

Town Board Minutes

May 21, 2018

Meeting No. 15

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 21st day of May 2018 at 7:00 P.M. and there were

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

ABSENT: NONE

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
WILLIAM SCHUTT, ENGINEER, WM. SCHUTT & ASSOC.

PERSONS ADDRESSING TOWN BOARD:

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

- Comments regarding Como Lake Park.

Maddock, Frank, spoke to the Town Board on the following matters:

- Informed the board that the Depew Veterans will hold a memorial service at the Lancaster Rural Cemetery on Saturday, May 26th at 9 A.M.
- Thanked Village Trustee Ruda for the flowers that were planted in the village.

Martin, Mitch, Senator Gallivan's office, spoke to the Town Board on the following matter:

- Congratulated Police Chief Gill for being honored on National Police Week, May 13th to May 19th.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 1 Rezone – 4106 Walden Avenue
Eastport Commerce Center

ON MOTION BY COUNCIL MEMBER WALTER, SECONDED BY
COUNCIL MEMBER GACZEWSKI 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 Rezone – 4106 Walden Avenue Eastport Commerce Center 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
Jeff Palumbo, Esq. Representing Petitioner	Proponent
Kevin Kirk Representing Uniland	Proponent
Greg Klauk KLW Appraisal Group	Proponent
David Chiarolanza	Proponent
Patrick Pokorski	Comments
Georgia Schlager	Opponent

ON MOTION BY COUNCIL MEMBER WALTER, SECONDED BY COUNCIL
MEMBER GACZEWSKI AND CARRIED, the public hearing was closed at 7:37 P.M.

Decision on this matter was reserved.

May 21, 2018

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 2 – Special Use Permit -
Lancaster Speedway Properties, LLC

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

At 7:37 P.M., the Town Board held a Public Hearing to hear all interested
persons upon a Special Use Permit – Lancaster Speedway Properties, LLC 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
Tim Packman Petitioner	Proponent
Rosanna Berardi	Opponent
David Chiarolanza	Comments
Georgia Schlager	Proponent
Gary Costello	Comments
Bernadette Dupres	Comments/Questions
Jean Suess	Opponent
Pat Chiarolanza	Opponent

ON MOTION BY COUNCIL MEMBER GACZEWSKI, SECONDED BY COUNCIL
MEMBER WALTER AND CARRIED, the public hearing was closed at 8:05 P.M.

Decision on this matter was reserved.

May 21, 2018

PRESENTATION OF PREFILED RESOLUTIONS:

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

RESOLVED, that the minutes of the Regular Meeting of the Town Board held May 7, 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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

May 21, 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. 52528 to Claim No. 52702 Inclusive

Total amount hereby authorized to be paid: \$653,473.92

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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

May 21, 2018

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
 BY SUPERVISOR COLEMAN, WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER WALTER, 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
28092		Andrea Rendon	4803 William St	Er. Res. Add.	
28093		Bros Pros Property Holdings	65 Nichter Rd	Er. Res. Alt.	
28094		The Pool Guy	4 Whitestone Ln	Er. Pool-Abv Grnd	
28095		Kulback's Inc.	4733 William St	Er. Comm. Add./Alt.	
28096		Marianne Knibloe	67 Nichter Rd	Er. Garage	
28097		John Szalasny	5 Division (V) St	Er. Porch Cover	(V/L)
28098		Brian Wetzel	55 Stony Brook Dr	Er. Garage	
28099		David Pope Const.	29 Hillside Pky	Er. Res. Add.	
28100		Turkmasters Contracting LLC	14 Nottingham Ln	Re-Roof	
28101		Turkmasters Contracting LLC	27 Rose St	Re-Roof	
28102		The Pool Guy	19 Anna Dr	Er. Pool-Abv Grnd	
28103		Dalex Construction Inc.	245 Warner Rd	Re-Roof	
28104		Marrano/Marc Equity Corp.	5 Cherryfield Ln	Er. Patio Home	
28105		Kelley Pieczynski	166 Ransom Rd	Er. Res. Add.	
28106		Kelly Germann	645 Harris Hill Rd	Re-Roof	
28107		Vincent & Jennifer Cotroneo	32 Beatrix Cir	Re-Roof	
28108		CGL Contracting, LLC	45 Hill Valley Dr	Re-Roof	
28109		Crown Castle USA Inc.	444 Schwartz Rd	Cell Tower - Alteration	
28110		Eastern Remodeling LLC	36 Brunck Rd	Re-Roof	
28111		Thomas & April Segeil	415 Aurora St	Re-Roof	
28112		Suburban Orthodontics	4893 Transit Rd	Er. Sign - Temp	
28113		Timothy & Charlene Schwach	67 Gale Dr	Er. Fence	
28114		Andrea Cheryl St. Clair	22 Wildwood Dr	Er. Pool-Abv Grnd	(V/L)
28115		Anderson's Water Systems, Inc.	13 Primrose Ln	Inst. Generator	
28116		Capital Heat Inc.	163 Westwood Rd	Inst. Generator	
28117		Majestic Pools Inc.	4 Chestnut Corner	Er. Pool-In Grnd	
28118		Sturm Roofing LLC	11 Spring Way	Re-Roof	
28119		Solcius, LLC	4 Sugar Mill Ct	Inst. Solar Panels	
28120		Solcius, LLC	698 Pleasant View Dr	Inst. Solar Panels	
28121		Ridgeview Renovations	12 Prairie Ln	Er. Res. Alt.	
28122		The KAZ Company	475 Schwartz Rd	Re-Roof	
28123		Colley's Pool Sales Inc.	7 Blackstone Ct	Er. Pool-In Grnd	
28124		Jeremy Doak	7 Blackstone Ct	Er. Fence	
28125		AVA Roofing & Siding Inc.	19 Avian Way	Re-Roof	
28126		AVA Roofing & Siding Inc.	32 Summerfield Dr	Re-Roof	
28127		Licensed Dependable Constr.	27 Oakwood Ave	Er. Res. Alt.	(V/L)
28128		Christopher Flejtuch	39 Pear Tree Ln	Er. Deck	
28129		Hannah Demolition Inc.	70 Fairfield Ave	Dem. Rear Struc.	(V/L)
28130		Kathleen Moore	14 Nicholas Ln	Inst. Generator	
28131		Brian Moeller	11 Park Walk	Er. Pool-Abv Grnd	
28132		David & Carla Lattuca	30 Grafton Ct	Er. Fence	
28133		Marrano/Marc Equity Corp.	2 Saybrook Dr	Er. Patio Home	
28134		Marrano/Marc Equity Corp.	28 Saybrook Dr	Er. Patio Home	
28135		Solar Liberty Energy System 1	165 Iroquois Ave	Inst. Solar Panels	
28136		Melissa Opala	53 Hess Pl	Re-Roof	
28137		Richardson Construction Group	8 Parliament Ln	Er. Porch	
28138		James & Karen Smith	565 Ransom Rd	Er. Fence	
28139		R.E.McNamara, Inc.	1935 Como Park Blvd	Er. Res. Alt.	(V/L)
28140		Ronald Farrell	28 Woodgate Dr	Er. Shed	
28141		Jeffrey Herzog	4 Hemlock Ln	Er. Fence	
28142		Nancy Peacock	42W Home Rd	Re-Roof	

