

Town Board Minutes

April 16, 2018

Meeting No. 12

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 16th day of April 2018 at 7:00 P.M. and there were

PRESENT: ADAM DICKMAN, COUNCIL MEMBER
DAWN GACZEWSKI, COUNCIL MEMBER
MATTHEW WALTER, COUNCIL MEMBER
JOHANNA COLEMAN, SUPERVISOR

ABSENT: RONALD RUFFINO, COUNCIL MEMBER

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
KEVIN LOFTUS, TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
GERALD GILL, CHIEF OF POLICE
MICHELLE BARBARO, PARK CREW CHIEF
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

PERSONS ADDRESSING TOWN BOARD:

Bruso, John, Erie County Legislature, spoke to the Town Board on the following matter:

- Presented the OD2 Tracking program and thanked the Town Board for their support.

Kazmierczak, Tom, spoke to the Town Board on the following matter:

- Questions related to the payment of Bonds.

Sojka, Greg, spoke to the Town Board on the following matter:

- Questions and comments regarding flooding issues in the town.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 1 Revised Comprehensive Master Plan

ON MOTION BY COUNCIL MEMBER GACZEWSKI, SECONDED BY COUNCIL MEMBER WALTER AND CARRIED, the public hearing was opened.

At 7:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Revised Comprehensive Master Plan matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Dino Zack	Proponent
Kevin Lemaster	Comments
Kevin Colvin	Proponent/Questions
Greg Sojka	Questions/Comments
Brent Henderson	Proponent

ON MOTION BY COUNCIL MEMBER WALTER, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the public hearing was closed at 7:30 P.M.

Decision on this matter was reserved.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 2 Fire Protection District & Water District No. 1 Town of Elma

ON MOTION BY COUNCIL MEMBER WALTER, SECONDED BY COUNCIL MEMBER DICKMAN AND CARRIED, the public hearing was opened.

At 7:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Fire Protection District and Water District No. 1 of the Town of Elma matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
None	

ON MOTION BY COUNCIL MEMBER GACZEWSKI, SECONDED BY COUNCIL MEMBER DICKMAN AND CARRIED, the public hearing was closed at 7:33 P.M.

Decision on this matter was reserved.

April 16, 2018

PRESENTATION OF PREFILED RESOLUTIONS:

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

RESOLVED, that the minutes of the Joint Meeting of the Town Board and the Planning Board held April 2, 2018 and the Regular Meeting of the Town Board held April 2, 2018 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 DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 16, 2018

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, 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. 52122 to Claim No. 52338 Inclusive

Total amount hereby authorized to be paid: \$1,242,475.17

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

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 16, 2018

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER DICKMAN, 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
27921		Switala's Siding Cedar Inc.	46W Home Rd	Re-Roof	
27922		Switala's Siding Cedar Inc.	431 Ransom Rd	Re-Roof	
27923		Green Earth Construction	69 Sawyer Ave	Re-Roof	(V/L)
27924		Kevin Foley	70 Nichter Rd	Er. Shed	
27925		Adams Farms LLC	5799 Genesee St	Er. Comm. Add./Alt.	
27926		Stacy Beach	3 Wilma Dr	Er. Fence	(V/L)
27927		Lance & Marsha Lazewski	3 Lenox Ave	Er. Fence	(V/L)
27928		Marrano/Marc Equity Corp.	18 Saybrook Dr	Er. Patio Home	
27929		Erie Construction Mid-West Inc	12 Parkdale Dr	Re-Roof	
27930		Buscaglia Decks	19 Cherryfield Ln	Er. Deck	
27931		Crist Construction	33 Trentwood Trl N	Er. Res. Add.	
27932		Crist Construction	672 Pleasant View Dr	Er. Porch	
27933		JMM Construction of WNY Inc.	171 Nichter Rd	Er. Garage	
27934		3615 Walden Central LLC	3615 Walden Ave	Er. Sign – Temp	(V/L)
27935		Scott Shaw	28 Magrum Ln	Er. Shed	
27936		Solcius, LLC	266 Iroquois Ave	Inst. Solar Panels	
27937		Solcius, LLC	16 Robins Nest Ct	Inst. Solar Panels	
27938		Christine Pasini	33 Sterling Pl	Inst. Solar Panels	
27939		Solcius LLC	12 Hemlock Ln	Inst. Solar Panels	
27940		Zenner & Ritter Co. Inc.	3 Worthington Ln	Inst. Generator	
27941		VGM Construction, Inc.	101 Christen Ct	Er. Shed	(V/L)
27942		Joseph Argentieri	40 Park Blvd	Er. Fence	(V/L)
27943		A Best Inc.	639 Erie St	Re-Roof	
27944		David Neighborhoods, Inc.	22 Weathersfield Ln	Er. Dwlg.-Sin.	
27945		The Gutter People of WNY Inc.	63 Caswell St	Er. Porch Cover	(V/L)
27946		James Walker	11E Home Rd	Er. Pool-Abv Grnd	
27947		Judy Scott	25 Harold Pl	Re-Roof	(V/L)
27948		Louis Holt	14 Jonquille Ct	Er. Fence	
27949		Jamie Keuck	27W Payne St	Er. Res. Alt.	(V/L)
27950		Licensed Dependable Constr.	27 Oakwood Ave	Er. Res. Alt.	(V/L)
27951		John Jarvis	698 Pleasant View Dr	Er. Shed	
27952		John Jarvis	698 Pleasant View Dr	Er. Shed	
27953		John Silvestri	16 Wildwood Dr	Er. Pool-Abv Grnd	(V/L)
27954		Christopher Walkowiak	6136 Broadway	Er. Fence	
27955		Beauty Pools Inc.	15 Pear Tree Ln	Er. Pool-In Grnd	
27956		Beauty Pools Inc.	15 Pear Tree Ln	Er. Fence	
27957		Anthony LaMont	21 Old Post Rd	Er. Garage	
27958		David Bandish	84 Schlemmer Rd	Er. Shed	
27959		Ryan Leavitt	51 Running Brook Dr	Er. Shed	
27960		Thomas Gehl	9 Whitestone Ln	Er. Deck	
27961		Marrano/Marc Equity Corp.	24 Saybrook Dr	Er. Patio Home	
27962		Sturm Roofing LLC	311 Pleasant View Dr	Re-Roof	
27963		F&D Construction Inc.	14 Chestnut Corner	Re-Roof	
27964		Beauty Pools Inc.	369 Erie St	Er. Pool-In Grnd	
27965		Richard & Debbie Batcho	171 Irwinwood Rd	Er. Shed	(V/L)
27966		4781 Transit Road Inc.	4781 Transit Rd	Er. Comm. Add./Alt.	
27967		Great Day Improvements	5091 William St	Er. Res. Add.	
27968		Marrano/Marc Equity Corp.	32 Saybrook Dr	Er. Patio Home	
27969		Buffalo Roofing Co., LLC	3 Avian Way	Re-Roof	
27970		Adam Czerniejewski	56 Worthington Ln	Er. Shed	
27971		Chameleon	51 Worthington Ln	Er. Pool-In Grnd	

