

**Town Board Minutes**

July 16, 2018

Meeting No. 22

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 16<sup>th</sup> day of July 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  
WILLIAM KARN, POLICE CAPTAIN  
MICHELLE BARBARO, PARK CREW CHIEF  
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.  
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

**EXECUTIVE SESSION:**

AT 7:44 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER WALTER, SECONDED BY COUNCIL MEMBER DICKMAN AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing collective bargaining negotiations.

At 8:22 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

**PERSONS ADDRESSING TOWN BOARD:**

**Mr. Puszka**, spoke to the Town Board on the following matters:

- Questions regarding the cost of the Bryce Buchholz Skatepark addition.
- Comments about the reassessment process.

**PRESENTATION OF PREFILED RESOLUTIONS:**

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

**RESOLVED**, that the minutes of the Joint Meeting of the Town Board and the Planning Board held July 2, 2018 and the Regular Meeting of the Town Board held July 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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 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. 53175 to Claim No. 53332 Inclusive

Total amount hereby authorized to be paid: \$805,156.28

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

July 16, 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
28480		Samuel Smith	90 Brunck Rd	Er. Porch Cover	
28481		Majestic Pools Inc.	57 Middlebury Ln	Er. Fence	
28482		Majestic Pools Inc.	57 Middlebury Ln	Er. Pool-In Grnd	
28483		Majestic Pools Inc.	12 Ashwood Ct	Er. Fence	
28484		Steven Lippa	12 Ashwood Ct	Er. Pool-In Grnd	
28485		Adam Guglielmi	58 Southpoint Dr	Er. Fence	
28486		Adam Guglielmi	58 Southpoint Dr	Er. Pool-In Grnd	
28487		Michael McMahan	30 Newberry Ln	Er. Fence	
28488		Buffalo Roof Appeal LLC	2 Buckingham Ct	Re-Roof	
28489		Frank Puma	7 Heathrow Ct	Er. Fence	
28490		Patricia Kedzierski	16 Winfield Ave	Er. Fence	(V/L)
28491		William Griffin	19 Stream View Ln	Er. Fence	
28492		Scott Martin	20 Jonquille Ct	Er. Shed	
28493		Kyle Kwiatkowski	11 Butler Dr	Re-Roof	
28494		BB Property Holdings, LLC	25 Garfield St	Dumpster - Temp.	(V/L)
28495		Jerome Monile	5096 William St	Er. Pool-Abv Grnd	
28496		John Dudziak	5 Pear Tree Ln	Er. Porch Cover	
28497		D. Allen & Son Contracating In	18 Inwood Pl	Re-Roof	(V/L)
28498		Salvatore & Rose Argento	41 Hill Valley Dr	Re-Roof	
28499		CGL Contracting, LLC	39 Hillside Pkwy.	Re-Roof	
28500		TNT Custom Decks & Remod.	20 Petersbrook Cir	Er. Deck	
28501		John Hehl, Jr.	380 Central Ave	Er. Res. Alt.	
28502		Patrick & Cathleen Welch	85 Country Pl	Er. Pool-Abv Grnd	
28503		Matthew & Lori Licata	15 Petersbrook Cir	Er. Fence	
28504		Anthony Bator	32 Rollingwood Dr	Er. Pool-Abv Grnd	
28505		Brian Mazurkiewicz	55 Apple Blossom Blvd	Er. Pool-Abv Grnd	
28506		Stanley & Carol Chudy	6139 Broadway	Er. Fence	
28507		Paragon Restoration Inc.	39 Lombardy St	Re-Roof	(V/L)
28508		Neth & Son Inc.	5280 William St	Re-Roof	
28509		David & Jill Santoro	14 James Pl	Re-Roof	(V/L)
28510		William Hayden	4 Riemers Ave	Er. Pool-Abv Grnd	
28511		Michael Anthon	4815 William St	Er. Shed	
28512		Marrano/Marc Equity Corp.	17 Saybrook Dr	Er. Patio Home	
28513		Michael & Colleen Tranquilli	3 Buckingham Ct	Er. Fence	
28514		Castle Home Improvements	54 Pheasant Run Ln	Re-Roof	
28515		Castle Home Improvements	1 Rose Hill Cir	Re-Roof	
28516		Kristin Spencer	8 Willow Ridge Ct	Er. Fence	
28517		The KAZ Company	62 Steinfeldt Rd	Re-Roof	
28518		Ralph & Barbara Krohn	18 Stream View Ln	Er. Porch Cover	
28519		Ulrich Sign Co. Inc.	4983 William St	Er. Sign - Wall	
28520		Patrick & Cathleen Welch	85 Country Pl	Er. Fence	
28521		Joseph Szeffel	49 Trentwood Trl N	Er. Shed	
28522		Windsor Ridge Partners LLC	48 Worthington Ln	Er. Dwlg.-Sin.	
28523		David Homes	57 Tranquility Trl	Er. Dwlg.-Sin.	
28524		Lancaster Depew Baseball	175 Pavement Rd	Er. Shed	
28525		Nancy Stirling	3 Village View	Re-Roof	
28526		James Strom	44 Quail Run Ln	Er. Garage	
28527		4893 Transit Road LLC	4893 Transit Rd	Er. Sign - Temp	
28528		Marrano/Marc Equity Corp.	1 Saybrook Dr	Er. Patio Home	
28529		Leo Nguyen	219 Enchanted Forest N	Er. Pool-Abv Grnd	
28530		Rosanne Christel	56 Wayne St	Er. Fence	(V/L)