28144	JR Contracting	713 Pavement Rd	Er. Pole Barn
28145	Georgia Schlager	416 Central Ave	Re-Roof
28146	Stockmohr Co. Inc.	26 Heritage Dr	Re-Roof
28147	Stockmohr Co. Inc.	47 Country Pl	Re-Roof
28148	Samuel Menshel	60 Newberry Ln	Er. Fence
28149	Mark Steinel	22 Windsor Ridge Dr	Er. Fence
28150	John Beltz, Jr.	7 Edward St	Er. Shed
28151	Dalex Construction Inc.	6 Peachtree Ct	Re-Roof
28152	Michael Janis	171 Siebert Rd	Er. Pool-In Grnd
28153	Luther Enterprises	171 Siebert Rd	Er. Fence
28154	Luther Enterprises	3639 Bowen Rd	Er. Pool-In Grnd
28155	Luther Enterprises	3639 Bowen Rd	Er. Fence
28156	Gary Ryskalczyk	444 Aurora St	Er. Shed
28157	Kulback's Inc.	204 Cemetery Rd	Er. Comm. Add./Alt.
28158	Plum Bottom Creek Prop., LLC	4W Main St	Er. Sign – Wall (V/L)
28159	DPL Delaware Corp.	6W Main St	Er. Comm. Add./Alt(V/L)
28160	Matthew Phillips	4853 William St	Er. Deck
28161	Dennis & Judith Gooch	18 Stony Brook Dr	Er. Fence
28162	Leveled Contracting Inc.	7 Farmview Ct	Re-Roof
28163	William & Dana Powers	6 Red Clover Ln	Re-Roof
28164	Majestic Pools Inc.	11 Creekwood Dr	Er. Pool-In Grnd
28165	John Manette	4 Village View	Er. Fence
28166	John Blendowski	4 Crabapple Ln	Er. Shed
28167	Superior Decks & Gazebos Inc.	28 Pear Tree Ln	Er. Deck
28168	House Crafters LLC	586 Lake Ave	Re-Roof
28169	Gary Ertel	8 Darien Ct	Er. Shed
28170	LJ Construction	370 Lake Ave	Er. Porch Cover
28171	James & Barbara Safe	382 Seneca Pl	Re-Roof
28172	Forbes Homes Inc.	37 Hidden Meadow Cros	Er. Dwlg.-Sin.
28173	Sunroom Additions & Improv.	1122 Penora St	Er. Porch
28174	Capital Fence Co.	470 Aurora St	Er. Fence
28175	Aerial Roofing & Exterior Inc.	8 C St	Re-Roof
28176	Aerial Roofing & Exterior Inc.	75 Elm Pl	Re-Roof (V/L)
28177	Philip & Patricia Carcaci	211 Nathan's Trl	Er. Fence
28178	PJK Roofing Inc.	37 Avian Way	Re-Roof
28179	Gateway Construction	39 Lindan Dr	Er. Res. Alt. (V/L)
28180	Solcius, LLC	18 Tranquility Trl	Inst. Solar Panels
28181	D Allen & Son Contracting Inc	6 Kelly Ann Dr	Re-Roof
28182	Neth & Son Inc.	63 Avian Way	Re-Roof
28183	Dave & Jeanne Larotonda	53 Pleasant View Dr	Er. Fence

