

**PRESENTATION OF PREFILED RESOLUTIONS:**

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

**RESOLVED**, that the minutes of the Joint Meeting of the Town Board and the Planning Board held August 3, 2015 and the Regular Meeting of the Town Board held August 3, 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

August 3, 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. 41042 to Claim No. 41255 Inclusive

Total amount hereby authorized to be paid: \$1,290,005.02

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

August 3, 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
24334		H Cope Enterprises Inc.	1 Idlebrook Ct	Re-Roof	
24335		Joe Falletta	802 Aurora St	Er. Garage	
24336		Daniel & Jennifer Ahearn	36 Avian Way	Er. Pool-Abv Grnd	
24337		Renee Ando	6 Chicory Ln	Er. Res. Alt.	
24338		John & Lisa Jaskolka	10 Westbury Ln	Er. Res. Add.	
24339		Bryan Pempsell	201 Nathan's Trl	Re-Roof	
24340		F & D Construction Inc.	2072 Como Park Blvd	Re-Roof	(V/L)
24341		James Johnson	110 Westwood Rd	Re-Roof	
24342		Kenneth & Linda Wolinski	196 Pavement Rd	Er. Shed	
24343		Mark Merlino	4 Ashwood Ct	Er. Res. Add.	
24344		12 Roses Construction Inc.	8 Cobblestone Ct	Er. Fence	
24345		Buffalo Roof Appeal LLC	25 Windcroft Ln	Re-Roof	
24346		English Park Village Land	348 Harris Hill Rd	Er. Comm. Add./Alt.	
24347		Iroquois Fence Inc.	10 Silent Meadow Lane	Er. Fence	
24348		Paul & Kathy Karasweicz	20 Branch Way	Er. Fence	
24349		Jeremy & Amy Jablonski	4 Hampton Ct	Er. Fence	
24350		Thomas & Rosalie Armitage	22 Nicholas Ln	Er. Fence	
24351		Thomas & Rosalie Armitage	22 Nicholas Ln	Inst. Ingrmd. Sprinkler	
24352		Pleasant Meadows Assocs LLC	18 Magrum Ln	Er. Dwlg.-Sin.	
24353		RJ Zima Inc	10 Silent Meadow Lane	Inst. Ingrmd. Sprinkler	
24354		RJ Zima Inc.	11 Silent Meadow Lane	Inst. Ingrmd. Sprinkler	
24355		RJF Development JV	30 Middlebury Ln	Er. Dwlg.-Sin.	
24356		Fairway Hills Development	28 Crabapple Ln	Er. Dwlg.-Sin.	
24357		Fairway Hills Development	13 Crabapple Ln	Er. Dwlg.-Sin.	
24358		Richard & Antoinett Wlosinski	26 Pheasant Run Ln	Er. Fence	
24359		Steven & April Press	192 Pavement Rd	Er. Res. Alt.	
24360		Andrew & Shelley Wos	42 Michael Anthony Ln	Re-Roof	
24361		William & Jill Jedlicka	37 Stony Brook Dr	Re-Roof	
24362		Danielle Puleo	37E Home Rd	Er. Deck	
24363		John & Angela Targia	3 Red Clover Ln	Er. Fence	
24364		Marrano/Marc Equity Corp	6 Cumberland St	Er. Townhouses	
24365		Marrano/Marc Equity Corp	8 Cumberland St	Er. Townhouses	
24366		Marrano/Marc Equity Corp	10 Cumberland St	Er. Townhouses	
24367		Marrano/Marc Equity Corp	12 Cumberland St	Er. Townhouses	
24368		Thomas & Lisa Debbins	2 Jonquille Ct	Er. Res. Alt.	
24369		Frances Todaro	188 Ransom Rd	Er. Porch	
24370		Matthews & Antonio Contracting	18E Home Rd	Re-Roof	
24371		Christopher Koeth	152 Stony Rd	Er. Res. Alt.	
24372		Fences Unlimited Inc.	3720 Bowen Rd	Er. Fence	
24373		Lynn Moore	197 Nathan's Trl	Er. Shed	
24374		Mr. Pool Enterprises LTD	123 Southwest Pky	Er. Pool-In Grnd	(V/L)
24375		Paul & Beverly Overbeck	1389 Ransom Rd	Er. Porch	
24376		Rachel & Raymond Mandel	1 Farmingdale Ct	Er. Shed	
24377		House Crafters LLC	364 Aurora St	Re-Roof	(V/L)
24378		Chad & Shannon Poe	8 Silent Meadow Lane	Er. Fence	
24379		Thomas & Anna Marie Fries	213 Aurora St	Re-Roof	(V/L)
24380		Kenneth & Sharon Beback	21 Michael's Walk	Er. Fence	
24381		Windsor Ridge Partners LLC	43 Worthington Ln	Er. Dwlg.-Sin.	
24382		J-Cap Contractors LLC	25 Woodlawn Ave	Re-Roof	(V/L)
24383		KCM Custom Built Garages Inc.	56 Sixth Ave	Er. Garage	(V/L)
24384		Courtney A. Hilliker	2060 Como Park Blvd	Er. Fence	(V/L)