27972	Zenner & Ritter Co. Inc.	222 Warner Rd	Inst. Generator
27973	John McFarland	12 Prairie Ln	Er. Shed
27974	Richardson Construction Group	5 Winding Way	Er. Res. Add.
27975	Dennis L. Brusehaber	4889 William St	Er. Garage
27976	Sahlem's Roofing & Siding Inc.	8 Parkedge Dr	Re-Roof

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 DICKMAN	VOTED YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER WALTER	VOTED YES
SUPERVISOR COLEMAN	VOTED YES

April 16, 2018

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

WHEREAS, the Town of Lancaster has been awarded a grant through the Dormitory Authority of New York State (DASNY), for the Replacement of Picnic Shelter Roofs within Westwood Park and Walden Pond Park in the Town of Lancaster, New York, and

WHEREAS, by letter dated April 3, 2018, Park Crew Chief, Michelle Barbaro, has requested that the Lancaster Town Board authorize an invitation to bid for the Replacement of Picnic Shelter Roofs at Westwood Park and Walden Pond Park, and

WHEREAS, the Town Board has given due review and consideration to the request and deems it judicious to invite public bids for the Town's Picnic Shelter Roof Replacement Project at Westwood Park and Walden Pond Park, within the Town of Lancaster in conformance with General Municipal Law § 103 of the State of New York;

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

1. That the Town Board of the Town of Lancaster hereby invites public bids for the Town of Lancaster's Picnic Shelter Roof Replacement Project within Westwood Park and Walden Pond Park, 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 May 10, 2018 and opened thereafter; and
2. That the Town Clerk be and is hereby authorized to have a Notice to Bidders published in the Lancaster Bee and to have said Notice posted as required by Law, which Notice shall be in the form attached hereto and made a part hereof; and
3. That the Town Engineer is hereby authorized to attend to having the Notice to Bidders published in the State Contract Reporter and Construction Exchange; and
4. That funding of this project is being made available through DASNY. Minority and Women-Owned Business Enterprises ("MWBE") are encouraged to submit responses. No formal MWBE goals have been established for this project.

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

COUNCIL MEMBER DICKMAN	VOTED YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER WALTER	VOTED YES
SUPERVISOR COLEMAN	VOTED YES

April 16, 2018

NOTICE TO BIDDERS

FOR THE

**TOWN OF LANCASTER
PICNIC SHELTER ROOF REPLACEMENT**

Sealed bids for the proposed improvements to the park shelters at both Walden Pond Park and Westwood Park for replacement of the picnic shelter roof systems 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 May 10, 2018, 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 may be obtained at the office of the ENGINEER.

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 percent (5%) of the total amount of the Bid, or a bond with sufficient sureties in a penal sum equal to five percent (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: April 19, 2018

By the Order of the Town Board of
Lancaster, Erie County, New York

Diane Terranova
Town Clerk

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

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated April 3, 2018, has requested the addition of a member to the roster of said fire association.

NOW, THEREFORE, BE IT

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

ADDITION:

Alyssa Mrozik
Alden, New York

William Caimano
Alden, 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 DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 16, 2018

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

WHEREAS, Michelle Barbaro, Park Crew Chief of the Parks Recreation & Forestry Department of the Town of Lancaster, has requested that the existing heaters within the Town's Police Department's Garage, located at 525 Pavement Road, be removed and replaced with two new ones, and

WHEREAS, the Park Crew Chief has obtained proposals for the removal of the existing heaters and the purchase and installation of two new ones from Besch Mechanical, Inc., for a total cost of \$5,290.00 in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, by letter dated April 2, 2018, the Park Crew Chief has recommended that the Town of Lancaster award the removal of the existing heaters and the purchase and installation of two new ones within the Police Department's Garage to Besch Mechanical, Inc., and

WHEREAS, funding for this service is available from the Town's Buildings, Miscellaneous Contractual Services Budget, Line Item 1620-411;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor, to sign the proposal dated February 23, 2018, with Besch Mechanical, Inc., 323 Central Avenue, Lancaster, New York 14086, to remove the existing heaters and provide and install two new ones within the Town's Police Department Garage, located at 525 Pavement Road, for an amount not to exceed \$5,290.00 and to be paid for with funds available from the Town's Buildings, Miscellaneous Contractual Services Budget (Line Item 1620-411).