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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

May 21, 2018

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

WHEREAS, the Town Board of the Town of Lancaster held a public hearing pursuant to Chapter 50-Zoning Section 17 (F) of the Code of the Town of Lancaster, upon the application of **Richard J. Koch**, for a Special Use Permit for a Home Occupation (C.P.A. Office) on premises located at 60 Michael's Walk, Lancaster, New York, and the Board issued such Special Use Permit on June 16, 2008, this Special Use Permit is subject to renewal upon application by the resident, and

WHEREAS, **Richard J. Koch** has requested that the Town Board renew the Special Use Permit for an additional two (2) year period, and

WHEREAS, the Code Enforcement Officer has recommended his approval of this Special Use Permit in his letter dated May 2, 2018.

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

1. That pursuant to Chapter 50-Zoning, Section 17 (F), entitled "Home Occupation", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Richard J. Koch**, for a Home Occupation (C.P.A. Office) on premises located at 60 Michael's Walk, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning June 16, 2018 and continuing through June 15, 2020, and

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

- a. This Special Use Permit terminates when the applicant no longer resides on the premises.
- b. Permit must be renewed every two (2) years at no additional cost to applicant.
- c. Applicant will obtain and provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided.

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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

May 21, 2018

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

WHEREAS, the Town Board of the Town of Lancaster has recommended the appointment of David Dzwigal as a member of the Town of Lancaster Ethics Review Board due to the resignation of Reverand Christopher Baldwin.

NOW, THEREFORE, BE IT

RESOLVED, that David Dzwigal, Lancaster, New York be and is hereby appointed a member of the Town of Lancaster Ethics Review Board for the term of May 21, 2018 through December 31, 2018, thereby filling the unexpired term of Reverand Christopher Baldwin;

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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

May 21, 2018

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 May 7, 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 addition to the membership of the Town Line Volunteer Fire Department the following individual:

ADDITION:

Craig A. Rowell
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 DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

May 21, 2018

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

WHEREAS, the U.S. Department of Justice, Office of Justice Programs provides grant monies to offset a portion of costs associated with the purchase of bullet-proof vests for sworn police officers, and

WHEREAS, the grant will provide up to 50% reimbursement for monies to be expended to purchase these items, and

WHEREAS, all applications must be completed electronically on-line,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to extend authorization to Grantmakers Advantage, Inc., the Town's grant consultant, to complete the grant application on-line for the purpose of securing these grant monies.

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

COUNCIL MEMBER DICKMAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

May 21, 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 notified the Board that there are numerous dead Ash trees located on Town of Lancaster's right-of-ways that need to be removed, and

WHEREAS, the tree removal maintenance work is available through the Erie County Department of Purchase, Bid No. 2018025-004, Section E614, by authorized provider May's Tree Service, Inc. which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, funding for the tree removal is available from the Town's 2018 Home and Community Services, Forestry and Community Beautification, Contractual Services Budget Line Item 01-8510-0411.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes Erie County Bid Provider, May's Tree Service, Inc., P.O. Box 540, Lancaster, New York, to remove various dead Ash trees located on Town of Lancaster's right-of-ways per the fees in accordance with Bid No. 2018025-004, Section E614, which will encompass the period from April 1, 2018 to March 31, 2019 and to be paid for with funds in the 2018 Home and Community Services, Forestry and Community Beautification, Contractual Services Budget Line Item 01-8510-0411.

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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

May 21, 2018

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

WHEREAS, the Consolidated Water District of the Town of Lancaster maintains hydrants along the westerly line of Town Line Road from Schlemmer Road south to the south boundary line of the Town of Alden, and

WHEREAS, the Town of Alden Fire Protection District has heretofore contracted with the Consolidated Water District of the Town of Lancaster for the use of said hydrants, and

WHEREAS, the Town Board of the Town of Alden has duly held a public hearing on behalf of the Alden Fire Protection District to contract with the Consolidated Water District of the Town of Lancaster for the said hydrants in accordance with the Agreement prepared by the Town Attorney and which has been approved by the Town Board of the Town of Alden on May 7, 2018;

NOW THEREFORE,
BE IT RESOLVED, that the Supervisor be and is hereby authorized to execute an Agreement by and between the Town of Alden on behalf of the Alden Fire Protection District, and the Consolidated Water District of the Town of Lancaster, providing for rental of forty-eight (48) hydrants along the westerly line of Town Line Road from Schlemmer Road south to the south boundary line of the Town of Alden, commencing April 1, 2018 and terminating March 31, 2023, all in accordance with the terms of said 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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

