

**Town Board Minutes**

August 6, 2018

Meeting No. 24

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 6<sup>th</sup> day of August 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  
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.  
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

**EXECUTIVE SESSION:**

AT 9:02 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing the medical, financial, credit or employment history of a particular person and a matter of ongoing litigation.

At 9:24 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:**

**Beatty, John**, spoke to the Town Board on the following matter:

- Concerns regarding construction trucks on Schwartz Road.

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

- Updates on Pleasant View Drive milling and paving, Stony Road bridge repairs, Como Park renovation and the dredging of Como Park Lake.
- Updates on Erie County events:
  - 9/18/18 Substance Abuse Event at Lancaster Opera House
  - 9/22/18 Job Fair at Depew Middle School
  - 10/13/18 Autumn Fest at Como Park.

**Murphy, Tom**, spoke to the Town Board on the following matter:

- Appreciation noted for the upkeep of the retention pond in his neighborhood.

**Ostroff, James**, spoke to the Town Board on the following matters:

- Commented on traffic accidents in the town.
- Concerns about the density of population and the proposed development in his neighborhood.

**Puleo, Danielle**, spoke to the Town Board on the following matters:

- Concerns regarding wildlife losing their habitats to the construction of new homes.
- Comments about the heavy traffic and excessive speed on town roads.

**Schlager, Georgia**, spoke to the Town Board on the following matters:

- Questions regarding new garbage totes.
- Concerns about extra tote availability and exceptions for large refuse pickup.

**Sojka, Greg**, spoke to the Town Board on the following matters:

- Asked about prior voting records on specific resolutions.
- Concerns regarding traffic and zoning.

**Sprada, Paul**, spoke to the Town Board on the following matters:

- Concerns regarding the Save a Lot parking lot.
- Questions about the dredging of Como Park Lake.
- Questions concerning railroad viaduct repairs on Transit Road.

**Tulumello, Jennifer**, spoke to the Town Board on the following matters:

- Questions and concerns regarding the proposed subdivision on Stutzman Road.
- Concerns regarding the water pressure at her home.
- Traffic and safety concerns on Stutzman Road.

**Welch, Charles**, spoke to the Town Board on the following matter:

- Information regarding drainage and traffic on West Home and Stutzman Roads.

**Ziolkowski, Dennis**, spoke to the Town Board on the following matter:

- Commented on the changes in the Town of Lancaster in the last fifteen years.

**PUBLIC HEARING SCHEDULED FOR 7:15 P.M.:** No. 1 Special Use Permit – Dale M. Wittlief – 34 Summerfield Drive

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

At 7:17 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Special Use Permit – Dale M. Wittlief – 34 Summerfield Drive matter.

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

| <b>NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT</b> | <b>Proponent/<br/>Opponent/<br/>Comments/Question</b> |
|---|---|
| Dale Wittlief, Petitioner                                   | Proponent   |
| Charles Welch   | Questions   |
| John Chmarney, President<br>Lancaster Chamber of Commerce   | Proponent   |

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the public hearing was closed at 7:22 P.M.

Decision on this matter was reserved.

August 6, 2018

**PUBLIC HEARING SCHEDULED FOR 7:15 P.M.:** No. 2 – Local Law to Abolish Municipal Review Committee

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

At 7:23 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Local Law to Abolish the Town of Lancaster Municipal Review Committee matter.

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

| <b>NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT</b> | <b>Proponent/<br/>Opponent/<br/>Comments/Question</b> |
|---|---|
| None  |   |

ON MOTION BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the public hearing was closed at 7:27 P.M.

Decision on this matter was reserved.

August 6, 2018

**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 16, 2018 and the Regular Meeting of the Town Board held July 16, 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 |

August 6, 2018

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER DICKMAN, 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. 53333 to Claim No. 53542 Inclusive

Total amount hereby authorized to be paid: \$3,549,846.48

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 |

August 6, 2018

File: Rclaims

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 Rezone and Site Plan applications submitted by David Kulbacki of TDB Properties, LLC, for property located on Como Park Boulevard between Penora Street and Transit Road (SBL No. 115-10-1-1, 115.10-1-2 , 115.10-1-3, 115.01-2-13 & 115.01-2-2.13) from Residential District Two (R-2) to Multifamily Residential District Three (MFR-3) for the proposed construction of a single-story six (6) unit attached Townhouse development within the Town of Lancaster, and

**WHEREAS**, the Town of Lancaster Municipal Review Committee has reviewed the potential adverse environmental impacts of rezoning the property and constructing a townhouse development pursuant to SEQR regulations at their meeting on July 16, 2018 and recommended that a Negative Declaration be issued, and

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

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

**WHEREAS**, the proposed action has been labeled a “Type 1” action under SEQRA.

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

1. The proposed Rezone of Como Park Boulevard between Penora Street and Transit Road (SBL No. 115-10-1-1, 115.10-1-2 , 115.10-1-3, 115.01-2-13 & 115.01-2-2.13) from Residential District Two (R-2) to Multifamily Residential District Three (MFR-3) for the proposed construction of a single-story six (6) unit attached Townhouse development submitted by David Kulbacki of TDB Properties, LLC, will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.