24385	Dona Mikula	5 Sugar Mill Ct	Inst. Ingrnd. Sprinkler	
24386	Jacqueline Cansdale	28 Americo Ct	Er. Shed	
24387	The Kaz Company	1160 Penora St	Re-Roof	
24388	Bowen Road Acquisition LLC	20 Logan Ln	Er. Dwlg.-Sin.	
24389	Jeremy & Desire Dienstbier	58 Middlebury Ln	Er. Deck	
24390	Michael Ferraraccio	127 Fourth Ave	Er. Garage	(V/L)
24391	Liza Schaffer	26 Michael's Walk	Er. Fence	
24392	William Keischenbach	934 Townline Rd	Er. Porch	
24393	Michael & Kimberly DiBello	129 Belmont Ave	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 STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

August 17, 2015

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

**WHEREAS**, the Town Line Volunteer Fire Department, Inc., by letter dated August 3, 2015, has requested the addition of two (2) members to the roster of said fire association.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby confirms the additions to the membership of the Town Line Volunteer Fire Department the following individuals:

**ADDITIONS:**

Jakob Lutomski  
Buffalo, New York

Justin Mark  
Lancaster, New York

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

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

August 17, 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 Rezone of 6525 & 6529 Broadway (SBL# 117.11-2-17 & 117.11-2-18) from NB (Neighborhood Business) to GB (General Business) located within the Town of Lancaster and submitted by Development Unlimited of WNY, LLC, and

**WHEREAS**, the Town of Lancaster Municipal Review Committee has reviewed the potential adverse environmental impacts of rezoning the property pursuant to SEQR regulations at their meeting on August 3, 2015 and recommended that a Negative Declaration be issued, and

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

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

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

**NOW, THEREFORE,**

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

1. The proposed Rezone of 6525 & 6529 Broadway (SBL# 117.11-2-17 & 117.11-2-18) from NB (Neighborhood Business) to GB (General Business), submitted by Development Unlimited of WNY, LLC, will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.

2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.

3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.

4. This resolution is effective immediately.

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

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

August 17, 2015

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

**Town of Lancaster Town Board**

**Dated: August 17, 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 Rezone of 6525 & 6529 Broadway from NB (Neighborhood Business) to GB (General Business), located within the Town of Lancaster and submitted by Development Unlimited of WNY, LLC. 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:** Lancaster Dollar General

**Location of Action:** 6525 & 6529 Broadway (SBL# 117.11-2-17 & 117.11-2-18), Lancaster, New York.

**SEQR Status:** Unlisted.

**Description of Action:** The project entails the rezoning of 1.10 acres (including ROW) from NB (Neighborhood Business) to GB (General Business). Proposed improvements include a 9,100 s.f. retail building, parking for 31 vehicles, 1 dumpster enclosure and an onsite septic system. The project area covers both parcels 6525 & 6529 Broadway on the southwest corner of Broadway, Townline intersection.

**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 rezone from Neighborhood Business (NB) to General Business (GB) will create a small material conflict with an adopted land use plan or zoning regulations.
2. The proposed action will result in a small 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 result in a small 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 STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS**, the Town Board is considering the Rezone of 00 Walden Avenue (SBL# 104.08-10-12) from NB (Neighborhood Business) to MFR-3 (Multi-family Residential District 3) located within the Town of Lancaster and submitted by Pleasant Meadows Associates, LLC, and

**WHEREAS**, the Town of Lancaster Municipal Review Committee has reviewed the potential adverse environmental impacts of rezoning the property pursuant to SEQRA regulations at their meeting on August 3, 2015 and recommended that a Negative Declaration be issued, and

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

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

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

**NOW, THEREFORE,**

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

1. The proposed Rezone of 00 Walden Avenue (SBL# 104.08-10-12) from NB (Neighborhood Business) to MFR-3 (Multi-family Residential District 3), submitted by Pleasant Meadows Associates, LLC, will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.