May 21, 2018

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

WHEREAS, the Town Board of the Town of Lancaster has held a public hearing on May 7, 2018, pursuant to Chapter 50-Zoning, Section 46 entitled Special use permits, of the Code of the Town of Lancaster upon the application of **Timothy Szczepanski**, of **Northeast Diversification, Inc.**, 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 the Town of Lancaster, Erie County, New York, and

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

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 50-Zoning, Section 25, General Industrial District (G.I),(B) Permitted Uses, (1) Principal structures and uses, (n) Contracting or construction services, of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Timothy Szczepanski**, of **Northeast Diversification, Inc.**, to operate a contractor's storage yard including vehicles, equipment, inventory, and construction materials on premises locally known as 2 Cadby Industrial Park, in the Town of Lancaster, New York, upon the conditions as set forth in the Zoning Ordinance and the following conditions:

1. Permit shall expire on December 31, 2018. The original applicant can renew the permit at no additional cost provided it is for the same location that the original permit was issued under.
2. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.
3. Applicant will obtain and provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided.

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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

May 21, 2018

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

WHEREAS, through the efforts of State Assemblywoman Monica Wallace, \$125,000 in grant monies are available from the Dormitory Authority State of New York through the State and Municipal Facilities Program (SAM) to assist with interior and exterior restoration of the Town of Lancaster Historical Building and make safety and security upgrades to the Lancaster Dog Control facilities, and

WHEREAS, the Town Board deems use of these funds to be in the public interest;

NOW, THEREFORE, BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the Dormitory Authority for the State of New York for the purpose of securing this grant, and

BE IT FURTHER

RESOLVED, that the Supervisor, Deputy Supervisor and Director of Administration and Finance be and hereby are authorized and directed to execute all documents pertaining to the application and to the acquisition of said funding.

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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

May 21, 2018

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

WHEREAS, the Town Board of the Town of Lancaster is aware of the need to do sampling of material for asbestos testing in the public restrooms within the Town's Library located at 5466 Broadway in the Village of Lancaster, and

WHEREAS, Edward Schiller, Town Engineer, obtained a proposal from Sienna Environmental Technologies, in the amount of \$1,560.00, in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, by letter dated May 8, 2018, the Town Engineer has recommended that the Town of Lancaster award the contract for sampling of material for asbestos testing in the public restrooms within the Town's Library to Sienna Environmental Technologies, for an amount of \$1,560.00 per their quote dated May 8, 2018.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of Town of Lancaster hereby awards the contract for sampling of material for asbestos testing in the public restrooms within the Town's Library located at 5466 Broadway in the Village of Lancaster, to Sienna Environmental Technologies, 350 Elmwood Avenue, Buffalo, New York 14222 in accordance with their proposal dated May 8, 2018 for an amount not to exceed \$1,560.00 and to be paid for with funds from the 2018 Library Contractual Expenses Budget, Line #01-7410-411.

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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

May 21, 2018

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

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letters dated May 10, 2018, and May 15, 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 Highway 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>
Brady O'Brien Lancaster, NY	Laborer	\$11.00	June 25, 2018
James Zagarrío Lancaster, NY	Laborer	\$11.00	May 22, 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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

May 21, 2018

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

WHEREAS, the Town of Lancaster has been awarded a \$100,000.00 grant through the Dormitory Authority of the State of New York (DASNY), for the restoration of the Lancaster Historical Society Building located at 40 Clark Street, Lancaster, New York, and

WHEREAS, the Town Board has duly advertised for the submission of bids for the replacement of the roof of the Lancaster Historical Society Building, and

WHEREAS, two (2) bids were received, opened and reviewed on April 26, 2018, and

WHEREAS, Wm. Schutt Associates, the Town of Lancaster's engineering consultant, by letter dated May 8, 2018 has recommended that a contract for the roof repair be awarded to Weaver Metal & Roofing Co. Inc., as the lowest responsible bidder, in the amount of \$105,000.00

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby awards a contract for the repair of the roof of the Lancaster Historical Society Building at 40 Clark St. to Weaver Metal & Roofing, Co. Inc., 40 Appenheimer Avenue, Buffalo, New York, 14214 in the amount of \$105,000.00 in conformance with the specifications on file in the office of Flynn Battaglia Architects, P.C, Consulting Engineer, and

BE IT FURTHER RESOLVED, that \$100,000.00 of the cost of the project will be funded by the State and Municipal Facilities Program through the DASNY grant and the \$5,000.00 balance will be paid for with funds available in the Town's 2018 adopted budget, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute this contract on behalf of the Town of Lancaster and to do all things necessary to effectuate the intent of this resolution pending the receipt and approval of all required documents and insurance certificates 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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

May 21, 2018

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

WHEREAS, Michelle Barbaro, Park Crew Chief of the Town of Lancaster's Parks Recreation & Forestry Department, has requested the Town Board to approve expending funds to paint the Keysa Park Pool Building's floor, and

WHEREAS, the Park Crew Chief, obtained a proposal from N. Choops Painting, Inc., in the amount of \$3,400.00, in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, by letter dated May 11, 2018, Michelle Barbaro has recommended that the Town of Lancaster accept the proposal dated May 7, 2018, from N. Choops Painting, Inc., to paint the floor within the Keysa Park Pool Building, in the amount of \$3,400.00, and

WHEREAS, funding for the painting will be made available from the 2018 Buildings Contractual Expenses Budget, Line Item 01-1620-0411.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby accepts and authorizes the Supervisor to sign the proposal from N. Choops Painting, Inc., 4404 Walden Avenue, Lancaster, NY, dated May 7, 2018, to paint the Keysa Park Pool Building Floor, for an amount not to exceed \$3,400.00 and to be paid for with funds available from the 2018 Buildings Contractual Expenses Budget, Line Item 01-1620-0411.