28531	Crist Construction	24 Chicory Ln	Er. Porch Cover
28532	Colley's Pool Sales Inc.	5 Overlook Ct	Er. Fence
28533	Colley's Pool Sales Inc.	5 Overlook Ct	Er. Pool-In Grnd
28534	J-Cap Contractors LLC	79 Madison St	Re-Roof (V/L)
28535	Jonathan Shaw	10 Division (V) St	Er. Pool-Abv Grnd (V/L)
28536	Summers & Sons Construction	1 Buckingham Ct	Er. Gazebo
28537	Black Rock Roofing	37 Greenmeadow Dr	Re-Roof
28538	Michael Yearley	19 Irwinwood Rd	Re-Roof (V/L)
28539	Mark Snyder	27 Wilma Dr	Er. Fence (V/L)
28540	Tom Clarks Irish Construction	11E Home Rd	Er. Fence
28541	John Duszynski	713 Pavement Rd	Er. Fence
28542	5980 Armor Duells Rd. LLC	28 Hidden Meadow Cros	Er. Pool-Abv Grnd
28543	John Silvestri	16 Wildwood Dr	Er. Deck (V/L)
28544	Kathy Reilly & Karen Sage	4 Hedge Ln	Er. Pool-Abv Grnd
28545	Leonard Post	272 Hall Rd	Er. Pool-Abv Grnd
28546	Melissa Fouchie	5737 Genesee St	Er. Deck
28547	John & Susan Mason	21 Ravenwood Dr	Re-Roof
28548	Brandon & Shannon Horbowicz	13 Ashwood Ct	Re-Roof
28549	John & Adria Pilato	2 Red Clover Ln	Re-Roof
28550	Alicia Sears	184 Stony Rd	Er. Fence
28551	Stockmohr Co. Inc.	10 Buckingham Ct	Re-Roof
28552	D. Allen & Son Contracting Inc	35 Windcroft Ln	Re-Roof
28553	James & Kirsten Volpe	32 Ashwood Ct	Er. Pool-Abv Grnd

**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

July 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 Line Volunteer Fire Department, Inc., by letter dated July 2, 2018, has requested the addition of two (2) members to the roster of said fire association.

**NOW, THEREFORE, BE IT**

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

**ADDITIONS:**

Abby Lemke Lancaster, New York	Michael Rodriguez Buffalo, New York
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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

July 16, 2018

**PREFILED RESOLUTION NO. 5 – MEETING OF JULY 16, 2018**

5. Coleman/\_\_\_\_\_ Approve Agreements Lawley Services Re: Workers' Compensation Self Insurance Plan Management & Risk Management -- Claims/Loss Control

This resolution was withdrawn by Supervisor Coleman for further study.

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

**WHEREAS**, the Town Board is considering the site plan application of Pleasant Meadows Associates, LLC proposed construction of twenty-two (22) private duplex style townhome condominiums for a total of forty-four (44) units, to be located at the corner of Juniper Boulevard and Walden Avenue (3830-3860 Walden Ave) in the Town of Lancaster, and

**WHEREAS**, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on July 2, 2018 and recommended that a Negative Declaration be issued, and

**WHEREAS**, the Town Board has duly considered the plans for the townhome condominiums, 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. This project is described as the development of twenty-two (22) duplex style townhome buildings for a total of forty-four (44) townhome units, situated on 13.54 ± acres, of which approximately 8.3± acres will be disturbed for townhomes, private roads, utilities, and stormwater facilities. The private roads will be connected to the existing Juniper Boulevard. The property is currently in the NB (Neighborhood Business) zoning district, will not result in any significant environmental impacts and therefore the Board issues the attached negative declaration of environmental significance pursuant to SEQRA 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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 16, 2018



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

**Town of Lancaster Town Board**

**Dated: July 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 twenty-two (22) private duplex style townhome condominiums for a total of forty-four (44) units, to be located at the corner of Juniper Boulevard and Walden Avenue (3830-3860 Walden Ave). 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:** Juniper Townhomes

**Location of Action:** 3830-3860 Walden Avenue, Lancaster, New York 14086, Erie County.

**SEQR Status:** Type I

**Description of Action:** the development of twenty-two (22) duplex style townhome buildings for a total of forty-four (44) townhome units, situated on 13.54 ± acres, of which approximately 8.3± acres will be disturbed for townhomes, private roads, utilities, and stormwater facilities. The private roads will be connected to the existing Juniper Boulevard. The property is currently in the NB (Neighborhood Business) zoning district.