2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.

3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.

4. This resolution is effective immediately.

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

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

August 17, 2015

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

**Town of Lancaster Town Board**

**Dated: August 17, 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 Rezone of 00 Walden Avenue from NB (Neighborhood Business) to GB (General Business), located within the Town of Lancaster and submitted by Pleasant Meadows Associates, LLC. 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:** Lancaster Dollar General

**Location of Action:** 00 Walden Avenue (SBL# 104.08-10-12), Lancaster, New York.

**SEQR Status:** Unlisted.

**Description of Action:** The proposed action will be a rezoning of the subject property from NB (Neighborhood Business) to MFR-3 (Multi-Family Residential 3). The area to be rezoned is 10.12± acres. The rezoning as proposed, would allow single family detached patio style homes to be constructed on private roads. As currently zoned, only attached dwelling units are allowed. The proposed development would consist of 29 dwelling units

**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. A small impact on land is noted.**

- Construction is on land where the depth to the water table is less than three feet and construction will continue for more than one year.

**2. Impact on Geological Features – No impact**

**3. A small impact on Surface Water is noted.**

- A retention pond will be developed and there may be application of pesticide and herbicide for lawn care.
- It is noted that wetlands shall be avoided.

**4. Impact on Groundwater – No impact**

**5. Impact on Flooding – No impact**

- It is noted that 100 year and 500 year floodplains shall be avoided.

6. **Impact on Air – No impact**
7. **Impact on Plants and Animals**
  - None with proper timing of the removal of plants and trees.
8. **Impact on Agricultural Resources – No impact**
9. **Impact on Aesthetic Resources – No impact**
10. **Impact on Historic and Archeological Resources**
  - The action is located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.
11. **Impact on Open Space and Recreation – No impact**
12. **Impact on Critical Environmental Areas – N/A**
  - The Town of Lancaster has not established a Critical Environmental Area (CEA).
13. **Impact on Transportation – No impact**
14. **Impact on Energy – No impact**
15. **Impact on Noise, Odor and Light – No impact**
16. **Impact on Human Health – No impact**
17. **Consistency with Community Plans**
  - This action produces a more restrictive zoning classification.
18. **Consistency with Community Character**
  - This action is consistent with the character of the neighborhood.

**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**, A Public Hearing was held on August 3, 2015, on the petition of **Pleasant Meadows Associates, LLC, 2730 Transit Road, West Seneca, New York 14221**, for the rezone of a parcel of land identified as 00 Walden Avenue (SBL# 104.08-10-12), Lancaster, New York from NB (Neighborhood Business) to MFR-3 (Multi-family Residential District 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, and

**WHEREAS**, a SEQR review was completed on the proposed rezone on August 3, 2015 and a Negative Declaration was issued on August 17, 2015, and

**WHEREAS**, notices of said Hearings were duly published and posted, and

**WHEREAS**, in accordance with Section 239 (m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto;

**NOW, THEREFORE  
BE IT RESOLVED,**

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property identified as 00 Walden Avenue (SBL# 104.08-10-12), is changed from NB (Neighborhood Business) to MFR-3 (Multi-family Residential District 3);

**NB to MFR-3**

**ALL THAT TRACT OR PARCEL OF LAND** situate in the Town of Lancaster, County of Erie, State of New York, being part of Lot 9, Section 8, Township 11, Range 6 of the Holland Land Survey, bounded and described as follows:

**BEGINNING** at the point on the northerly boundary line of Walden Avenue at a distance of 375.00 feet westerly from the westerly boundary line of Juniper Boulevard as shown on a subdivision map of The Creekside at Pleasant Meadows Subdivision filed in the Erie County Clerk's Office under Map Cover 3407:

**THENCE**: Along the northerly boundary line of Walden Avenue the following two (2) courses and distances:

- 1) S-77°-50'-53"-W, a distance of 293.22 feet to a point;
- 2) S-78°-08'-04"-W, a distance of 193.51 feet to the division line between the lands conveyed to Pleasant Meadows Associates, LLC by Liber 11012 of Deeds at page 165 on the east and Walden Trace Subdivision as shown on map Cover 2634 on the west;

**THENCE**: N-00°-15'-58"-E, along said division line a distance of 639.32 feet to the southerly line of said Map cover 3407;