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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

May 21, 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 \$75,000.00 grant through the Dormitory Authority of New York State (DASNY), for the replacement of Picnic Shelter Roofs at Westwood Park and Walden Pond Park in the Town of Lancaster, New York, and

WHEREAS, The Town Board has previously duly advertised for the submission of bids for the replacement of Picnic Shelter Roofs at Westwood Park and Walden Pond Park, and

WHEREAS, three (3) bids were received, opened and reviewed on May 10, 2018, and

WHEREAS, Michelle Barbaro, the Town's Park Crew Chief, by letter dated May 15, 2018 has recommended award of the bid for the roofing project using Alternative 1, Metal Roofs, go to MGR Constructors, Inc., being the lowest responsible bidder in the amount of \$78,000.00;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for the replacement of Picnic Shelter Roofs at Westwood Park and Walden Pond Park, in the Town of Lancaster to MGR Constructors, Inc., P.O. Box 61, Bowmansville, New York, 14026 in the amount of \$78,000.00 being the lowest responsible bidder in conformance with the specifications on file in the office of Wm. Schutt & Associates, P.C., Town Engineer;

BE IT FURTHER RESOLVED, that \$75,000.00 of the cost of the project will be funded by the State and Municipal Facilities Program through the Dormitory Authority of New York State Grant and the \$3,000.00 balance will be paid for with funds from the 2018 Culture and Recreation Filing Fund Budget;

BE IT FINALLY

RESOLVED, that the Supervisor is hereby authorized to execute this contract on behalf of the Town of Lancaster and to do all things necessary to effectuate the intent of this resolution pending the receipt and approval of all required documents and Insurance certificates 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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

May 21, 2018

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

WHEREAS, Ryan Dzik of Boy Scout Troop 618 has offered to donate five (5) wooden benches that he made as part of his Eagle Scout project to the Senior Center located at 100 Oxford Avenue in the Town of Lancaster, and

WHEREAS, by letter dated May 14, 2018, Park Crew Chief, Michelle Barbaro has requested that the Town accept the donation of 5 wooden benches from Ryan Dzik, valued at not more than approximately \$250.00 for placement at the Senior Center by the Town of Lancaster's Recreation Department, and

WHEREAS, after due consideration, the Town Board of the Town of Lancaster has determined that it can make use of such a donation and that it is the interest of the community to accept this generous donation.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby accepts the donation of five (5) wooden benches, hand-made by Ryan Dzik as part of his Eagle Scout Badge Project, valued at not more than approximately \$250.00, for placement at the Town's Senior Center, located at 100 Oxford Avenue, by the Town's Recreation Department.

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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

May 21, 2018

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

WHEREAS, A Public Hearing was held on December 18, 2017, on the petition of **Bryan Young on behalf of Plumb Creek LLC**, 1120 Bullis Road, Elma, New York 14059, for the rezone of a parcel of land locally known as 00 Broadway (SBL No. 116.00-1-5.131), Lancaster, New York from a Residential District One (R-1) to Multifamily Residential District Three (MFR-3), and

WHEREAS, the Planning Board of the Town of Lancaster recommended approval of the rezone at its August 16, 2017 meeting, and

WHEREAS, a SEQR review was completed on the proposed rezone and subdivision on March 19, 2018 and on April 2, 2018 a Negative Declaration was issued, 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 hereinafter described, is changed from a Residential District One (R-1) to Multifamily Residential District Three (MFR-3) with the following conditions:

- A. That the private Plumb Creek Subdivision Final Plat (project #1116) and the associated Home Owners' Association to be created and functioning appropriately and contact information for said entity be provided to the Town. Should extensive changes be indicated on subsequent subdivision submissions, the Town reserves the right to rescind this rezone and return the real property herein described to its original zoning.
- B. The following Deed Restrictions to be recorded at the Erie County Clerk's Office and proof of recording provided to the Town:
 - I. Use of 37 Gale Drive as roadway into the existing development is prohibited.
 - II. Future access to Grafton Court is prohibited.
 - III. Hunting on the subject parcel shall be prohibited.
 - IV. The westernmost twenty (20) feet of project site on drawing C-100 shall remain zoned Residential District One and shall be designated as permanent open space.

- V. A new six foot high board fence shall be installed on the western edge in the 20 feet of the Permanent Open Space.
- VI. A new fence shall be installed 12 feet from the western boundary of the Project Site.

C. An easement shall be granted to the Town for the turnaround and snow storage area at the current terminus of Grambo Drive.

- I. Content and form of easement to be approved by Town Attorney.
- II. Recorded copy and recording receipt of easement shall be provided to the Offices of the Town Clerk, Town Attorney, Town Engineer, and Building and Highway Departments.