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

COUNCIL MEMBER DICKMAN	VOTED YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER WALTER	VOTED YES
SUPERVISOR COLEMAN	VOTED YES

April 16, 2018

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

WHEREAS, Tricorp Amusement, Inc. 2140 Ward Avenue Simi Valley, California, has applied for a license to operate and maintain a Game Room on premises located at 6707 Transit Road, within the Town of Lancaster, pursuant to Chapter 17 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Police Chief for review and recommendation, and

WHEREAS, the Building Inspector and Police Chief have completed their review and made a formal, favorable recommendation to the Town Board on the issuance of this license.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to issue a license to Tricorp Amusement, Inc., 2140 Ward Avenue, Simi Valley, California to operate and maintain a Game Room on premises located at 6707 Transit Road, Lancaster, New York, with the following conditions:

1. Applications for renewal of licenses shall be submitted at least 30 days before the existing license to the Town Clerk, who shall forward same to the Building Inspector and Chief of Police for review and comment, and, upon receipt of same, the Town Clerk shall forward the renewal application and report of the Police Chief and Building and Building Inspector to the Town Board for review.
2. A copy of the entity Business Certificate is submitted to the Town Clerk's Office.
3. A new Capacity Certificate is issued after an onsite inspection by the Building Department.

BE IT FURTHER

RESOLVED, that said license shall be issued for the **one (1) year period of April 16, 2018 to March 31, 2019** in accordance with the application of the petitioner, as filed in the Town Clerk's Office, accompanied with a license fee of \$600 for seven (7) amusement devices.

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

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 16, 2018
File: RLICENSE (P2)

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

WHEREAS, the Town Board is considering the site plan application submitted by H. Christopher Streng for the proposed construction of a 13' - 4" x 32' - 0" addition to the existing Apple Rubber Manufacturing Building, on +/- 11.5 acres, located at 204 Cemetery Road (SBL No. 105.00-1-25.2) in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this site plan project pursuant to SEQR regulations at their meeting on April 2, 2018 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 a proposed a 13' - 4" x 32' - 0" concrete block addition to the back of the existing building; 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 DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 16, 2018

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: April 16, 2018

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 13' - 4" x 32' - 0" concrete block addition to the back of the existing Apple Rubber Manufacturing Building, on +/- 11.5 acres, located at 204 Cemetery Road (SBL No. 105.00-1-25.2). 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: Apple Rubber Building Addition

Location of Action: 204 Cemetery Road (SBL No. 105.00-1-25.2), Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted Action.

Description of Action: This project is described as a 13' - 4" x 32' - 0" concrete block addition to the back of the existing building

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: Kevin E. Loftus, Town Attorney

Address: Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

Telephone Number: (716) 684-3342

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

WHEREAS, the Town of Lancaster received a site plan application from Pleasant Meadows Associates, LLC, proposing to construct 22 private duplex style townhouse condominiums on property located at 3830 through 3860 Walden Avenue (SBL Nos. 93.00-2-26.11, 93.00-2-27.1, 93.00-2-28 & 93.00-2-29.1) on a ± 8.3 acre parcel (the “Action”); and

WHEREAS, the Town Board of the Town of Lancaster (the “Town Board”) must comply with SEQRA and its implementing regulations at 6 N.Y.C.R.R. Part 617 in the review of the Action; and

WHEREAS, the Town Board is an involved agency pursuant to SEQRA; and

WHEREAS, the Town Board has determined that the Action is a “Type I” action under SEQRA, requiring a coordinated review; and

WHEREAS, the Town Board intends to serve as the Lead Agency for the coordinated SEQRA review of the Action; and

NOW, THEREFORE,

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

1. The Action is hereby determined to be a Type I action under SEQRA.
2. The Town Board hereby declares its intent to act as Lead Agency, pursuant to SEQRA, for the purpose of conducting the environmental review of the Action.
3. The Town Board hereby directs the Town Attorney to send the Notice of Intent to Act as Lead Agency to the other involved/interested agencies, pursuant to SEQRA.
4. This Resolution shall be 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 DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 16, 2018

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

WHEREAS, Jean Karn, Dog Control Officer for the Town of Lancaster Dog Control Department, by letter dated April 5, 2018 has recommended the appointment of the following individual(s) to the following part-time permanent position(s).

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time permanent position(s) in the Town of Lancaster Dog Control Department, working not more than nineteen and three-quarter hours per week, 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 permanent employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
James J. Horbett Depew, NY	Dog Control Officer	\$13.00	April 16, 2018

BE IT FURTHER,

RESOLVED, that these individual(s) shall be compensated for any scheduled work shift for the actual number of hours worked but shall be compensated for any unscheduled call-in for the greater of four hours or the actual number of hours worked.