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

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

4. This resolution is effective immediately.

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

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

August 6, 2018

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

**Town of Lancaster Town Board**

**Dated: August 6, 2018**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the “Town Board”), has reviewed the proposed Rezone of Como Park Boulevard between Penora Street and Transit Road (SBL No. 115-10-1-1, 115.10-1-2 , 115.10-1-3 & 115.01-2-2.13) from Residential District Two (R-2) to Multifamily Residential District Three (MFR-3) for the proposed construction of a single-story six (6) unit attached Townhouse development within the Town of Lancaster. The Town Board has determined this project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Rezone & Site Plan – Como Park Townhouse Development

**Location of Action:** Como Park Boulevard between Penora Street and Transit Road (SBL No. 115-10-1-1, 115.10-1-2 , 115.10-1-3, 115.01-2-13 & 115.01-2-2.13), Lancaster, New York 14086, Erie County

**SEQR Status:** Type 1.

**Description of Actions:** A 6-unit, one-story townhouse development on a 0.97 acre undeveloped parcel, to include associated paved parking, utilities and landscape improvements.

**Reasons Supporting this Determination:** Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

- 1. Impact on land - Small impact.**
- 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.**
  - It is noted that the proposed action is within 1500 feet of a school and a licensed day care center.
17. **Consistency with Community Plans – No impact.**
  - Although this project needs to be rezoned, it will be in compliance with the Town’s adopted Comprehensive Master Plan.
18. **Consistency with Community Character – No impact.**

**For Further Information:**

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

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

**WHEREAS**, the Town of Lancaster received a site plan application from Elizabeth Holmes of Barclay Damon LLP, on behalf of Linguine’s Italian Restaurant, proposing to renovate existing structure for modern Italian restaurant with a 1,000 sq. ft. kitchen addition on property located at 5354 Genesee Street (SBL No. 82.19-1-5.1) on a ± 5.6 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 |

August 6, 2018

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

**WHEREAS**, Nick Ciccarelli, 809 Erie Street, Lancaster, New York 14086 has applied for a Dumping Permit for property situated on the corner of Schwartz Road and Erie Street, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

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

**WHEREAS**, the Building Inspector and Town Engineer have completed their review of this application and by letter July 25, 2018 the Building Inspector made a formal, favorable recommendation to the Town Board.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Nick Ciccarelli, 809 Erie Street, Lancaster, New York be and is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant situated on the corner of Schwartz Road and Erie Street, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and

**BE IT FURTHER**

**RESOLVED**, that **this permit is conditioned** in accordance with the recommendations of the Town Engineer and Building Inspector as follows:

1. Fill shall consist of dirt. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.
2. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.
3. Dirt tracked on the road must be cleaned on a daily basis and more often if necessary. The Town of Lancaster Police shall stop operation immediately upon complaint of dirty road.
4. Upon completion of the grading and seeding, an as built topography survey is submitted to the Lancaster Building Department to confirm the proposed work and record keeping.
5. Dumping will be allowed between the hours of 7 A.M. and 8 P.M. Monday thru Saturday. No dumping shall be allowed on Sunday.
6. Dust from the site shall also be prevented from migrating off site.
7. Fill shall only be placed in the areas which are indicated on the plot plan.
8. No signage for dumping allowed.

9. The source of fill is from various water & sewer jobs.

**BE IT FURTHER**

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

**BE IT FURTHER**

**RESOLVED**, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein **expires one year from date of this resolution.**

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

|                          |       |     |
|--------------------------|-------|-----|
| COUNCIL MEMBER DICKMAN   | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO   | VOTED | YES |
| COUNCIL MEMBER WALTER    | VOTED | YES |
| SUPERVISOR COLEMAM       | VOTED | YES |

August 6, 2018

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

**WHEREAS**, Darrt Amusement (AMF Bowling Centers- Lancaster Lanes), has applied for a license to operate and maintain a Game Room on premises located at 4913 Transit Road, within the Town of Lancaster, pursuant to Chapter 17 of the Code of the Town of Lancaster, and

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

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Clerk be and is hereby authorized to issue a license to Dart Amusement (AMF Bowling Centers- Lancaster Lanes) to operate and maintain a Game Room on premises located at 4913 Transit Road, Lancaster, New York, with the following conditions:

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

**BE IT FURTHER**

**RESOLVED**, that said license shall be issued for the **one (1) year period of August 7, 2018 to August 6, 2019** in accordance with the application of the petitioner, as filed in the Town Clerk's Office, accompanied with a license fee of \$660.00 for nine (9) amusement devices.

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

|                          |       |     |
|--------------------------|-------|-----|
| COUNCIL MEMBER DICMAN    | VOTED | YES |
| COUNCIL MEMBER GACZEWSKI | VOTED | YES |
| COUNCIL MEMBER RUFFINO   | VOTED | YES |
| COUNCIL MEMBER WALTER    | VOTED | YES |
| SUPERVISOR COLEMAN       | VOTED | YES |

August 6, 2018

File: RLICENSE (P2)

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, pursuant to a proposed Request for Proposals (RFP) to provide municipal refuse collection, disposal and recyclable materials collection and processing, has received comments within the statutory sixty(60)-day comment period, and

**WHEREAS**, a review of the comments has been undertaken and the Town Board now desires to cause the invitation for final proposals from perspective proposers;

**NOW THEREFORE,**  
**BE IT RESOLVED**, that the Town Board of the Town of Lancaster will hereby receive final proposals to provide municipal refuse collection and disposal; and recyclable materials collection and processing within the Town of Lancaster Garbage and Refuse District pursuant to an RFP generated by the Town of Lancaster and which will be available for review on **August 16, 2018** in the office of the Town Clerk and online at <http://www.lancasterny.gov>; all proposals are to be received at the Town of Lancaster Town Hall, Office of the Town Clerk, 21 Central Avenue, Lancaster, New York no later than 1:00 P.M. Local Time on September 20, 2018 and opened thereafter.