00 Broadway - SBL No. 116.00-1-5.131

ALL THAT TRACT OR PARCEL OF LAND SITUATE, lying and being in the Town of Lancaster, County of Erie and State of New York, being part of Lot three (3), Section seven (7), Township eleven (11), Range six (6) of the Holland Land Company's survey and being more particularly described as follows:

COMMENCING at the southwest corner of the intersection of Grambo Drive as described by deed recorded in the Erie County Clerk's Office in Liber 10848 of Deeds at Page 417 on January 19, 1994, with the northerly line of Broadway as established by Notice of Appropriation, Map No. 60, Parcel No. 60, recorded July 30, 1956 in Liber 6032 of Deeds at Page 256 in the Erie County Clerk's Office; proceeding thence northerly along the westerly line of said Grambo Drive a distance of 168.38 feet to a point; proceeding thence northwesterly at an angle to the southwest quadrant of 124°30'17" along said Grambo Drive a distance of 177.64 feet to the TRUE POINT OR PLACE OF BEGINNING; proceeding thence northeasterly at right angles to the last described line a distance of 66.00 feet along the northwesterly line of said Grambo Drive to a point in a westerly line of a deed given by Belmont Shelter Corp. to Lancaster Housing Development Fund Company, Inc. recorded in the Erie County Clerk's Office in Liber 10527 of Deeds at Page 379 of October 8, 1992; continuing thence northerly along said westerly line of said Lancaster Housing Development Fund Company, Inc. deed a distance of 320.00 feet to the intersection of said line with a northerly line of said Lancaster Housing Development Fund Company, Inc. deed; proceeding thence easterly at right angles, and along said northerly line of the aforementioned Lancaster Housing Development Fund Company, Inc. deed a distance of 192.00 feet to a point in a westerly line of said deed; thence northerly along said westerly line of said deed at right angles, a distance of 812 feet more or less, to the center line of Plumb Bottom Creek; thence continuing in a westerly direction along the center line of Plumb Bottom Creek a distance of 413 feet more or less to a point in a line being 20 feet easterly from, and parallel with the east line of Plumb Estates Subdivision as filed in the Erie County Clerk's Office under Map cover 2487 in the Town of Lancaster; thence southerly along said parallel line, a distance of 1,263 feet more or less to a point; proceeding thence easterly at right angles to the last described course a distance of 116.71 feet to a point in the westerly line of said Grambo Drive as extended northwesterly; proceeding thence southeasterly along the extension of the westerly line of said Grambo Drive, a distance of 9.97 feet to the TRUE POINT OR PLACE OF BEGINNING.

Property to be rezoned from R-1 to MFR-3 consists of approximately 8.58 acres.

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 21st day of May 2018;

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

May 21, 2018

**LEGAL NOTICE
ADOPTION OF AMENDMENT
ZONING ORDINANCE, TOWN OF LANCASTER
PLUMB CREEK, LLC
00 BROADWAY
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 Residential District One (R-1) to Multifamily Residential District Three (MFR-3) for the property known as **00 Broadway (SBL No. 116.00-1-5.131)** within the Town of Lancaster, New York.

May 24, 2018

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

THIS IS TO CERTIFY that I, Diane M. Terranova, Town Clerk of the Town of Lancaster, in said County of Erie, have compared the foregoing copy of an Ordinance on the 21st day of May 2018 and that the 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 21st day of May 2018.

Diane M. Terranova, Town Clerk

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

WHEREAS, Sean Hopkins, Esq, on behalf of Plumb Creek LLC, 1120 Bullis Road, Elma, New York 14059 has heretofore submitted a Preliminary Plat Plan prepared by Carmina Wood Morris, dated July 2017 with a revision date of February 19, 2018, for approval of a private thirty-nine (39) single family patio home subdivision to be known as "Plumb Creek Subdivision" located at 00 Broadway (SBL No. 116.00-1-5.131) in the Town of Lancaster, and

WHEREAS, the Preliminary Plat Plan was submitted to the Planning Board for their review and at their meeting on March 7, 2018 recommended its approval, and

WHEREAS, the Town, acting as lead agency has completed an environmental review on March 19, 2018, in conformance with SEQR (State Environmental Quality Review) regulations and on April 2, 2018 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-nine (39) private single family patio home subdivision Preliminary Plat as prepared by Carmina Wood Morris, dated July 2017 with a revision date of February 19, 2018 and filed with the Town Clerk on February 28, 2018 for said development to be known as the "Plumb Creek Subdivision" with the following conditions:

A. The following Deed Restrictions to be recorded at the Erie County Clerk's Office and proof of recording provided to the Town:

- I. Use of 37 Gale Drive as roadway into the existing development is prohibited.
- II. Future access to Grafton Court is prohibited.
- III. Hunting on the subject parcel shall be prohibited.
- IV. The westernmost twenty (20) feet of project site on drawing C-100 shall remain zoned Residential District One and shall be designated as permanent open space.
- V. A new six foot high board fence shall be installed on the western edge in the 20 feet of the Permanent Open Space.
- VI. A new fence shall be installed 12 feet from the western boundary of the Project Site.