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 DICKMAN	VOTED YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER WALTER	VOTED YES
SUPERVISOR COLEMAN	VOTED YES

April 16, 2018

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

WHEREAS, the Town Board is considering the Rezone and Site Plan applications submitted by James Boglioli of Lancaster Peach, LLC for the western 9.81 acre portion of property located at 4817 Transit Road (SBL No. 126.01-1-6) to change from General Business (GB) to become Commercial Motor Service (CMS), for the proposed construction of a **Delta Sonic Car Wash** within the Town of Lancaster, the remaining 9.23 acres on the eastern portion of the total 19.4 acre parcel, shall remain General Business (GB), and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the potential adverse environmental impacts of rezoning the property and constructing a car wash facility pursuant to SEQRA regulations at their meeting on April 2, 2018 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the Rezone, and Site Plan using 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 a “Type 1” action under SEQRA.

NOW, THEREFORE,

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

1. The proposed Rezone of the western 9.81 acre portion of property located at 4817 Transit Road (SBL No. 126.01-1-6) from General Business (GB) to Commercial Motor Service (CMS) for the proposed construction of a **Delta Sonic Car Wash**, with the remaining 9.23 acres on the eastern portion of the total 19.4 acre parcel to remain as General Business, submitted by James Boglioli of Lancaster Peach, 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 DICKMAN	VOTED YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER WALTER	VOTED YES
SUPERVISOR COLEMAN	VOTED YES

April 16, 2018

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: April 16, 2018

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 & Site Plan applications submitted by James Boglioli of Lancaster Peach, LLC, for the western 9.81 acre portion of property located at 4817 Transit Road (SBL No. 126.01-1-6) to change from General Business (GB) to become Commercial Motor Service (CMS) for the proposed construction of a **Delta Sonic Car Wash**, with the remaining 9.23 acres on the eastern portion of the total 19.4 acre parcel to remain as General Business, within the Town of Lancaster. The Town Board has determined this project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Rezone & Site Plan – Delta Sonic Car Wash

Location of Action: 4817 Transit Road (SBL No. 126.01-1-6), Lancaster, New York 14086,
Erie County

SEQR Status: Type 1.

Description of Actions: The project is described as the proposed development of a vacant parcel of land, south of the existing Kohl’s on Transit Road, into a Delta Sonic Carwash facility. Delta Sonic will be providing 8 gas pumps, 12 outdoor self-serve vacuums, a 8,050 SF retail/restaurant store with a drive-thru, an interior cleaning/detailing building that also contains self-serve vacuums, and a carwash tunnel with three bay prep hut along with associated drainage improvements, utilities, paving, curbing and landscaping. There is a single access point proposed for the project on the north end of the site, directly across from Jessica Lane. A traffic signal is proposed for this driveway and will be installed once the Delta Sonic is constructed and the site meets the Traffic Signal warrants.

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. Impact on land - Small impact.

- The proposed action will involve construction on land where depth to water table is 1.5 feet.

2. Impact on Geological Features – No impact.

3. Impacts on Surface Water – Small impact.

4. Impact on Groundwater – No impact.

5. **Impact on Flooding – No impact.**
6. **Impact on Air – No impact.**
7. **Impact on Plants and Animals – No impact**
 - It is noted that previously the land was stripped of all trees and other foliage.
8. **Impact on Agricultural Resources – No impact.**
9. **Impact on Aesthetic Resources – No impact.**
10. **Impact on Historic and Archeological Resources – No impact.**
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 – Small impact.**
 - A traffic signal is proposed for the driveway and will be installed once Delta Sonic is constructed and the site meets Traffic Signal Warrants.
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 – No impact.**
 - It is noted that this project is a rezone and will be consistent with the Comprehensive Master Plan and the Transit Road Access Master Plan.
18. **Consistency with Community Character – No impact.**

For Further Information:

Contact Person: Kevin E. Loftus , Town Attorney
Town of Lancaster
Address: 21 Central Avenue
Lancaster, New York 14086
Telephone Number: (716) 684-3342

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

WHEREAS, the Erie County Soil and Water Conservation District (SWCD) has heretofore provided a contract for the purpose of the installation of Best Management Practice(s) for Localized Flood Control and Debris Removal within the Ellicott Creek Watershed within the Town of Lancaster, and

WHEREAS, the Town will be contributing Twenty Thousand Dollars (\$20,000.00) and SWCD will work to secure grant funding to offset the cost to support best management practices and water quality improvements activities in the Ellicott Creek Watershed, and

WHEREAS, the Town Attorney has reviewed the terms and conditions of the proposed contract with Erie County and given his approval;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Supervisor be and is hereby authorized to execute a contract between the Town of Lancaster and the Erie County Soil and Water Conservation District for the installation of Best Management Practice(s) for Localized Flood Control and Debris Removal within the Ellicott Creek Watershed, and

2. Contribute the amount of \$20,000.00 to the cost of the project, and

3. Authorize 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 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 DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 16, 2018

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

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract for Excess Loss Insurance Benefits provided by UnitedHealthcare Insurance Company of New York, with an effective date of May 1, 2018, for its Self-funded Medical and Stand Alone Prescription Drug programs, in accordance with their proposal dated March 20, 2018, as presented, upon review and approval by the Town Attorney.