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

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

August 6, 2018

NOTICE TO PROPOSERS

NOTICE OF ISSUANCE OF FINAL REQUEST FOR PROPOSALS

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in New York State General Municipal Law Sec 120-w, the Town of Lancaster will be issuing its FINAL Request for Proposals to Provide Refuse Collection and Disposal and Recyclable Materials Collection and Processing. Said FINAL copy of the proposal will be available online at <http://www.lancasterny.gov> and in paper form at the Town of Lancaster Town Clerk's Office at 21 Central Ave., Lancaster NY 14086. The Town will receive FINAL RFP proposals at the Town of Lancaster Town Hall, Office of the Town Clerk, until 1:00 P.M. September 20, 2018.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF LANCASTER

DIANE M. TERRANOVA  
Town Clerk

**August 16, 2018**

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

**WHEREAS**, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated July 31, 2018, has recommended the appointment of the following individual(s) to the following part-time permanent position(s).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individual(s) are hereby appointed to the following part-time permanent position(s) in the Parks, Recreation and Forestry Department, working not more than nineteen and three-quarter hours per week, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time permanent employees:

| <u>NAME</u>                    | <u>POSITION</u> | <u>PAY RATE PER HOUR</u> | <u>EFFECTIVE DATE</u> |
|--------------------------------|-----------------|--------------------------|-----------------------|
| Patricia Pawlak<br>Depew, NY   | Cleaner         | \$15.00                  | August 7, 2018        |
| Daniel Speyer<br>Lancaster, NY | Cleaner         | \$15.00                  | August 7, 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 |

August 6, 2018



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

**WHEREAS**, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated July 24, 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> |
|-------------------------------------|----------------------|--------------------------|-----------------------|
| Kenetria Redfern<br>Cheektowaga, NY | Recreation Attendant | \$12.00                  | July 23, 2018         |
| Taliyah Hopkins<br>Kenmore, NY      | Recreation Attendant | \$12.00                  | July 23, 2018         |
| Jessica Kranz<br>Depew, NY          | Lifeguard            | \$12.00                  | July 23, 2018         |

**BE IT FURTHER,**

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

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

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

August 6, 2018

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

**WHEREAS**, the Village of Lancaster requested that the Town of Lancaster assist the Village with various Building Inspection Department services, duties and responsibilities, and

**WHEREAS**, the Town of Lancaster and the Village of Lancaster have negotiated the terms and conditions of an agreement, previously provided to the Town Board and Building Department, whereby the Village will compensate the Town for undertaking this responsibility, and

**WHEREAS**, the Village of Lancaster has approved the Municipal Cooperative Agreement at their Village Board Meeting held July 23, 2018, and

**WHEREAS**, the Town Board of the Town of Lancaster has given due review and consideration to the proposed agreement and finds that it is in the public interest of the taxpayers of the Town and Village of Lancaster to enter into said Agreement.

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that the Supervisor be and is hereby authorized to execute an Agreement between the Town of Lancaster and the Village of Lancaster to provide building inspection services, according to the terms and conditions contained therein, for the Village of Lancaster, commencing on July 1, 2018 and terminating on June 30, 2021.

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 |

August 6, 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, by letter dated July 26, 2018 has requested authorization to solicit bids for the purchase of One (1) new and unused **2018 Ford Escape Four Wheel Drive, SUV** for the use by the Department of Parks, Recreation & Forestry, and

**WHEREAS**, the Parks Department will be considering a trade-in allowance for a 2009 Ford 250 4 x 4 Reg. Cab 8' Box Pick-up (VIN# 1FTWF31529EA55294 w/132,856 mi.) to offset the cost, and

**WHEREAS**, the Town Board has given due review and consideration to the request and deems it in the public's interest to invite public bids in conformance with General Municipal Law §103 of the State of New York; and

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

1. That Bids be received in the Office the Town Clerk by August 23, 2018, at 10:00 A.M. Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of purchasing One (1) new and unused **2018 Ford Escape Four Wheel Drive, SUV**, for the use of the Parks Department in accordance with specifications on file in the Town Clerk's Office, and
2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof;

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

|                                      |          |
|--------------------------------------|----------|
| GENERAL FUND – TOWNWIDE              | Increase |
| A599 Appropriated Fund Balance       | \$25,000 |
| A960 Appropriations                  | \$25,000 |
| A7110.220 Parks – Passenger Vehicles | \$25,000 |