**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 – No impact.**
- 2. Impact on Geological Features – No impact.**
- 3. Impacts on Surface Water – Small impact.**
  - It is noted that the proposed action may involve the application of pesticides or herbicides for lawn care.
- 4. Impact on Groundwater – No impact.**

5. **Impact on Flooding – Small impact.**
  - The site is designed close to a 100 year and 500 year floodplain. The builder must construct to Town engineering standards.
6. **Impact on Air – No impact.**
7. **Impact on Plants and Animals – No impact.**
8. **Impact on Agricultural Resources – No impact.**
9. **Impact on Aesthetic Resources – No impact.**
10. **Impact on Historic and Archeological Resources – No impact.**
  - It is noted that the historic and/or archaeological assessment was completed when the Pleasant Meadows Subdivision was originally reviewed under a full environmental statement.
11. **Impact on Open Space and Recreation – No impact.**
12. **Impact on Critical Environmental Areas – N/A**
  - The Town of Lancaster has not established a Critical Environmental Area (CEA).
13. **Impact on Transportation – No impact.**
14. **Impact on Energy – No Impact.**
15. **Impact on Noise, Odor and Light – No impact.**
16. **Impact on Human Health – No impact.**
17. **Consistency with Community Plans – No impact.**
18. **Consistency with Community Character – No impact.**

**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 RUFFINO, TO WIT:

**WHEREAS**, the Town Board is considering the site plan application of Mark Dean, AIA proposed construction of a 14,000 sq. ft. two-story building with commercial tenant space on the first floor and 8 apartments on the second, located at 473 Aurora Street in the Town of Lancaster, and

**WHEREAS**, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on July 2, 2018 and recommended that a Negative Declaration be issued, and

**WHEREAS**, the Town Board has duly considered the plans for the building, 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. This project is described as the construction of a new 14,000 square foot wood frame building with commercial tenant space on the first floor and 8 apartments on the second floor with associated parking and site work, will not result in any significant environmental impacts and therefore the Board issues the attached negative declaration of environmental significance pursuant to SEQRA 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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 16, 2018

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

**Town of Lancaster Town Board**

**Dated: July 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 14,000 sq. ft. two-story building with commercial tenant space on the first floor and 8 apartments on the second, located at 473 Aurora Street. 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:** Mixed Use - 473 Aurora Street

**Location of Action:** 473 Aurora Street, Lancaster, New York 14086, Erie County.

**SEQR Status:** Type I

**Description of Action:** the construction of a new 14,000 square foot wood frame building with commercial tenant space on the first floor and 8 apartments on the second floor with associated parking and site work.

**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 – No impact.**
2. **Impact on Geological Features – No impact.**
3. **Impacts on Surface Water – No 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.**
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 – No impact.**
14. **Impact on Energy – No Impact.**
15. **Impact on Noise, Odor and Light – No impact.**
16. **Impact on Human Health – No impact.**
17. **Consistency with Community Plans – No impact.**
18. **Consistency with Community Character – No impact.**

**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 Board is considering the site plan application of Christopher Wood, P.E. for the proposed construction of a 15,000 Sq. Ft. shop/warehouse building with driveway and onsite utility improvements, to be located at 149 Gunnville Road 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 SEQRA regulations at their meeting on July 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 new development of a portion of an 8.80 acre site located on the east side of Gunnville Road in the Town of Lancaster. Construction will consist of a 15,000 square foot shop/warehouse building. The site will include the construction of proposed drive aisle and on-site utility improvements. The site is currently vacant and consists primarily of woods/brush cover. There are wetlands on site; 3.4 acres of federally jurisdictional wetlands will remain and not be disturbed. The proposed site development area to be disturbed for this project is approximately 1.4 acres; 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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 16, 2018

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

**Town of Lancaster Town Board**

**Dated: July 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 of a 15,000 Sq. Ft. shop/warehouse building with driveway and onsite utility improvements, to be located at 149 Gunnville Road. 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:** Shop/Warehouse - 149 Gunnville Road

**Location of Action:** 149 Gunnville Road, Lancaster, New York 14086, Erie County.

**SEQR Status:** Unlisted Action.

**Description of Action:** This project is described as a new development of a portion of an 8.80 acre site located on the east side of Gunnville Road in the Town of Lancaster. Construction will consist of a 15,000 square foot shop/warehouse building. The site will include the construction of proposed drive aisle and on-site utility improvements. The site is currently vacant and consists primarily of woods/brush cover. There are wetlands on site; 3.4 acres of federally jurisdictional wetlands will remain and not be disturbed. The proposed site development area to be disturbed for this project is approximately 1.4 acres.