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

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 16, 2018

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

WHEREAS, Town of Lancaster Police Patrol Captain, Marco Laurienzo, by letter dated April 3, 2018 has requested the purchase of five (5) new and unused 2018 Dodge Charger Police Patrol Vehicles, for the use within the Police Department, and

WHEREAS, the above-referenced vehicles are available from the Onondaga County Division of Purchase, 071-05 Police and Administrative Vehicles, Bid Reference No. 8771, through authorized police vehicle dealer Robert Green Auto and Truck, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, Captain Laurienzo has recommended the purchase of the beforementioned vehicles, in accordance with said specifications, from Robert Green Auto and Truck, Route 17 East Exit 107, Rock Hill, New York 12775 in the amount of \$134,715.50 minus any amounts for trade-in vehicles allowed, and

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

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

1) The Town Board of the Town of Lancaster hereby approves the purchases of five (5) new and unused 2018 Dodge Charger Police Patrol Vehicles, and that the order for these vehicles is to be placed by the Police Patrol Captain as follows:

- The purchase of five (5) new 2018 Dodge Charger Police Patrol Vehicles at a unit price of \$26,943.00 per vehicle = \$134,715.50. After trade-allowances below are applied the total expenditure for this purchase = \$104,715.50 and will be paid for with funds available from the Public Safety, Passenger Vehicle Budget Line 05-3120-220.

2) That the following vehicles are to be traded to Robert Green Auto and Truck, as per the trade-in allowance referenced on the April 3, 2018 letter:

A. One (1) 2015 Dodge Charger Vin# 2C3CDXKT4FH875429 (89,250 mi.)	\$6000.00
B. One (1) 2015 Dodge Charger Vin# 2C3CDXKT2FH875431 (79,409 mi.)	\$6000.00
C. One (1) 2016 Dodge Charger Vin# 2C3CDXKT6GH260236 (95,690 mi.)	\$6000.00
D. One (1) 2016 Dodge Charger Vin# 2C3CDXKT8GH260237 (72,493 mi.)	\$6000.00
E. One (1) 2016 Dodge Charger Vin# 2C3CDXKT4GH260235 (67,498 mi.)	\$6000.00

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

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 16, 2018

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

WHEREAS, Town of Lancaster Police Patrol Captain, Marco Laurienzo, by letter dated March 29, 2018 has requested the purchase of one (1) new 2018 Chevrolet Tahoe LS 4WD Police Pursuit Rated Vehicle, for the use within the Police Department, and

WHEREAS, the above-referenced vehicle is available from the Delaware, Chenango, Madison, Otsego (DCMO) BOCES Cooperative Purchasing, Vehicle Bids No. 2017-139; through authorized vehicle dealer Joe Basil Chevrolet, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, Captain Laurienzo has recommended the purchase of the 2018 Chevrolet Tahoe LS 4WD Police Pursuit Rated Vehicle, in accordance with said specifications, from Joe Basil Chevrolet, 5111 Transit Road, Depew, New York 14043 in the amount of \$35,998.10, and

WHEREAS, the Police Department will receive a trade-in allowance for their 2013 Chevrolet Tahoe (VIN# 1GNSK2E08DR261585 w/101,000 mi.) in the amount of \$6,500.00 which will bring the total expenditure for the new and unused **2018 Chevrolet Tahoe LS 4WD Police Pursuit Rated Vehicle**, to \$29,498.10, and

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

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 Chevrolet Tahoe LS 4WD Police Pursuit Rated Vehicle which includes a Trade-in Allowance for a 2013 Chevrolet Tahoe (VIN# 1GNSK2E08DR261585 w/101,000 mi.) in the amount of \$6,500.00, from the 2017 authorized Delaware, Chenango, Madison, Otsego (DCMO) BOCES Cooperative Purchasing Bid Contractor, Joe Basil Chevrolet, 5111 Transit Road, Depew, New York 14043 under (DCMO) BOCES Bid No. 2017-139 as proposed by the Town of Lancaster Patrol Captain, Marco Laurienzo, for an amount not to exceed \$29,498.10 and which will be paid for with funds available in the 2018 Police Department Equipment, Passenger Vehicles Budget, Line Item 005-3120-220.

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

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 16, 2018

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

WHEREAS, Michelle Barbaro, Park Crew Chief of the Town of Lancaster's Parks Recreation & Forestry Department, has requested that the Town Board authorize the purchase of two (2) new basketball systems to be installed at Meadow Lea Park's Basketball Courts, and

WHEREAS, the Park Crew Chief, obtained a price quote for the purchase of two (2) new basketball systems from Game Time in the amount of \$3898.80 in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, by letter dated April 10, 2018, the Park Crew Chief has recommended that the Town of Lancaster purchase the basketball systems from Game Time, c/o MRC, P.O. Box 106, Spring Lake, NJ for an amount not to exceed \$3,898.80 per their quote dated March 29, 2018 (#139565) and which shall be installed by the Parks Department;

NOW, THEREFORE, BE IT

RESOLVED, The Town Board of the Town of Lancaster hereby approves the purchase of two (2) new Grizz Adj Basketball Systems to be installed by the Town's Parks Department at the Meadow Lea Park Basketball Courts from Game Time, c/o MRC, P.O. Box 106, Spring Lake, NJ 07762 as proposed by Park Crew Chief, Michelle Barbaro for an amount not to exceed \$3,898.80 per their quote dated March 29, 2018 (#139565) and to paid for with funds available in the Parks, Recreation and Forestry Department's 2018 Culture and Recreation, Contractual Expenses Budget, line item # 37-7000-400.