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 |

August 6, 2018

**LEGAL NOTICE  
TOWN OF LANCASTER  
NOTICE TO BIDDERS**

**NOTICE IS HEREBY GIVEN**, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to **10:00 A.M.**, Local Time, on the **23<sup>rd</sup> day of August, 2018**, for the purpose of providing to the Town of Lancaster One (1) new and unused **2018 Ford Escape Four Wheel Drive, SUV**, for the use by the Parks Department, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A Certified Check or Bid Bond in an amount representing five (5%) of the Total Gross Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

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

August 9, 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 memorandum to the Town Board dated July 11, 2018, has recommended the appointment of James N. Robinson Jr. of Lancaster, New York, to the position of Police Officer, and

**WHEREAS**, James N. Robinson Jr. 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 James N. Robinson Jr., and is hereby appointed to the position of Police Officer in the Town of Lancaster Police Department effective August 6, 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 |

August 6, 2018

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

**WHEREAS**, the Town Board of the Town of Lancaster acknowledges that professional services (attorneys, engineers, and other services requiring specialized or technical skills, expertise or knowledge, or a high degree of creativity) are not subject to competitive bidding yet they must be chosen on the basis of accountability, reliability, responsibility, skill, education and training, judgment and integrity, and not simply price, and

**WHEREAS**, General Municipal Law §104-b (1) provides that goods and services not required to be competitively bid must be procured in a manner to assure the prudent and economical use of public moneys in the best interest of the taxpayers; to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost; and, to guard against favoritism, improvidence, extravagance, fraud and corruption.

**NOW THEREFORE,**

**BE IT RESOLVED**, the Town Board authorizes the following change to the Town Procurement Policy:

“If the estimated cost of a particular Professional Service contract is \$75,000 or more, the Department Head will issue a Request for Proposals (RFP) along with the scope of work that, at a minimum, requires submission of pricing and qualifications by potential service providers so long as it’s not prohibited by any State or Federal law or regulation.”

**BE IT FURTHER,**

**RESOLVED**, there is no requirement in Section 104-b on the frequency of solicitation. Periodic solicitation can be made at reasonable intervals.

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 GASZEWSKI | FAILURE TO VOTE |     |
| COUNCIL MEMBER RUFFINO   | VOTED           | YES |
| COUNCIL MEMBER WALTER    | VOTED           | NO  |
| SUPERVISOR COLEMAN       | VOTED           | NO  |

\* Failed due to lack of Majority Vote.

August 6, 2018

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

**WHEREAS**, the property owners of 412 Town Line Road and 739 Erie Street, have requested that the Town Board of the Town of Lancaster waive the requirement for the installment of sidewalks as stated in §12-1(B)(1) of the Town Code, and

**WHEREAS**, by letters dated July 24 and July 30, 2018 respectively, Matt Fischione, Code Enforcement Officer, has recommended approval of this request in order to maintain consistency with the existing character of the area, and

**WHEREAS**, after reviewing the project and considering the opinion of the Code Enforcement Officer, the Town Board of the Town of Lancaster has determined this to be a reasonable request;

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Town Board of the Town of Lancaster hereby exercises its right as stated in §12-1(B)(1) of the Town Code, and grants a waiver of the requirement for the installation of sidewalks along the street frontage for lots located at 412 Town Line Road (SBL No. 128.00-4-69.111) and 739 Erie Street (SBL No. 105.00-4-50.2), within the Town of Lancaster and is conditioned as follows:

- This waiver is effective immediately and shall remain in effect so long as it's not prohibited by any Town, County, State or Federal law or regulation.