**THENCE**: along the southerly line of said Map Cover 3407 the following two (2) courses and distances:

- 1) N-84°-11'-02"-E, a distance of 354.82 feet to a point;
- 2) N-53°-16'-58"-E, a distance of 450.71 feet to the westerly boundary line of said Juniper Boulevard;

**THENCE:** southerly along said westerly boundary line of Juniper Boulevard the following four (4) courses and distances:

- 1) S-04°-04'-38"-E, a distance of 35.63 feet to a point;
- 2) S-53°-22'-58"-E, a distance of 60.00 feet to a point;
- 3) Southerly on a curve to the right having a radius of 1467.00 feet and arc distance of 351.12 feet to a point of reverse curvature;
- 4) Southerly on a curve to the left having a radius of 533.00 feet an arc distance of 73.00 feet to a point;

**THENCE:** Through said Pleasant Meadows Associates, LLC lands the following three (3) courses and distances:

- 1) S-77°-50'-53"-W, parallel with the south line of said lot number 9, a distance of 130.00 feet to a point;
- 2) S-51°-10'-42"-W, a distance of 279.62 feet to a point;
- 3) S-12°-09'-07"-E, a distance of 150.00 feet to a point to the POINT OR PLACE OF BEGINNING containing 10.122 acres be the same more or less.

2. That said Ordinance Amendment be added in the Minutes of the meeting of the Town Board of the Town of Lancaster held on the 17<sup>th</sup> day of August 2015;
3. That a certified copy thereof be published in the Official Newspaper of Town of Lancaster pursuant to Town Law;
4. That Affidavits of Publication be filed with the Town Clerk; and
5. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

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

August 17, 2015

**LEGAL NOTICE  
ADOPTION OF AMENDMENT  
ZONING ORDINANCE, TOWN OF LANCASTER  
PLEASANT MEADOWS ASSOCIATES, LLC,  
00 WALDEN AVENUE  
TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that the Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from NB (Neighborhood Business) to Multifamily Residential District Three (MFR-3) for the property identified as 00 Walden Avenue (SBL# 104.08-10-12) within the Town of Lancaster, New York.

**August 20, 2015**

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

**THIS IS TO CERTIFY** that I, Johanna M. Coleman, Town Clerk of the Town of Lancaster, in said County of Erie, have compared the foregoing copy of an Ordinance on the 17<sup>th</sup> day of August 2015 and that he same is a true and correct copy of said original, and of the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto signed my hand and affixed the Seal of said Town this 17<sup>th</sup> day of August 2015.

\_\_\_\_\_  
**Johanna M. Coleman, Town Clerk**

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

**WHEREAS**, the Town owns certain real property commonly known as 3789 Walden Avenue (Rear), Lancaster, New York (SBL No. 104.08-7-7.1) (the “Property”); and

**WHEREAS**, the Town Board after due review and consideration has determined that the Property is surplus property, and

**WHEREAS**, the Town Board has determined that the sale of the Property is in the interest of the residents of the Town as it will provide revenue to the Town, and

**WHEREAS**, the sale of the Property is an unlisted action pursuant to the New York State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS**, a coordinated review of the action was conducted, with the County of Erie acting as the SEQRA Lead Agency; and

**WHEREAS**, on July 30, 2015, the County of Erie issued a negative declaration for the action, which is binding upon the Town Board, as an involved agency; and

**WHEREAS**, the County of Erie has offered to purchase the Property for \$50,000.00 (the “Purchase Price”) and such other terms and conditions as set forth in that certain agreement presented to the Town Board (the “Agreement”), which Agreement is subject to the Town Board’s review and approval; and

**WHEREAS**, the Town Board has reviewed the terms of the Agreement and is satisfied therewith, and wishes to accept the Agreement, subject to the terms and conditions set forth in the Agreement, and to approve the Supervisor’s execution of the Agreement on behalf of the Town;

**WHEREAS**, an action of the Town Board to convey Town owned real property is subject to permissive referendum pursuant to §64(2) of Town Law.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board hereby (a) determines that the Property is not needed for Town purposes and (b) that selling the Property pursuant to the terms and conditions of the Agreement to the County of Erie, is in the Town’s best interest; and

**THEREFORE,**

**BE IT FURTHER RESOLVED** that, subject to permissive referenda, the Town Board hereby (a) approves the sale of the Property for Purchase Price and pursuant to the terms and conditions of the Agreement; and (b) authorizes the Supervisor to execute and deliver the Agreement and the transactional documents required by the Agreement; and (c) authorizes the Supervisor and other appropriate Town officials to proceed with the implementation of all steps reasonably necessary and appropriate to implement the terms and conditions of the Contract and to allow for the Town’s sale of the Property.