- B. An easement shall be granted to the Town for the turnaround and snow storage area at the current terminus of Grambo Drive.
 - I. Content and form of easement to be approved by Town Attorney.
 - II. Recorded copy and recording receipt of easement shall be provided to the Offices of the Town Clerk, Town Attorney, Town Engineer, and Building and Highway Departments.

- C. Home Owners Association to be created and functioning appropriately and contact information for said entity be provided to the Town.

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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

May 21, 2018

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

WHEREAS, the Town of Lancaster, Village of Lancaster and Village of Depew have worked diligently in preparing the 2018 Joint Comprehensive Plan for the Town of Lancaster; and

WHEREAS, through the coordinated actions of the Lancaster Town Board, Comprehensive Plan Committee, Town departments, and Town staff, the Town has completed the 2018 Joint Comprehensive Plan in accordance with Section 272-a of New York State Town Law; and

WHEREAS, the Town Board, reviewed the draft documents and directed updates of the Plan in response to input received; and

WHEREAS, the Town Board held a public hearing on April 16, 2018 to solicit final comments on the draft Plan update; and

WHEREAS, the Town Board, acting as Lead Agency, through a coordinated review process, conducted in accordance with the requirements of the State Environmental Quality Review Act (SEQRA), has determined that the adoption of the 2018 Joint Comprehensive Plan will not have a significant effect on the environment and at their May 7, 2018 meeting issued a Negative Declaration.

NOW THEREFORE,

BE IT RESOLVED, that the Lancaster Town Board hereby adopts the document entitled “Joint Comprehensive Plan - May 2018”, as the Town’s Comprehensive Plan; and

BE IT FURTHER RESOLVED, that a copy of the adopted Joint Comprehensive Plan be filed in the office of the Lancaster Town Clerk and that the Town Clerk make the required copies and perform the appropriate filings and notices.

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

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

May 21, 2018

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

WHEREAS, Thomas Schuster, 360 Gould Avenue, Depew, New York 14043 has heretofore applied for approval of a two (2)-lot single family home development prepared by Apex Consulting Survey & Engineering Services, PC, dated March 22, 2018 and received by the Town on April 3, 2018, to be known as “2-Lot Schuster Wendel Street Subdivision” located on the Northeast end of Wendel Street; whereby current SBL Nos. 115.10-3-5, 115.10-3-4 & 115.10-3-6.1 will be combined to create two (2) new lots, in the Town of Lancaster, and

WHEREAS, the plan was submitted to the Planning Board and was approved at their May 15, 2018 meeting, and

WHEREAS, the Town, acting as lead agency in conformance with the State Environmental Quality Review Act (“SEQRA”) regulations has identified the relevant areas of the environmental concern and determined this action to be a Type II Action under SEQR, 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 two (2)-lot single family home development located on the Northeast end of Wendel Street, whereby current SBL Nos. 115.10-3-5, 115.10-3-4 & 115.10-3-6.1 will be combined to create two (2) new lots, which was prepared by Apex Consulting, P.C., dated March 22, 2018 and filed with the Town Clerk on April 3, 2018, for said development to be known as “2-Lot Schuster Wendel Street Subdivision” with the following condition:

- Parcels are to be submitted on individual surveys. Each lot survey will show all easements.

2. The approval of this subdivision by the Town Board will hereby grant a waiver from the condition requiring the installation of any public sidewalk along Wendel Street.

3. 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 copy of the deed and survey and to attend to the filing of the new 2-lots being created in the Erie County Clerk’s Office.

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

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

May 21, 2018

COMMUNICATIONS & REPORTS

305. Erie County Dept. of Environment & Planning to Supervisor –
Comments from Erie County Division of Sewerage Management regarding Coordinated Review – Adoption of Comprehensive Plan Update, Town of Lancaster. Disposition = Town Board, Planning Board, Wendel Engineering
306. President Lancaster Area Chamber of Commerce to Town of Lancaster –
Input to the Town of Lancaster, Village of Lancaster and Village of Depew Joint Comprehensive Plan.
Disposition = Town Board, Planning Board, Wendel Engineering
307. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Sewerage Management regarding Town-wide Draft Comprehensive Master Plan, Town of Lancaster.
Disposition = Wendel Engineering
308. David M. Dzwigal to Town Clerk –
Request for consideration for an appointment to the Town Ethics Board.
Disposition = Resolution 5/21/18
309. Amherst Town Clerk to Town Clerk –
Notice of public hearing by the Zoning Board of Appeals of the Town of Amherst regarding an accessory structure at 382 McKinley Avenue, Town of Amherst.
Disposition = Received & Filed
310. Town Engineer to Town Board –
Recommend a contract for the roof repair of the Historical Building at 40 Clark Street be awarded to Weaver Metal & Roofing. Disposition = Resolution 5/21/18
311. Town Engineer to Town Board –
Recommend a contract for asbestos sampling and testing in the public restrooms at the Lancaster Public Library be awarded to Sienna Environmental.
Disposition = Resolution 5/21/18
312. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent, and Building Inspector –
Draft copy of minutes from May 2, 2018 Planning Board meeting.
Disposition = Received & Filed
313. Planning Board to Town Board –
Memo recommending approval of Preliminary Plat Plan for Summerfield Farms Phase 8, South of William Street, Proj. #3041. Disposition = Planning Committee
314. Planning Board to Town Board –
Memo recommending approval of Amended Site Plan for St. Teresa of Calcutta Mausoleum, St. Adalbert's Cemetery, Proj. #294.
Disposition = Planning Committee
315. Town Clerk to Various News Media –
Notice of meeting of the Ethics Board of the Town of Lancaster on Wednesday, May 23, 2018 at 4:00PM. Disposition = Received & Filed
316. Town Line Volunteer Fire Department to Town Clerk –
Change in roster. Disposition = Resolution 5/21/18
317. Park Crew Chief to Town Board –
Request for resolution to continue using May's Tree Service, P.O. Box 540, Lancaster, NY to remove dead and hazardous Ash trees on town right of ways.
Disposition = Resolution 5/21/18