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 |

August 6, 2018

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY SUPERVISOR COLEMAN, WHO  
 MOVED ITS ADOPTION, SECONDED BY  
 COUNCIL MEMBER GACZEWSKI, 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 |
|-------|----|--------------------------------|----------------------|-----------------------|---------|
| 28554 |    | David Smith                    | 258 Miller Ave       | Er. Shed              |         |
| 28555 |    | Lindsay Selapack               | 131 Richmond Ave     | Er. Deck              | (V/L)   |
| 28556 |    | Paul Hatt                      | 5797 Broadway        | Re-Roof               |         |
| 28557 |    | Brian Thurnherr                | 29 Ronald Dr         | Re-Roof               |         |
| 28558 |    | Castle Home Improvements       | 18 Holland Ave       | Re-Roof               | (V/L)   |
| 28559 |    | Jennifer A. Smith              | 41 Court St          | Re-Roof               | (V/L)   |
| 28560 |    | Castle Home Improvements       | 62 Cotton St         | Re-Roof               | (V/L)   |
| 28561 |    | Vincent Porzio                 | 259 Broezel Ave      | Inst. Solar Panels    |         |
| 28562 |    | Solcius, LLC                   | 84 Country Pl        | Inst. Solar Panels    |         |
| 28563 |    | David M. Franger               | 5689 Broadway        | Er. Deck              |         |
| 28564 |    | Bryan Stockman                 | 35 Newberry Ln       | Er. Garage            |         |
| 28565 |    | Jason Denué                    | 10 Jonquille Ct      | Er. Shed              |         |
| 28566 |    | Gerard Dunne                   | 13 Magrum Ln         | Er. Pool-In Grnd      |         |
| 28567 |    | Summers & Sons Construction    | 34 Logan Ln          | Er. Deck              |         |
| 28568 |    | David Williams                 | 772 Schwartz Rd      | Re-Roof               |         |
| 28569 |    | Albert Luzi                    | 26 Pear Tree Ln      | Er. Fence             |         |
| 28570 |    | Helen Wilczak                  | 17 Wren Ave          | Re-Roof               | (V/L)   |
| 28571 |    | Jeffrey Seward                 | 73 Country Pl        | Er. Pool-Abv Grnd     |         |
| 28572 |    | The Pool Guy                   | 61 Old Post Rd       | Er. Pool-Abv Grnd     |         |
| 28573 |    | James & Karen Doyle            | 13 Schiffler Ct      | Re-Roof               |         |
| 28574 |    | Philip Gonser                  | 6 Pear Tree Ln       | Er. Fence             |         |
| 28575 |    | Earl Gorenflo, Jr.             | 91 Banner Ave        | Re-Roof               | (V/L)   |
| 28576 |    | House Crafter, LL C            | 364 Aurora St        | Re-Roof               | (V/L)   |
| 28577 |    | Dale & Amy Miklas              | 15 Sussex Ln         | Er. Fence             |         |
| 28578 |    | Rebecca Waite                  | 31 Tanglewood Dr     | Re-Roof               |         |
| 28579 |    | Solar Liberty Energy Systems 1 | 5 Peachtree Ct       | Inst. Solar Panels    |         |
| 28580 |    | Robert & Carol Field           | 10S Irwinwood Rd     | Er. Fence             | (V/L)   |
| 28581 |    | Ulrich Signs                   | 4907 Transit Rd      | Er. Sign - Pole       |         |
| 28582 |    | Walter Koneski                 | 152 Hinchey Ave      | Er. Porch             | (V/L)   |
| 28583 |    | John Cordon                    | 25 Spruceland Ter    | Er. Fence             |         |
| 28584 |    | DPL Delaware Corp.             | 10W Main St          | Er. Sign – Wall       | (V/L)   |
| 28585 |    | Vanessa Shady                  | 38 Rose St           | Er. Pool-Abv Grnd     |         |
| 28586 |    | Heritage Homes                 | 19 Rue Madeleine Way | Er. Porch Cover       |         |
| 28587 |    | David & Nicole Ehrle           | 25 Fieldstone Ln     | Er. Fence             |         |
| 28588 |    | Iroquois Fence Inc.            | 20 Middlebury Ln     | Er. Fence             |         |
| 28589 |    | KKR Fencing & Outdoor Serv.    | 655 Harris Hill Rd   | Er. Fence             |         |
| 28590 |    | NAS Sign Company               | 4891 Transit Rd      | Er. Sign - Wall       |         |
| 28591 |    | John Costello                  | 12 Fairfield Ave     | Er. Res. Alt.         | (V/L)   |
| 28592 |    | Lawrence Pignataro             | 38 Lombardy St       | Dumpster - Temp.      | (V/L)   |
| 28593 |    | Arthur Weibel                  | 31 Spruceland Ter    | Inst. Fireplace/Stove |         |
| 28594 |    | Scott Chamberlain              | 36 Worthington Ln    | Er. Porch             |         |
| 28595 |    | Jonathan Wolf                  | 7 Old Orchard Comm   | Re-Roof               |         |
| 28596 |    | Mark & Cynthia Braun           | 291 Ransom Rd        | Er. Shed              |         |
| 28597 |    | Real Estate Funding Solutions  | 27 Central Ave       | Er. Sign – Wall       | (V/L)   |
| 28598 |    | Buffalo Roofing Co., LLC       | 60 Kennedy Ct        | Re-Roof               |         |
| 28599 |    | Janet Penna                    | 169 Lake Ave         | Er. Fence             | (V/L)   |
| 28600 |    | Joseph Franjoine               | 30 Logan Ln          | Er. Deck              |         |
| 28601 |    | Cassandra Martin               | 23 Pardee Ave        | Re-Roof               | (V/L)   |
| 28602 |    | Craig Chadwell                 | 61 Worthington Ln    | Er. Fence             |         |
| 28603 |    | Joseph Prybylski               | 11 St Joseph St      | Er. Comm. Alt.        | (V/L)   |