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

**WHEREAS, Dale M. Wittlief**, the owner of real property situate at 34 Summerfield Drive, Lancaster, New York, has submitted an application for a Special Use Permit for a Home Occupation (Junk Removal & Recycling Franchise “Junk King”) in accordance with the provisions of Chapter 50-Zoning, Section 17-Supplementary regulations for all residential districts (F)(1) “Home Occupations” of the Code of the Town of Lancaster.

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

That pursuant to Chapter 50-Zoning, Section 17(F)(1), entitled Zoning, Supplementary regulations for all residential districts, Home Occupations, of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit application submitted by Dale M. Wittlief for a Home Occupation (Junk Removal & Recycling Franchise “Junk King”) on premises locally known as 34 Summerfield Drive, Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 6<sup>h</sup> day of August 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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 16, 2018

**LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER  
SPECIAL USE PERMIT – WITTLIEF**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the authority set forth in 50-17(F)(1) Zoning, Supplementary regulations for all residential districts, Home Occupations 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 16<sup>TH</sup> day of July, 2018 the Town Board will hold a Public Hearing on the 6<sup>th</sup> day of August, 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 **Dale M. Wittlief**, for a Special Use Permit for a Home Occupation (Junk Removal & Recycling Franchise “Junk King”) on premises locally known as 34 Summerfield Drive, 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**

July 19, 2018

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

**WHEREAS**, The Town Board has previously duly advertised for the submission of bids for the proposed clearing, cutting and land grading of the Town-owned detention basins on Pheasant Run Lane in the Town of Lancaster, and

**WHEREAS**, two bids were received, opened and reviewed on June 25, 2018, and

**WHEREAS**, Wm. Schutt Associates, the Town of Lancaster's engineering consultant, by memo dated June 26, 2018 has recommended award of the bid to Wolf's Nursery, being the sole responsible bidder in the amount of \$31,465.00, and

**WHEREAS**, funding for the clearing, cutting and land grading of the Town-owned detention basins on Pheasant Run Lane Project will be paid for with funds from the Town's Drainage Budget Line Item 01-8540-0411;

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby awards the bid for the clearing, cutting and land grading of the Town-owned detention basins on Pheasant Run Lane Project to Wolf's Nursery, 6083 Fisk Rd, Lockport, NY 14094, in the amount of \$31,465.00 being the sole responsible bidder in conformance with the specifications on file in the office of Wm. Schutt Associates, consulting Town Engineer, and to be paid for with funds from the Town's Drainage Budget Line Item 01-8540-0411;

**BE IT FURTHER RESOLVED**, that the 2018 adopted budget for the Town of Lancaster be and hereby is amended to increase appropriations in the Drainage budget to fund the above project as follows:

GENERAL FUND – TOWNWIDE	Increase
A599 Appropriated Fund Balance	\$31,465.00
A960 Appropriations	\$31,465.00
A8540.411 Drainage – Work by outside contractors	\$31,465.00

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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 16, 2018

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

**WHEREAS**, Patrol Captain Marco Laurienzo, of the Town of Lancaster's Police Department, has requested to have a new replacement battery purchased and installed for the Public Safety Building's APC-MGE UPS System and to have a one-year service plan provided by H.C. Zang Agency, Inc., the Upstate NY factory authorized representative for Schneider Electric's Critical Power and Cooling division for said UPS system, and

**WHEREAS**, the above-referenced APC-MGE UPS Battery and Service Contract is only available through H.C. Zang Agency, Inc., a sole source provider, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

**WHEREAS**, by letter dated April 11, 2018 Patrol Captain Marco Laurienzo has recommended that the Town of Lancaster award the purchase and installation of a new APC-MGE UPS Battery at a cost of \$16,789.26 and a One-Year Service Contract at a cost of \$6,194.90 to H.C. Zang Agency, Inc., the Upstate NY factory authorized representative for Schneider Electric's Critical Power and Cooling division, for a total expenditure of \$22,984.16 per their quote dated June 28, 2018, and

**WHEREAS**, funding for the purchase and installation of the new battery and one-year service contract for the Town of Lancaster's Public Safety Building's APC-MGE UPS System will be paid for with funds from the Town's Buildings Contractual Expenses, Repairs and Maintenance Budget Line Item 01-1620-0426;

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to execute the contract for the purchase and installation of a new Battery and one-year service contract for the Town of Lancaster's Public Safety Building's APC-MGE UPS System from H.C. Zang Agency, Inc., 6204 Goodrich Road, Clarence Center, New York , the Upstate NY factory authorized representative for Schneider Electric's Critical Power and Cooling division, in accordance with their quotes dated June 28, 2018 for a total expenditure not to exceed \$22,984.16 and to be paid for with funds from the Town's Buildings Contractual Expenses, Repairs and Maintenance Budget Line Item 01-1620-426.