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

August 17, 2015

**PUBLIC NOTICE  
TOWN OF LANCASTER**

NOTICE IS HEREBY GIVEN that on August 17, 2015, the Town Board of the Town of Lancaster adopted a resolution which is subject to a permissive referendum in accordance with Article 7 of the Town Law of the State of New York.

The County of Erie, on behalf of the Erie County Sewer Districts, has offered to purchase the Property located at 3789 Walden Avenue (rear), Lancaster (SBL No. 104.08-7-7.1) for \$50,000.00 and such other terms and conditions as set forth in the contract between the parties

The Town desires to accept such offer to sell the property to the County of Erie, on behalf of the Erie County Sewer Districts subject to the terms and conditions of the agreement.

Signed \_\_\_\_\_

Johanna Coleman, Town Clerk

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

**WHEREAS**, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated August 7, 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 Youth Bureau, 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>
Christopher Karnyski (rehire) Lancaster, NY	Tutor	\$9.00 hr.	July 30, 2015
Joseph Fisher (new hire) Cheektowaga, NY	Tutor	\$9.00 hr.	July 30, 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 STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

August 17, 2015

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

**WHEREAS, Forbes Capretto Homes, Inc.,** 470 Cayuga Road, Buffalo, New York 14225 has heretofore applied for approval of a thirty (30) +/- single family home development to be known as “Hidden Meadow Subdivision-Phase 1” located west of Aurora Street in the Town of Lancaster, and

**WHEREAS,** the Preliminary Plat was submitted to the Planning Board and was approved at their April 1, 2015 meeting, and

**WHEREAS,** the Town Engineer has given his approval to the filing of this Subdivision which will include any new waterlines and five (5) hydrants, and

**WHEREAS,** the Town, acting as lead agency has completed an environmental review on May 4, 2015, in conformance with SEQR (State Environmental Quality Review) regulations and on June 15, 2015 a Negative Declaration was issued, and

**WHEREAS,** the Town Board of the Town of Lancaster has duly reviewed and considered the proposed subdivision;

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

**1.** That the Town Board of the Town of Lancaster hereby approves the proposed thirty (30) +/- single family home development final plat as prepared by Greenman-Pedersen, Inc., dated July 23, 2015 and filed with the Town Clerk on July 28, 2015 for said development to be known as the “Hidden Meadow Subdivision – Phase 1” for filing in the Erie County Clerk's office with the following condition:

a. Forbes Homes. Inc. agrees on behalf of its self and its subcontractors to use the Town-owned property located off Aurora Street as the sole construction access point, pursuant to an Agreement to be executed by the Town and Forbes Homes, Inc., granting a non-exclusive license to Forbes Homes, Inc. for the use of the Town-owned property

**2.** That the Town Clerk be and is hereby directed to properly endorse the approval of the Town Board of the Town of Lancaster on the linen copy thereof.

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

August 17, 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 August 12, 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>
Tyler Witt (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 29, 2015
Emily Ast (new hire) 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 STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

August 17, 2015

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

**WHEREAS**, Allie Stewart was appointed by the Town Board by resolution dated July 20, 2015 to the position of Recreation Attendant, part-time temporary seasonal, in the Parks, Recreation and Forestry Department effective on June 29, 2015.

**WHEREAS**, Mark Lubera, Park Crew Chief of the Parks, Recreation and Forestry Department, by letter dated August 13, 2015, has requested a correction to the rate of pay for Allie Stewart due to her being reassigned to a different recreation program.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that this resolution shall hereby amend the resolution dated July 20, 2015, and

**AND BE IT FURTHER,**

**RESOLVED**, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Youth Bureau, 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>
Allie Stewart (new hire) 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 STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

August 17, 2015

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

**WHEREAS**, Lise Harty was appointed by the Town Board by resolution dated August 3, 2015 to the position of Tutor, part-time temporary seasonal, in the Youth Bureau effective on July 1, 2015.

**WHEREAS**, upon review of the applicant’s employment paperwork by the Office of the Supervisor, it has been determined that an incomplete first name was provided for Ms. Harty.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that this resolution shall hereby amend the resolution dated August 3, 2015, and

**AND BE IT FURTHER,**

**RESOLVED**, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Youth Bureau, 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>
A. Lise Harty (new hire) Williamsville, NY	Tutor	\$10.00 hr.	July 1, 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 STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

August 17, 2015