|       |                                |                        |                     |       |
|-------|--------------------------------|------------------------|---------------------|-------|
| 28604 | Matthew Phillips               | 4853 William St        | Er. Porch Cover     |       |
| 28605 | David Waggoner                 | 648 Pleasant View Dr   | Er. Shed            |       |
| 28606 | David's Exterior Home Improve  | 126 Harvey Dr          | Re-Roof             | (V/L) |
| 28607 | Jonathan & Jennifer Silvestri  | 16 Hill Valley Dr      | Er. Fence           |       |
| 28608 | Jonathan & Jennifer Silvestri  | 16 Hill Valley Dr      | Er. Pool-In Grnd    |       |
| 28609 | Kramer Contracting             | 229 Warner Rd          | Er. Deck            |       |
| 28610 | Nicholas & Laura Rand          | 23 Chicory Ln          | Er. Fence           |       |
| 28611 | Betty Aquila                   | 1W Main St             | Er. Sign – Wall     | (V/L) |
| 28612 | Majestic Pools Inc.            | 849 Erie St            | Er. Pool-In Grnd    |       |
| 28613 | James & Michelle Nawojski      | 849 Erie St            | Er. Fence           |       |
| 28614 | Adam Schwab                    | 5 Peachtree Ct         | Er. Pool-In Grnd    |       |
| 28615 | Douglas Wragge                 | 37 Tranquility Trl     | Er. Pool-In Grnd    |       |
| 28616 | Douglas Wragge                 | 37 Tranquility Trl     | Er. Fence           |       |
| 28617 | Jeffrey Rogowski               | 3 Michael's Walk       | Er. Fence           |       |
| 28618 | Crist Construction             | 81 Middlebury Ln       | Er. Porch Cover     |       |
| 28619 | Amy Jaworski                   | 51 Rose St             | Er. Pool-In Grnd    |       |
| 28620 | Amy Jaworski                   | 51 Rose St             | Er. Fence           |       |
| 28621 | Seibold Construction Inc.      | 97 Bowen Ave           | Re-Roof             | (V/L) |
| 28622 | Jeffrey Rogowski               | 3 Michael's Walk       | Er. Pool-In Grnd    |       |
| 28623 | Solcius, LLC                   | 16 Buckingham Ct       | Inst. Solar Panels  |       |
| 28624 | Linda Brainard                 | 66 Nichter Rd          | Er. Pool-Abv Grnd   |       |
| 28625 | Joseph Cavaretta               | 49 Norris Ave          | Re-Roof             | (V/L) |
| 28626 | Michael Curran                 | 748 Schwartz Rd        | Re-Roof             |       |
| 28627 | Lynn Kaiser                    | 6 Nicholas Ln          | Er. Spa             |       |
| 28628 | Phillip & Terry Walter         | 454 Lake Ave           | Er. Fence           |       |
| 28629 | Ann Marie Cockran              | 266 Miller Ave         | Er. Deck            |       |
| 28630 | Brian Juda                     | 70 Fairfield Ave       | Er. Res. Alt.       | (V/L) |
| 28631 | The Vinyl Outlet               | 9 Americo Ct           | Er. Deck            |       |
| 28632 | Switala's Siding Cedar Inc.    | 102 Pheasant Run Ln    | Re-Roof             |       |
| 28633 | Carol Poliner                  | 131 Broezel Ave        | Re-Roof             |       |
| 28634 | Switala's Siding Cedar Inc.    | 83 Brunck Rd           | Re-Roof             |       |
| 28635 | MEG Rental Properties LLC      | 5201 Broadway          | Er. Fence           | (V/L) |
| 28636 | Robert Brennan                 | 14 Michael Anthony Ln  | Re-Roof             |       |
| 28637 | Jason Graves                   | 24 Pear Tree Ln        | Er. Shed            |       |
| 28638 | Mary Feldmann                  | 837 Ransom Rd          | Re-Roof             |       |
| 28639 | Buffalo Sign Rental            | 2699 Wehrle Dr         | Er. Sign - Temp     |       |
| 28640 | Ummey & Mahabub Rahman         | 186 Central Ave        | Er. Res. Alt.       | (V/L) |
| 28641 | Joseph Szeffel                 | 49 Trentwood Trl N     | Er. Shed            |       |
| 28642 | Dianne Hewett                  | 19 Cotton St           | Re-Roof             | (V/L) |
| 28643 | Joseph Marshall                | 11W Main St            | Er. Fence           | (V/L) |
| 28644 | Elizabeth Klausen Irrov. Trust | 22 Hanover St          | Er. Fence           |       |
| 28645 | Michael & Lisa Diebold         | 256 Enchanted Forest N | Re-Roof             |       |
| 28646 | X-Press Signs Inc.             | 447 Pavement Rd        | Er. Sign            |       |
| 28647 | Jay Stanley                    | 176 Cemetery Rd        | Er. Garage          |       |
| 28648 | Willard Hunter                 | 62 Village View        | Er. Shed            |       |
| 28649 | Steven & Deveso Orel           | 6 Clermont Ct          | Er. Shed            |       |
| 28650 | Julie & Sean Smyth             | 12 Livingston St       | Er. Fence           | (V/L) |
| 28651 | Richard & Debora Binner        | 4 Old Mill Run         | Er. Res. Add.       |       |
| 28652 | Roger Murray                   | 420 Townline Rd        | Er. Fence           |       |
| 28653 | Daniel & Denise Rozek          | 63 Avian Way           | Re-Roof             |       |
| 28654 | Domanack's Enterprises LLC     | 46 Wren Ave            | Er. Deck            | (V/L) |
| 28655 | Besroi Construction            | 14 Sugarbush Ln        | Re-Roof             |       |
| 28656 | Bilt-Rite Concrete             | 135 Stony Rd           | Er. Porch           |       |
| 28657 | Braymiller Builders of WNY Inc | 17 Country Pl          | Er. Res. Alt.       |       |
| 28658 | Schuster Construction LLC      | 157 Wendel St          | Er. Porch           |       |
| 28659 | Kohurst Construction           | 205 Central Ave        | Er. Comm. Alt       | (V/L) |
| 28660 | ECC Electrical Construction    | 18 Ravenwood Dr        | Inst. Generator     |       |
| 28661 | Maple Guy Construction Inc.    | 48 Rehm Rd             | Re-Roof             |       |
| 28662 | Arthur & Cheryl Tubisz         | 1236 Penora St         | Er. Fence           |       |
| 28663 | Cleary Construction LLC        | 5007 Transit Rd        | Er. Comm. Add./Alt. |       |
| 28664 | Dean Architects                | 4891 Transit Rd        | Er. Comm. Add./Alt. |       |
| 28665 | Scrufari Construction Co.      | 6200 Broadway          | Er. Comm. Add./Alt. |       |
| 28666 | Gerald & Lorraine Soltis       | 279 Enchanted Forest N | Er. Fence           |       |