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

July 16, 2018

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

**WHEREAS**, The Town Board has previously duly advertised for the submission of bids for the proposed for the installation of two (2) Pickle-ball courts at the Town of Lancaster's Senior Center in the Town of Lancaster, and

**WHEREAS**, two bids were received, opened and reviewed on July 9, 2018, and

**WHEREAS**, Michelle Barbaro, Department of Parks, Recreation and Forestry's Park Crew Chief, by letter dated July 10, 2018 has recommended award of the bid to Northeast Diversification, Inc., being the lowest responsible bidder in the amount of \$32,450.00, and

**WHEREAS**, funding for the installation of two (2) Pickle-ball courts at the Town of Lancaster's Senior Center will be paid for with funds available in the Town's 2018 Recreation Filing Fee Fund Budget Line Item 37-7000-0200;

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby awards the bid for the installation of two (2) Pickle-ball courts at the Town of Lancaster's Senior Center to Northeast Diversification, Inc., 2 Cadby International Park, Lancaster, NY 14086, in the amount of \$32,450.00 being the lowest responsible bidder in conformance with the specifications on file in the office of Wm. Schutt Associates, consulting Town Engineer, and to be paid for with funds from the Town's 2018 Recreation Filing Fee Fund Budget Line Item 37-7000-0200.

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

July 16, 2018

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

**WHEREAS**, Anthony J. Cervi, Town Justice of the Town of Lancaster, and  
Jeremy A. Colby, Town Justice of the Town of Lancaster, by letter dated July 10, 2018, have  
recommended the appointment of Sherry Guarino to the position of Clerk Typist in the Town  
of Lancaster Town Justice Department; and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Sherry Guarino of Lancaster, New York, be and is hereby  
appointed to the position of Clerk Typist in the Town of Lancaster Town Justice Department,  
contingent upon approval by Erie County Department of Personnel, effective August 13,  
2018, and that such appointment shall be subject to all applicable provisions of the collective  
negotiations agreement between the Town of Lancaster and the CSEA White Collar Union  
and all applicable provisions of law, and

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor of the Town of Lancaster shall be  
authorized to take all necessary action to implement the foregoing.

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

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

July 16, 2018

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

**WHEREAS**, Gerald Gill, Police Chief of the Town of Lancaster Police Department, by electronic communication dated July 9, 2018, has recommended the appointment of Carolanne Kerl to the position of Public Safety Dispatcher, part-time temporary.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Carolanne Kerl, Lancaster, New York, is hereby appointed to the position of Public Safety Dispatcher, part-time, temporary, effective July 17, 2018, which appointment shall terminate August 31, 2018, at the rate of pay of \$29.72 per hour for hours actually 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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 16, 2018

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

**WHEREAS**, Gerald Gill, Police Chief of the Town of Lancaster, by electronic communication dated July 11, 2018, has recommended the appointment of Keith Doktor of Lancaster, New York, to the position of Police Officer to fill an existing vacancy, and

**WHEREAS**, Keith Doktor is eligible for appointment to this position pursuant to the standards and procedures as set forth in the Civil Service Law.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Keith Doktor be and is hereby appointed to the position of Police Officer in the Town of Lancaster Police Department effective July 31, 2018, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the Cayuga Club Police Benevolent Association and all applicable provisions of law, and

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

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

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

July 16, 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 Parks, Recreation and Forestry Department of the Town of Lancaster, by letter July 11, 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>
Quintin Redfern Cheektowaga, NY	Recreation Attendant	\$21.00	July 2, 2018
Dan Speyer Lancaster, NY	Recreation Attendant	\$12.00	July 23, 2018
Matthew Garry Depew, NY	Recreation Attendant	\$12.00	July 23, 2018
Joseph Mescall Lancaster, NY	Recreation Attendant	\$12.00	July 23, 2018
Jakob Jerebko Lancaster, NY	Recreation Attendant	\$12.00	July 23, 2018
Michaela Wozniak Lancaster, NY	Recreation Attendant	\$21.00	July 10, 2018
Haley Kirisits Lancaster, NY	Recreation Attendant	\$12.00	July 23, 2018
Hanna Wozniak Lancaster, NY	Recreation Attendant	\$12.00	July 23, 2018
Alissa Backert Lancaster, NY	Recreation Attendant	\$12.00	July 23, 2018
Molly Mahony Lancaster, NY	Recreation Attendant	\$12.00	July 3, 2018
Marlaina Voelker Lancaster, NY	Recreation Attendant	\$12.00	July 2, 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

July 16, 2018

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

**WHEREAS**, the Town of Lancaster received a site plan amendment application from Walmart, proposing to construct a new canopy over restriped parking spaces on property located at 4975 Transit Road (SBL No. 115.03-1-16.21) on a ± 24.052 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	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

July 16, 2018

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

**WHEREAS, Christopher Wood, PE**, on behalf of **149 Gunnville Lancaster, LLC** has submitted a site plan prepared by Carmina, Wood, Morris, DPC, dated April 3, 2018, with a revision date of April 25, 2018, and received April 26, 2018 for the proposed construction of a ± 15,000 sq. ft. Shop/Warehouse Building with driveway and utility improvements to be located at 149 Gunnville Road (SBL No. 83.00-5-2.3), in the Town of Lancaster, and

