new hire) Bowmansville, NY	Recreation Attendant	\$10.00	June 29, 2015

Allie Stewart (new hire) Lancaster, NY	Recreation Attendant	\$ 9.00	June 29, 2015
Briana Stribing (new hire) Akron, NY	Recreation Attendant	\$10.00	June 29, 2015
Pamela Tarapacki (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Mike Trzybinski (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Christina Volpini (new hire) Lancaster, NY	Recreation Attendant	\$ 9.00	June 29, 2015
Megan Warrington (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Michaela Wozniak (rehire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015

**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 RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 20, 2015

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

**WHEREAS**, the Town Board has received a rezoning petition from **Jeffrey T. Bochiechio** (the “Applicant”) for the purpose of rezoning property located on Broadway in the Town of Lancaster, New York (SBL # 116.00-1-5.13) (the “Property”); and

**WHEREAS**, the Applicant has requested that the property be rezoned from Residential District One (R-1) to Multifamily Residential Three (MFR-3); and

**WHEREAS**, the Town Board referred the rezoning petition to the Planning Board for review and recommendation pursuant to Town of Lancaster Code § 50-42(A)(2); and

**WHEREAS**, pursuant to Town of Lancaster Code § 50-42(B)(4)(a), the Town Board held a public hearing on the rezoning petition; and

**WHEREAS**, pursuant to 6 N.Y.C.R.R. § 617.5(c)(37), a denial of a rezoning petition is a Type II action;

**NOW, THEREFORE,**

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

1. The Applicant’s petition to rezone the Property from R-1 to MFR-3 is DENIED for the reasons stated in the attached written decision, which is incorporated herein by reference.
2. 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 RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 20, 2015

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STATE OF NEW YORK  
TOWN OF LANCASTER TOWN BOARD : COUNTY OF ERIE

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In the Matter of a Petition for Rezoning of Property Located on  
Broadway, Lancaster, New York by:

Jeffrey T. Bochiechio  
350 Main Street  
Suite 1400  
Buffalo, New York 14202,

**DECISION**

Petitioner,

---

Petitioner Jeffrey T. Bochiechio (“Petitioner”) submitted a rezoning petition to the Town of Lancaster Town Board (the “Town Board”) seeking to rezone property located on Broadway (SBL # 116.00-1-5.13) (the “Property”) from Residential District One (R-1) to Multifamily Residential District Three (MFR-3). The proposed future use of the Property, as described in the petition, is “[t]o develop sixty-four (64) two-bedroom residential condominiums in sixteen (16) four unit buildings.”

The current zoning designation for the Property is R-1. The intent of the R-1 zoning district is “[t]o provide areas within the Town for low-density single-family detached residential development . . . .”<sup>1</sup>

The Town Comprehensive Plan and the Town’s Zoning map designate the majority of the property for lower density residential development. The Comprehensive Plan does note that higher density development is permitted near the villages and in sewer districts, but controlling density and providing adequate buffering between high-density developments is an important component of the Comprehensive Plan and the R-1 zoning fulfills that purpose. With respect to Petitioner’s rezoning request, the Board finds that the Comprehensive Plan and the current Zoning Regulations do not support the rezoning of the Property to MFR-3 and the current R-1 zoning should remain in place. Lower-density residential development here is contemplated by the current zoning, the Comprehensive Plan, and the unique characteristics of this location.<sup>2</sup>

The proposed rezoning would not be in the public interest, would be detrimental to surrounding land uses, and is not consistent with the Comprehensive Plan.

For the reasons stated herein, Petitioner’s rezoning petition is hereby DENIED in its entirety.

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<sup>1</sup> Town of Lancaster Code § 50-10(A).

<sup>2</sup> It is noted that an R-2 zoning designation may be an appropriate alternative, to balance the goals of the Comprehensive Plan. An R-2 designation would allow somewhat greater density, while lessening the impacts of further increasing density in this area.

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

**WHEREAS**, the Town of Lancaster Parks and Recreation Department has expressed a need to accept payments via credit card, and

**WHEREAS**, Mark Lubera, Park Crew Chief, has determined that ACTIVE NETWORK, LLC. is a company that can assist with implementing this procedure;

**NOW, THEREFORE, BE IT**

**RESOLVED, RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Agreement, as presented, between the Town of Lancaster and ACTIVE NETWORK, LLC., subject to the approval of the Town Attorney, for services and support of credit card payments to the Town of Lancaster's Parks and Recreation Department which will remain in effect until January 23, 2018 and will automatically renew for three (3) year terms thereafter, and hereby authorizes the Supervisor to execute this agreement.

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 RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 20, 2015