|       |     |                               |                     |                   |       |
|-------|-----|-------------------------------|---------------------|-------------------|-------|
| 28667 |     | Joseph See                    | 32 Chicory Ln       | Er. Pool-In Grnd  |       |
| 28668 |     | Joshua Hagner                 | 5141 William St     | Er. Res. Add.     |       |
| 28669 | S/W | Milton Sheehan, III           | 412 Townline Rd     | Er. Dwlg.-Sin.    |       |
| 28670 |     | Anthony Dobucki               | 71 Camner Ave       | Er. Pool-In Grnd  | (V/L) |
| 28671 |     | Craig Orłowski & Karen Farmar | 37 Lenox Ave        | Re-Roof           | (V/L) |
| 28672 |     | 4893 Transit Road LLC         | 4893 Transit Rd     | Er. Sign - Temp   |       |
| 28673 |     | Davis-Ulmer Sprinkler Co.     | 150 Erie St         | Er. Comm. Alt.    | (V/L) |
| 28674 | S/W | Jennifer Kuenzi               | 739 Erie St         | Er. Dwlg.-Sin.    |       |
| 28675 |     | Sturdi Built Sheds LLC        | 1718 Como Park Blvd | Er. Shed          |       |
| 28676 |     | Joseph Polniak                | 2 Sawgrass Ln       | Er. Fence         |       |
| 28677 |     | AGNL Pastry LLC               | 3765 Walden Ave     | Re-Roof           | (V/L) |
| 28678 |     | CentiMark Corporation         | 4907 Transit Rd     | Re-Roof           |       |
| 28679 |     | David & Carolyn Gierke        | 1276 Ransom Rd      | Er. Fence         |       |
| 28680 |     | Buffalo Roof Appeal LLC       | 3 Buckingham Ct     | Re-Roof           |       |
| 28681 |     | Amit Lugade                   | 47 Middlebury Ln    | Er. Shed          |       |
| 28682 |     | Charles Muscarella            | 15 Pear Tree Ln     | Er. Pool-Abv Grnd |       |
| 28683 |     | Charles Muscarella            | 15 Pear Tree Ln     | Install Gas Line  |       |
| 28684 |     | Timothy Joyner                | 5 Ann Marie 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 |

August 6, 2018

## COMMUNICATIONS & REPORTS

464. Joseph Lorenz to Town Board –  
Concerns with high water level behind 126 Ransom Road south of Broadway near Hall Road. Disposition = Drainage Committee, Town Engineer, Code Enforcement Officer & Highway Superintendent
465. Town Clerk to Town Engineer and Building Inspector –  
Transmittal of Application for Dumping Permit for Nick Ciccarelli, corner of Schwartz Road & Erie St. Disposition = Resolution 8/6/18
466. Town Attorney to Town Board and Planning Board –  
SEQR response from NYSDEC regarding 2 Building Storage Site, 0 Walden Ave., Proj. #8029. Disposition = Planning Committee
467. Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County DEP and Erie County Division of Sewerage Management regarding Cider Facility, 4493 Walden Ave., Proj.1807. Disposition = Planning Committee
468. Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County DEP regarding 2 Building Storage Site, 0 Walden Ave., Proj. #8029. Disposition = Planning Committee
469. Town Attorney to NYSDEC, NYSDOT, Erie County DEP, Erie County Health Dept., Erie County Water Authority, US Army Corps of Engineers, and Division of Sewerage Management –  
Request for Town of Lancaster lead agency designation regarding Walmart Canopy, 4975 Transit Road, Proj. #8161. Disposition = Planning Committee
470. President & Chief Executive Officer, Meals on Wheels to Supervisor –  
Thank you and request for continuing support toward cost of meals for Town of Lancaster. Disposition = Director of Finance
471. Town Attorney to Town Board and Planning Board –  
SEQR response from NYSDEC regarding Parker Hannifin Addition, 4087 Walden Ave., Proj. #3426. Disposition = Planning Committee
472. Executive Director, The Land Bank to Supervisor –  
Information regarding The Land Bank (Buffalo Erie Niagara Land Improvement Corporation) and its Request for Foreclosure Process for 2018. Disposition = Code Enforcement
473. Town Attorney to Town Board and Planning Board –  
SEQR response from NYS Dept. of Parks, Recreation & Historic Preservation regarding Site Plan Historic Building & Dog Control Improvements, 40 Clark St. & 525 Pavement Rd. Disposition = Planning Committee
474. Alden Town Clerk's Office to Lancaster Town Clerk –  
Copy of proposed Local Law No. 3 of the Year 2018 entitled "Opt-Out of Exemption for Certain Energy Systems". Disposition = Received & Filed
475. Code Enforcement Officer to Town Board –  
Transmittal of request to waive the Sidewalk Requirement for a new residence proposed at 412 Town Line Road. Disposition = Resolution 8/6/18
476. Code Enforcement Officer to Town Board –  
Recommend issuance of Dumping Permit for Corner of Schwartz Rd. & Erie St., Nick Ciccarelli; conditions noted. Disposition = Resolution 8/6/18