**WHEREAS**, the site plan for this project was submitted to the Planning Board and was approved at their April 18, 2018 meeting, and

**WHEREAS**, the Town, acting as lead agency has completed an environmental review on July 2, 2018, in conformance with SEQR (State Environmental Quality Review) regulations and on July 16, 2018 a Negative Declaration was issued.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Christopher Wood, PE prepared by Carmina, Wood, Morris, DPC, dated April 3, 2018, with a revision date of April 25, 2018, and received April 26, 2018 for the proposed construction of a ± 15,000 sq. ft. Shop/Warehouse Building with driveway and utility improvements to be located at 149 Gunnville Road (SBL No. 83.00-5-2.3), in the Town of Lancaster subject to the following conditions:

1. Prior to construction the contractor is to provide a Performance guarantee and a Maintenance guarantee listing the Town of Lancaster as beneficiary as required per Town Code §42-8(A)(B)(C).
2. Facility owner to return two (2) executed originals of the Stormwater Control Facility Maintenance Agreement to the Town Attorney's Office.
3. Contractor to provide an "As-built" survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.
4. Provide proof that All Town Easements are recorded and filed with Erie County.

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

July 16, 2018

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

**WHEREAS, Mark Dean, AIA,** has submitted a site plan prepared by Dean Architects, dated December 20, 2017, with a revision date of June 18, 2018, and received June 18, 2018 for the proposed construction of a ± 14,000 sq. ft. Mixed Use Commercial/Residential building to be located at 473 Aurora Street (SBL No. 115.14-8-21.1), in the Town of Lancaster, and

**WHEREAS,** the site plan for this project was submitted to the Planning Board and was approved at their June 20, 2018 meeting, and

**WHEREAS,** the Town, acting as lead agency has completed an environmental review on July 2, 2018, in conformance with SEQR (State Environmental Quality Review) regulations and on July 16, 2018 a Negative Declaration was issued.

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Mark Dean, AIA, prepared by Dean Architects, dated December 20, 2017, with a revision date of June 18, 2018, and received June 18, 2018 for the proposed construction of a ± 14,000 sq. ft. Mixed Use Commercial/Residential building to be located at 473 Aurora Street, in the Town of Lancaster subject to the following conditions:

1. Prior to construction the contractor is to provide a Performance guarantee and a Maintenance guarantee listing the Town of Lancaster as beneficiary as required per Town Code §42-8(A)(B)(C).
2. Facility owner to return two (2) executed originals of the Stormwater Control Facility Maintenance Agreement to the Town Attorney's Office.
3. Contractor to provide an "As-built" survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.
4. Provide proof that All Town Easements are recorded and filed with Erie County.

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

July 16, 2018

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

**WHEREAS**, Article 16 of the New York Town Law and Section 10 of the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster Town Code provides for the adoption and enactment of local laws, and

**WHEREAS**, a proposed Local Law of the year 2018 has been introduced, entitled “**Abolishing the Town of Lancaster Municipal Review Committee**”, which will permanently dissolve the Town’s current Municipal Review Committee as it adds duplication to the existing State and Town review requirements for actions and is inefficient, and

**WHEREAS**, the Town Board of the Town of Lancaster has reviewed the proposed Local Law prepared by the Town Attorney and believes it is in the public interest to consider enacting a Local Law of the year 2018 which reads as follows

A LOCAL LAW OF THE YEAR 2018 ENTITLED “**ABOLISHING THE TOWN OF LANCASTER MUNICIPAL REVIEW COMMITTEE**”, which will permanently dissolve the Town’s Municipal Review Committee currently utilized during the State Quality Environmental Review Process.

### **2018 Abolishing the Town of Lancaster Municipal Review Committee**

**Purpose and Findings.** The Town of Lancaster Municipal Review Committee (“MRC”) was created by the Town Board to serve in an advisory role in the New York State Environmental Quality Review Act (“SEQRA”) process. As the MRC does not have jurisdiction over any action, its role could be no more than advisory. The Town Board determines that the MRC function adds duplication to the existing State and Town review requirements for actions and is inefficient. For actions where the Planning Board has review authority, the Planning Board will serve as the SEQRA advisory body, in addition to the Town’s Engineer, Supervising Code Enforcement Officer and Town Attorney. Therefore, the Town Board has determined to abolish the MRC.

**Abolishing of the Municipal Review Committee.** The Town of Lancaster Municipal Review Committee is hereby abolished.

**Effective Date.** This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

**WHEREAS**, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required on the proposed Local Law;

**NOW, THEREFORE,**

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

1. A public hearing for the proposed Local Law is hereby set for the 6<sup>TH</sup> day of August 2018 at 7:15 o'clock P.M.
2. The Town Clerk is directed to provide notice of the public hearing as required by law.
3. This resolution is effective immediately.