318. **Park Crew Chief to Supervisor and Town Board –**
Request for approval of new fees for Town of Lancaster ID cards.
Disposition = Town Board
319. **Town Clerk to Various News Media –**
Notice of temporary road restrictions on Stony Road between Genesee Street and Pleasantview Drive for bridge replacement beginning May 17, 2018.
Disposition = Received & Filed
320. **Veterans of Foreign Wars Post No. 7275 to Supervisor –**
Invitation to participate in the Memorial Day Services and Parade on Monday, May 28, 2018. Disposition = Received & Filed
321. **Town Assessor to Supervisor, Town Board and Town Attorney –**
Request for resolution authorizing GAR Associates, Inc. to conduct the 2020 revaluation project as the Town of Lancaster’s appraisal contractor.
Disposition = For Resolution
322. **Town Engineer to Town Board –**
Recommend Final Plat Approval regarding Plumb Creek Patio Homes, Grambo Dr., Proj. #1116; conditions noted. Disposition = For Resolution
323. **Town Engineer to Town Board –**
Recommend acceptance of Public Improvement Permit #775 for Streetlights at Prairie Landing. Disposition = For Resolution
324. **Town Attorney to Supervisor, Town Board, Planning Board, Building Inspector, Town Engineer and Town Clerk –**
Notice of SEQR Reviews regarding St. Adalbert’s Cemetery, Proj. #294 and Co-Location Spring DO Macro Cell Tower, 98 Barton Rd. on May 21, 2018.
Disposition = Received & Filed
325. **Town Clerk to Various News Media –**
Notice of Municipal Review Committee meeting for the SEQRA review of Site Plan: St. Adalbert’s Cemetery 6200 Broadway and Co-Location Sprint DO Macro Cell Tower, 98 Barton Rd. on May 21, 2018.
Disposition = Received & Filed
326. **Highway Superintendent to Town Board –**
Request for resolution to appoint Brady O’Brien as an employee in the Town Highway Department for the 2018 summer season effective June 25, 2018.
Disposition = Resolution 5/21/18
327. **Park Crew Chief to Town Board –**
Request for resolution to have N. Choops Painting, Inc., 4404 Walden Ave, Lancaster, NY paint the floor at the Keysa park pool building.
Disposition = Resolution 5/21/18
328. **Park Crew Chief to Town Board –**
Request for resolution to accept the donation from Ryan Dzik, 31 Clermont Court of 5 (five) benches for the Senior Center. These benches were made for Ryan’s Eagle Scout project. Disposition = Resolution 5/21/18
329. **Park Crew Chief to Town Board –**
Request for resolution to have MGR Constructors, Inc., P.O. Box 61, Bowmansville, NY perform picnic shelter roof replacements at Westwood Park and Walden Pond Park. Disposition = Resolution 5/21/18
330. **Highway Superintendent to Town Board –**
Request for resolution to appoint James Zagarrío as an employee in the Town Highway Department for the 2018 summer season effective May 22, 2018.
Disposition = Resolution 5/21/18

- 331. Code Enforcement Officer to Town Board –
Recommend approval of Special Use Permit for Delta Sonic Car Wash,
4817 Transit Rd.; stipulations noted. Disposition = For Resolution**
- 332. David Chiarolanza to Supervisor and Town Board –
Comments and concerns regarding noise generated by Lancaster Speedway
Properties, LLC, 57 Gunnville Road. Disposition = Received & Filed**
- 333. Town Attorney to NYSDEC, NYSDOT, Erie County DPW, Erie County DEP,
Erie County Health Dept., and Division of Sewerage Management –
Request for designation of Lead Agency for Preliminary Plat review for 2-Lot
Subdivision 282 Westwood Road, Proj. #1809. Disposition = Received & Filed**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER RUFFINO AND SECONDED BY
COUNCIL MEMBER DICKMAN AND CARRIED,** the meeting was adjourned in
memory of Dolores Gwarek, David Kolb, Sr., Christopher Potter, Eric Przykuta &
Harold C. Wolf at 8:32 P.M.

Signed _____

Diane M. Terranova, Town Clerk