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

COUNCIL MEMBER DICKMAN	VOTED YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER WALTER	VOTED YES
SUPERVISOR COLEMAN	VOTED YES

April 16, 2018

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

WHEREAS, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated April 10, 2018 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>
Kyle Belcher (rehire) Lancaster, NY	Laborer	\$12.00	April 23, 2018
Nicholas Faltisko (rehire) Lancaster, NY	Laborer	\$12.00	April 23, 2018
Sean Gill (rehire) Lancaster, NY	Laborer	\$12.00	April 23, 2018
Anthony Marrano (rehire) Lancaster, NY	Laborer	\$12.00	April 23, 2018
Thomas Michel (rehire) Lancaster, NY	Laborer	\$12.00	April 23, 2018
Thomas Monin (rehire) Lancaster, NY	Laborer	\$12.00	April 23, 2018
Stefano Occhiuto (rehire) Lancaster, NY	Laborer	\$12.00	April 23, 2018
Justin Rybacki (rehire) Lancaster, NY	Laborer	\$12.00	April 23, 2018
Daniel Speyer (rehire) Lancaster, NY	Laborer	\$12.00	April 23, 2018
Noah Speyer (rehire) Lancaster, NY	Laborer	\$12.00	April 23, 2018
Patrick Swiatek (rehire) Lancaster, NY	Laborer	\$12.00	April 23, 2018

Tyler Witt (rehire) Lancaster, NY	Laborer	\$12.00	April 23, 2018
George Besch (rehire) Lancaster, NY	Recreation Attendant	\$17.25	April 23, 2018

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 DICKMAN	VOTED YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER WALTER	VOTED YES
SUPERVISOR COLEMAN	VOTED YES

April 16, 2018

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

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated April 9, 2018 has recommended the appointment of the following individual(s) to the following part-time permanent position(s).

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time permanent position(s) at the Youth Bureau, working not more than nineteen and three-quarter hours per week, 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 permanent employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Christopher Kirwan (new hire) Williamsville, NY	Tutor	\$16.00	April 11, 2018

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 DICKMAN	VOTED YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER WALTER	VOTED YES
SUPERVISOR COLEMAN	VOTED YES

April 16, 2018

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

WHEREAS, Sprint DO Macro (the “Applicant”) has submitted an application for a special use permit for a telecommunications tower located at 98 Barton Road (Buffalo Crushed Stone -BU03XC046) in the Town of Lancaster; and

WHEREAS, the Zoning Code of the Town of Lancaster requires that the Town Board conduct a public hearing before the issuance of a Communication Tower Special Use permit for a use as proposed;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 50-Zoning, Article VII(A), §41.8, entitled "Communication Towers, Procedure" of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for a telecommunications tower located at 98 Barton Road (Buffalo Crushed Stone -BU03XC046) on premises locally known as SBL No. 83.00-4-13, in the Town of Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 7th day of May, 2018, at 7:15 o'clock P.M., Local Time, and that Notice of the time and place of such Hearing be published in the official newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of 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 the 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 DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 16, 2018

TOWN OF LANCASTER
NOTICE OF PUBLIC HEARING ON APPLICATION FOR SPECIAL USE PERMIT
FOR A TELECOMMUNICATIONS TOWER
98 BARTON ROAD (BUFFALO CRUSHED STONE -BU03XC046), LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 50-Zoning, Article VII(A), §41.8, entitled "Communication Towers, Procedure" of the Code of the Town of Lancaster, and 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 the 16th day of April, 2018 the said Town Board will hold a Public Hearing on the 7th day of May, 2018, at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly approving a special use permit application for an existing telecommunications tower by Sprint DO Macro on property located at 98 Barton Road, in the Town of Lancaster (SBL No. 83.00-4-13). Copies of the proposed application can be reviewed at Town Hall. All interested persons will be given the opportunity to be heard.

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: DIANE M. TERRANOVA
Town Clerk

April 19, 2018

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

WHEREAS, Timothy Szczepanski, of Northeast Diversification, Inc., has submitted an application for a Special Use Permit to operate a contractor's storage yard including vehicles, equipment, inventory, and construction materials on premises locally known as 2 Cadby Industrial Park, Lancaster, New York, currently zoned General Industrial (GI). In accordance with the provisions of Chapter 50 Section 25(B)(1)(n) of the Code of the Town of Lancaster, a Construction Yard is required to obtain a Special Use Permit within that zoning classification.

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

That pursuant to Chapter 50-Zoning, Section 46 entitled Special use permits, of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit to allow a Construction Yard use, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 7th day of May, 2018 at 7:15 o'clock P.M. Local Time, and the notice of the time and place of such hearing be published in a newspaper of general circulation in said Town, and posted on the Town Bulletin Board and that a copy of such Notice of 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 the 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 DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 16, 2018

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER
SPECIAL USE PERMIT– NORTHEAST DIVERSIFICATION, INC.,**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 50 Section 46 entitled Special use permits, of the Code of the Town of Lancaster, and 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 the 16th day of April, 2018 the Town Board will hold a Public Hearing on the **7th day of May, 2018** 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 application of **Timothy Szczepanski**, for a Special Use Permit to allow a Construction Yard use including cold storage in a current zoning classification (General Industrial-GI) on premises locally known as 2 Cadby Industrial Park, in the Town of Lancaster, County of Erie, State of 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: DIANE M. TERRANOVA
Town Clerk**