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

July 16, 2018

**LEGAL NOTICE**  
**PUBLIC HEARING**  
**TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted July 16, 2018, the said Town Board will hold a Public Hearing on the 6<sup>th</sup> day of August 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 adopting a Local Law to abolish the Town of Lancaster Municipal Review Committee. Copies of the proposed Local Law can be reviewed at Town Hall. At the time and place stated above, all interested members of the public shall be heard.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**By: DIANE M. TERRANOVA  
Town Clerk**

July 19, 2018



**Town of Lancaster**  
**Local Law No. \_\_\_\_ of 2018**

**A Local Law Abolishing the Town of Lancaster Municipal Review Committee**

**Be it hereby enacted by the Town Board of the Town of Lancaster as follows:**

**Section 1:** Purpose and Findings. The Town of Lancaster Municipal Review Committee (“MRC”) was created by the Town Board to serve in an advisory role in the New York State Environmental Quality Review Act (“SEQRA”) process. As the MRC does not have jurisdiction over any action, its role could be no more than advisory. The Town Board determines that the MRC function adds duplication to the existing State and Town review requirements for actions and is inefficient. For actions where the Planning Board has review authority, the Planning Board will serve as the SEQRA advisory body, in addition to the Town’s Engineer, Supervising Code Enforcement Officer and Town Attorney. Therefore, the Town Board has determined to abolish the MRC.

**Section 2:** The Town of Lancaster Municipal Review Committee is hereby abolished.

**Section 3:** Effective Date. This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

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

**WHEREAS**, the Bryce Buchholz Memorial Foundation (BBMF) has expressed continued interest in working with the Town of Lancaster to expand the Memorial Skate and Bike Park located within Keysa Town Park, and

**WHEREAS**, by resolution dated October 21, 2013 the Town Board of the Town of Lancaster previously approved and accepted the proposed skate park concept dated October 7, 2013 as prepared by California Skate Parks, and

**WHEREAS**, in 2017 the BBMF was made aware of additional funding opportunities and presented to the Town Board of the Town of Lancaster the concept of a phase II addition for the skate park as prepared by California Skate Parks for its approval, and

**WHEREAS**, by resolution dated December 18, 2017 the Town Board approved the installation agreements for phase II with the Bryce Buchholz Foundation, Inc., and California Skateparks, Inc., as a requirement for BBMF to obtain said funding;

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby grants the Bryce Buchholz Memorial Foundation's request allowing for a 100' x 125' plaza style skate-park Phase II addition to the current skatepark located within the Town's Keysa Park and which will be designed and built by California Skateparks, Inc., with the following conditions:

1. Before payment will be made by the Town, an as-built design must be provided to the Parks Department and Building Department indicating the specific types, dimensions, and locations of all the apparatuses placed within the skate park.
2. Any and all future amendments/additions/expansions to this skate park will be required to follow the Town's adopted site-plan procedures.

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

July 16, 2018

## **COMMUNICATIONS & REPORTS**

- 432. New York State Governor's Office to Town Clerk –  
Announcement and update regarding Cashless Tolling in New York State.  
Disposition = Received & Filed**
- 433. Charter Communications to Supervisor –  
Developments affecting Charter subscribers in the community.  
Disposition = Received & Filed**
- 434. National Fuel Engineering Department to Supervisor –  
Emergency Contact Annual Letter: Revised June 2018.  
Disposition = Police, Fire, Code Enforcement, Town Engineer, Office of  
Emergency Management & Highway**
- 435. NYSEG to Supervisor –  
Safety information regarding working around electricity and natural gas  
facilities. Disposition = Police, Fire, Code Enforcement, Town Engineer, Office of  
Emergency Management & Highway**
- 436. Ronald Rozler, Town of Lancaster Office of Emergency Management to  
Supervisor-  
Emergency Management Activities: January – June 2018.  
Disposition = Received & Filed**
- 437. Jean Karn, Dog Control Officer to Town Clerk –  
Monthly Dog Report for June 2018. Disposition = Received & Filed**
- 438. Lancaster Volunteer Ambulance Corp. to Town Clerk –  
LVAC calls for May 2018. Disposition = Received & Filed**
- 439. Town Clerk to Various News Media –  
Press release announcing E-ZPass On-the-Go is now available for purchase at  
the Town Clerk's office effective July 3, 2018. Disposition = Received & Filed**
- 440. James Everett to Supervisor, Town Board, Highway Superintendent and Park  
Crew Chief –  
Letter of resignation as member of the Town of Lancaster Recreation  
Commission. Disposition = Park Crew Chief**
- 441. Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Dept. of Public Works regarding Site Plan 2-  
lot Subdivision, 282 Westwood Road, Proj. #1809.  
Disposition = Planning Committee**
- 442. Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Dept. of Health regarding Cider Facility,  
4493 Walden Avenue, Proj. #1807. Disposition = Planning Committee**
- 443. Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Dept. of Environment and Planning regarding  
Summerfield Farms 8, 55 Private Patio Homes, South of William St., Proj. #3041.  
Disposition = Planning Committee**
- 444. FEMA, Region II to Supervisor –  
Information regarding final preparation of the preliminary Flood Insurance Rate  
Map and Flood Insurance Study for Erie County.  
Disposition = Code Enforcement & Town Engineer**
- 445. Town of Lancaster Building Department to Town Clerk –  
Drainage Complaints, Drainage Violations and Floodplain Violations Report for  
June 2018. Disposition = Drainage Committee**