477. **Planning Board Chairman to Town Board, Planning Board. Engineering Consultant, Town Attorney, Highway Superintendent, & Building Inspector – Draft copy of minutes from July 18, 2018 Planning Board meeting. Disposition = Planning Committee**
478. **Planning Board to Town Board – Memo recommending approval of Amended Site Plan Review for Thomann Asphalt Paving Corp, 56 Gunnville Road; condition noted. Disposition = For Resolution**
479. **Planning Board to Town Board – Memo recommending approval of Amended Site Plan Review for Walmart Canopy, 4975 Transit Road; recommendation attached to motion. Disposition = For Resolution**
480. **Town Attorney to Town Board and Planning Board – SEQR response from Erie County Dept. of Public Works regarding Belvedere North/Hamlet Meadows, 11 Single-Family Private Patio Homes, 375 Harris Hill Road, Proj #1404. Disposition = Planning Committee**
481. **Town Engineer to Town Board and Supervising Code Enforcement Officer – Recommend granting waiver for sidewalk installation at 412 Town Line Rd. Disposition = Resolution 8/6/18**
482. **Code Enforcement Officer to Town Board – Transmittal of request to waive the Sidewalk Requirement for a new residence proposed at 739 Erie Street. Disposition = Resolution 8/6/18**
483. **Park Crew Chief to Town Board – Request for additional funds to be added to the Parks and Recreation Budget Passenger Vehicle line and request to authorize publication of a bid for a new and unused 2018 Ford Escape SE Four Wheel Drive. Disposition = Resolution 8/6/18**
484. **Boris Harison to Supervisor and Town Board – Comments, concerns and signatures of Steinfeldt Road residents requesting solutions to deter speeding on Steinfeldt Road and installation of sidewalks. Disposition = Police Chief for Recommendation**
485. **Town Clerk to Code Enforcement Officer – Transmittal of Application for a Game Room License for AMF Bowling Center (Lancaster Lanes). Disposition = Resolution 8/6/18**
486. **Police Officer Jeffrey Smith to Deputy Town Clerk – Lancaster Police Dept. approval of issuance of Game Room License for AMF Bowling Center (Lancaster Lanes). Disposition = Resolution 8/6/18**
487. **Park Crew Chief to Supervisor and Town Board – Request for resolution appointing two individuals to the position of part-time permanent employee in the Parks, Recreation & Forestry Dept. effective August 7, 2018. Disposition = Resolution 8/6/18**
488. **Park Crew Chief to Supervisor and Town Board – Request for resolution appointing three individuals to the position of part-time temporary seasonal employee for the summer of 2018 in the Parks, Recreation & Forestry Dept. effective July 23, 2018. Disposition = Resolution 8/6/18**
489. **Supervising Code Enforcement Officer to Town Clerk – Approve issuance of a Game Room License for AMF Bowling Centers (Lancaster Lanes). Disposition = Resolution 8/6/18**
490. **Dog Control Officer to Town Board – Monthly Dog Report for July 2018. Disposition = Received & Filed**

- 491. Town Attorney to Town Board and Planning Board –  
SEQR response from NYSDEC regarding Walmart Amendment Canopy,  
4975 Transit Road, Proj. #8161. Disposition = Planning Committee**
- 492. Town Attorney to Supervisor, Town Board, Planning Board, Building Inspector,  
Town Engineer and Town Clerk --  
Notice of SEQR Review Meeting on August 6, 2018 regarding Facility  
Improvement Project Historical Bldg. & Dog Control Fencing/State & Municipal  
Facilities Program, Library Accessibility Project/State Aide for Library  
Construction Project and Site Plan: Walden Ave. Storage Site, Proj. #8029.  
Disposition = Received & Filed**
- 493. Police Chief to Town Clerk –  
Articles and communications. Disposition = Received & Filed**
- 494. Town Clerk to Various News Media –  
Notice of Special Meeting of the Municipal Review Committee on August 6, 2018  
at 6:15PM for the SEQRA Review for: Facility Improvement Project Historical  
Bldg. & Dog Control Fencing/State & Municipal Facilities Program, Library  
Accessibility Project/State Aide for Library Construction Project and Site Plan:  
Walden Ave. Storage Site. Disposition = Received & Filed**
- 495. Town Attorney to Town Board –  
SEQR response from NYS Dept. of Parks, Recreation and Historic Preservation  
regarding Library Accessibility Grant Project, 5466 Broadway.  
Disposition = Received & Filed**

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER DICKMAN AND SECONDED BY  
COUNCIL MEMBER GACZEWSKI AND CARRIED,** the meeting was adjourned in  
memory of Dorothy Adolf and Carmela Zagarrio at 9:25 P.M.

Signed \_\_\_\_\_

Diane M. Terranova, Town Clerk