April 19, 2018

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

WHEREAS, by resolution dated December 16, 2013 the Town of Lancaster entered into a Managed Service Agreement with TechNet Task Group to provide computer services to Town Offices located in the Town Hall and to the Office of Emergency Management, and

WHEREAS, the Town has contacted TechNet Task Group, to prepare a new Managed Services Agreement which will expand their services to include all Town of Lancaster Offices and Departments for additional fees outlined in the terms and conditions listed in the agreement, and

WHEREAS, the agreement was duly reviewed and approved by the Town Attorney, and

WHEREAS, after due review and consideration the Town Board of the Town of Lancaster deems it a judicious decision to enter into an Agreement with TechNet Task Group, to provide professional computer services for all Town of Lancaster Offices and Departments.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute, on behalf of the Town of Lancaster, a Managed Services Agreement for Professional Services, between the Town of Lancaster and TechNet Task Group, 41 Central Avenue, Lancaster, New York 14086 to provide computer services for all Town of Lancaster Offices and Departments for fees outlined in the terms and conditions listed in the agreement; and

BE IT FURTHER RESOLVED, that this Agreement shall become effective on May 1, 2018 and will remain in effect until April 30, 2021 at which time it will automatically renew for a subsequent thirty-six (36) month term unless either party gives the other ninety (90) days prior written notice of its intent not to renew the Agreement; and

BE IT FURTHER RESOLVED, this Agreement completely supersedes and replaces the previous agreement approved by the Town on December 16, 2013.

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

COUNCIL MEMBER DICKMAN	VOTED YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER WALTER	VOTED YES
SUPERVISOR COLEMAN	VOTED YES

April 16, 2018

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

WHEREAS, the Town recognizes its growth and strength depends on the safety and economic value of the homes, buildings and infrastructure that serves our citizens, both in everyday life and in times of natural disaster, and

WHEREAS, our confidence in the structural integrity of these buildings that make up our community is achieved through the devotion of building safety and fire prevention officials, architects, engineers, builders tradespeople, design professionals, laborers and others in the construction industry who work year-round to ensure the safe construction of buildings, and

WHEREAS, these individuals are dedicated members of the International Code Council, a U.S. based organization, that brings together local, state and federal officials that are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work, worship and play, and

WHEREAS, our nation benefits economically and technologically from using the International Codes® that are developed by a national, voluntary consensus codes and standards developing organization, our government is able to avoid the high cost and complexity of developing and maintaining these codes, which are the most widely adopted building safety and fire prevention codes in the nation; these modern building codes include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes wildland fires, floods and earthquakes, and

WHEREAS, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown guardians of public safety-our local code officials-who assure us of safe, efficient and livable buildings that are essential to keep America great, and

WHEREAS, "Building Codes Save Lives" the theme for Building Safety Month 2018, encourages all Americans to raise awareness of the importance of building safe and resilient construction, fire prevention, disaster mitigation and new technologies in the construction industry; Building Safety Month 2018 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies, and

WHEREAS, each year, in observance of Building Safety Month, Americans are asked to consider the commitment to improve building safety and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property;

NOW, THEREFORE

BE IT RESOLVED, that the Town Board of the Town Lancaster does hereby proclaim the month of May 2018 as Building Safety Month and authorizes the Town Supervisor to execute the Building Safety Proclamation, and encourages our citizens to join with their communities in participation in Building Safety Month activities.

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

COUNCIL MEMBER DICKMAN	VOTED YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER WALTER	VOTED YES
SUPERVISOR COLEMAN	VOTED YES

April 16, 2018

COMMUNICATIONS & REPORTS

- 221. Supervising Code Enforcement Officer –
Recommend issuance of Game Room License for Regal 16 Cinemas,
6707 Transit Road. Disposition = Resolution 4/16/18**
- 222. Captain Marco Laurienzo to Deputy Town Clerk –
No objection to issuance of Game Room License for Regal 16 Cinemas,
6707 Transit Road. Disposition = Resolution 4/16/18**
- 223. Frank Maddock to Town Board –
Comments regarding needed repairs for Lancaster Historical Society Building.
Disposition = Received & Filed**
- 224. Residents of Trentwood Trail community to Town Clerk –
Signed petition requesting 3-way STOP signs at the intersection of Seneca Place
and Newberry Lane. Disposition = Police Chief**
- 225. Dog Control Officer to Town Board –
Monthly report for March 2018. Disposition = Received & Filed**
- 226. Town Attorney to Town Board and Planning Board –
SEQR response from NYS Dept. of Environmental Conservation regarding
Site Amendment: St. Adalbert’s Cemetery, 6200 Broadway, Proj. #294.
Disposition = Planning Committee**
- 227. Town Attorney to Town Board and Planning Board –
SEQR response from NYS Dept. of Environmental Conservation regarding
Russell’s Steaks, Chops & More (Addition), 6675 Transit Rd., Proj. #2018.
Disposition = Planning Committee**
- 228. Park Crew Chief to Town Board –
Request for resolution for Besch Mechanical, 323 Central Ave., Lancaster, NY
to remove and install two new power-vented high efficiency gas unit heaters at
the Police Garage. Disposition = Resolution 4/16/18**
- 229. Park Crew Chief to Town Board –
Request for Town Board to authorize publication for a bid for rehabilitation of
the park shelters roof systems at Walden Pond Park and Westwood Park.
Disposition = Resolution 4/16/18**
- 230. Town Clerk to Town Board –
Town Clerk Monthly Report for March 2018. Disposition = Received & Filed**
- 231. Town Line Volunteer Fire Department to Town Board –
Change in roster. Disposition = Resolution 4/16/18**
- 232. Town Clerk to Town Board –
Copy of 2018 Monthly County Settlement. Disposition = Received & Filed**
- 233. Gloria Chaves to Supervisor and Town Board –
Invitation to attend National Day of Prayer event on May 3, 2018 from
12:00 noon to 12:15 PM in front of Town Hall. Disposition = Received & Filed**
- 234. Erie County Clerk to Supervisor –
Information regarding second “Zombie Prevention” training session on
April 13, 2018 from 10:00AM – 12:00PM.
Disposition = Code Enforcement Officer**
- 235. Executive Director, Depew-Lancaster Boys & Girls Club to Supervisor –
Request for permission to hold their 41st Annual 10K Race on July 4, 2018,
in the village of Lancaster.
Disposition = Police Chief & Highway Superintendent**