446. **Business Administrator, Iroquois Central School District to Town Clerk –  
Notice of appointment of Diane Terranova as tax receiver for the Town of  
Lancaster for the 2018-19 school year for the Iroquois Central School District.  
Disposition = Received & Filed**
447. **Town Line Volunteer Fire Department, Inc. to Town Clerk –  
Change in roster. Disposition = Resolution 7/16/2018**
448. **Town Clerk to Town Board –  
Town Clerk Monthly Report for June 2018. Disposition = Received & Filed**
449. **Town Clerk to Town Board –  
Copy of final settlement payment to Erie County. Disposition = Received & Filed**
450. **NYSDEC to Supervisor –  
Copy of letter to Ms. Dawn Rodgers regarding Wetland LA-17 Boundary  
Delineation – 480 Hall Road.  
Disposition = Town Engineer, Town Attorney & Code Enforcement**
451. **Bismarck Luna and Jennifer Bugayong to Supervisor –  
Request for reconsideration of placement of fence along back property line of  
property including the easement.  
Disposition = Town Engineer & Code Enforcement**
452. **Town Clerk to Code Enforcement Officer –  
Copy of letter from Joanne Rocco, 5300 William St. requesting renewal of Special  
Use Permit for a Home Occupation (Antiques, Home Décor and Handcrafted  
Items Retail Store). Disposition = For Resolution**
453. **Code Enforcement Officer to Town Board –  
Recommend approval of Home Occupation Special Use Permit for 34  
Summerfield Dr. with conditions. Disposition = Resolution 7/16/18**
454. **Lee Chowaniec to Town Board –  
Comments regarding “Flawed Reassessment Hiring Process”.  
Disposition = Received & Filed**
455. **Park Crew Chief to Town Board –  
Request for resolution for Northeast Diversification, Inc., 2 Cadby International  
Park to install two pickle ball courts at the Town of Lancaster Senior Center.  
Disposition = Resolution 7/16/18**
456. **Town Justices to Supervisor and Town Board –  
Request for resolution appointing Sherri Guarino to the position of full-time  
Clerk Typist in the Lancaster Town Court effective August 13, 2018.  
Disposition = Resolution 7/16/18**
457. **Police Chief to Town Board –  
Request for resolution appointing Keith Doktor, Lancaster, NY to the position of  
Patrol Officer to fill an existing vacancy effective July 31, 2018.  
Disposition = Resolution 7/16/18**
458. **Police Chief to Town Board –  
Request for resolution to hire retired Lancaster Public Safety Dispatcher  
Carolanne Kerl, Lancaster, NY on a part-time temporary basis from about  
July 17, 2018 through August 31, 2018. Dispatcher = Resolution 7/16/18**
459. **Police Chief to Town Board –  
Request for resolution appointing James N. Robinson, Jr. to the position of  
Patrol Officer effective July 31, 2018. Disposition = For Resolution**

- 460. Town Attorney to Supervisor, Town Board, Planning Board, Building Inspector, Town Engineer and Town Clerk –  
SEQR Review Meeting on July 16, 2018 at 6:15PM for Rezone & Site Plan Como Park Townhouse Development, Proj. #1666. Disposition = Received & Filed**
- 461. Town Clerk to Various News Media –  
Notice of Municipal Review Committee Meeting on July 16, 2018 at 6:15PM for SEQRA Review: Rezone & Site Plan: Como Park Townhouse Development.  
Disposition = Received & Filed**
- 462. Park Crew Chief to Supervisor and Town Board –  
Request for resolution appointing part-time temporary seasonal employees for the summer of 2018 in the Parks, Recreation & Forestry Dept.  
Disposition = Resolution 7/16/18**
- 463. Highway Superintendent to Town Board –  
Request for resolution to hire Master’s Edge, Inc., Cheektowaga, NY to replace concrete curbing, sidewalks and aprons throughout the Town of Lancaster.  
Disposition = This requires competitive bidding.**

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER RUFFINO AND SECONDED BY  
COUNCIL MEMBER DICKMAN AND CARRIED,** the meeting was adjourned in  
memory of Richard J. Dybas, Michael Nagy, Clara A. Swiatek and Alfred C. Wilkosz at  
8:23 P.M.

Signed \_\_\_\_\_

Diane M. Terranova, Town Clerk