236. Reserve Gas Company, Inc. to Public Service Commission –
Copy of Reserve Gas Company, Inc. After Hours Emergency Notification List, 2018 Holiday Schedule, and information regarding Natural Gas Pipeline Safety. Disposition = Code Enforcement Officer & Disaster Coordinator
237. Sean Hopkins, Esq. to Supervisor and Town Board –
Request for proposed Plumb Creek Patio Home Project be placed on the agenda for the Town Board meeting on April 16, 2018, for a decision on the pending request to amend the zoning classification. Disposition = Planning Committee
238. Marco Laurienzo, Patrol Captain to Supervisor –
Request for resolution authorizing the purchase of one new and unused 2018 Chevrolet Tahoe 4WD vehicle. Disposition = Resolution 4/16/18
239. Code Enforcement Officer to Town Board –
Recommend approval of Special Use Permit for Northeast Diversification, 954 Ransom Rd. aka 2 Cadby Industrial Park; conditions noted.
Disposition = Resolution 4/16/18
240. Code Enforcement Officer to Town Board –
Recommend approval of Special Use Permit for Sprint DO Macro Upgrade- Buffalo Crushed Stone, 98 Barton Road. Disposition = Resolution 4/16/18
241. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Dept. of Environment & Planning regarding Russell's Steaks, Chops & More, 6675 Transit Road, Proj. #2018.
Disposition = Planning Committee
242. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Dept. of Environment & Planning regarding amended site plan Apple Rubber, 204 Cemetery Road, Proj. #9542.
Disposition = Planning Committee
243. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Dept. of Environment & Planning regarding site plan Delta Sonic, 4817 Transit Road, Proj. #1614.
Disposition = Planning Committee
244. Dog Control Officer to Supervisor and Town Board –
Request for resolution appointing James J. Horbett to the position of Dog Control Officer, part-time in the Town of Lancaster Dog Control Dept.
Disposition = Resolution 4/16/18
245. Town Clerk to Town Board –
Transmittal of Commercial Special Use Permit Application for Construction and Construction Services for Northeast Diversification, 2 Cadby Industrial Park.
Disposition = Resolution 4/16/18
246. Town Clerk to Town Board –
Transmittal of Commercial Special Use Permit Application for Lancaster Speedway Properties, LLC, 57 Gunnville Road. Disposition = For Resolution
247. Marco Laurienzo, Patrol Captain to Supervisor –
Request for resolution authorizing the purchase of five new 2018 Dodge Charger police vehicles. Disposition = Resolution 4/16/18
248. Jeremy Colby, Lancaster Town Justice to Supervisor and Town Board –
Lancaster Town Court Thursday Night Court Session Revenues.
Disposition = Received & Filed
249. Town Line Volunteer Fire Department to Town Board –
Invitation and information regarding annual "Community" Memorial Day Service on Monday, May 28, 2018. Disposition = Received & Filed

- 250. Park Crew Chief to Supervisor and Town Board –
Request for resolution authorizing the purchase of two Basketball Systems from Game Time, c/o MRC, P.O. Box 106, Spring Lake, New Jersey.
Disposition = Resolution 4/16/18**
- 251. Executive Director Youth Bureau to Supervisor and Town Board –
Recommend one individual for hire as regular part-time tutor for Lancaster Youth Bureau effective April 11, 2018. Disposition = Resolution 4/16/18**
- 252. Park Crew Chief to Supervisor and Town Board –
Request for resolution appointing thirteen individuals to the position of part-time, temporary, seasonal employee in the Parks, Recreation & Forestry Dept. for the spring/summer season of 2018 effective April 23, 2018.
Disposition = Resolution 4/16/18**
- 253. Town Clerk to Code Enforcement Officer –
Copy of letter from Daniel E. Bedell, II requesting a renewal of the Special Use Permit for a Home Occupation, 3976 Walden Avenue.
Disposition = For Resolution**
- 254. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**
- 255. Marco Laurienzo, Patrol Captain to Supervisor –
Request for resolution to accept proposal from H.C. Zang Agency Inc. in association with Schneider Electric for the service plan and battery replacement on the Public Safety Building's UPS system. Disposition = For Resolution**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER GACZEWSKI AND SECONDED BY
COUNCIL MEMBER WALTER AND CARRIED,** the meeting was adjourned in memory
of Alfred Domino and Samuel Ruffino at 8:00 P.M.

Signed _____

Diane M. Terranova, Town Clerk