

Town Board Minutes

September 4, 2018

Meeting No. 27

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 4th day of September 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
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

PERSONS ADDRESSING TOWN BOARD:

Banks, Jim, spoke to the Town Board on the following matter:

- Comments regarding Republicanism.

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

- Commended the Senior Center staff for their hard work.
- Erie County Legislature Citizen of Month for September is Lancaster resident Frank Maddock.
- 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.

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

- Comments regarding Request for Proposals.

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

- Questions regarding the State Comptroller audit.
- Questions concerning code violations on PM Peppermint.

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

- Questions regarding professional services.

Wrobel, Matt, Assemblywoman Monica Wallace's representative, spoke to the Town Board on the following matter:

- Comments regarding the Youth Bureau passenger van funded through a NYS Education Department Grant.

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 Regular Meeting of the Town Board held August 20, 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

September 4, 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. 53823 to Claim No. 53936 Inclusive

Total amount hereby authorized to be paid: \$1,014,285.17

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

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

September 4, 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
28721		Perry Petrillo	4975 Transit Rd	Er. Comm. Add./Alt.	
28763		Ivy Lea Construction Inc.	5 Whitestone Ln	Er. Res. Alt.	
28764		Shawn Allen	69 Laverack Ave	Er. Shed	(V/L)
28765		Kathleen Moriarity	10 Worthington Ln	Er. Fence	
28766		Thomas Kostelny	114 Seneca Pl	Er. Shed	
28767		David & Joyce Bascom	10E Garfield St	Re-Roof	(V/L)
28768		Daniel & Michelle King	88 Pardee Ave	Re-Roof	(V/L)
28769		Jamie Palumbo	17 Nicholas Ln	Er. Fence	
28770		Christopher Moore	50 Fifth Ave	Er. Fence	(V/L)
28771		Vanessa Shady	38 Rose St	Er. Deck	
28772		Wesley Bonczyk	3 Prairie Ln	Er. Pool-Abv Grnd	
28773		Daniel Frontera	41 Michael's Walk	Er. Res. Add.	
28774		Kimberly Paczay Claus	17E Home Rd	Er. Fence	
28775		Amber Nola	37 Ann Marie Dr	Er. Shed	
28776		Daniel Cook	26 Harold Pl	Er. Porch	(V/L)
28777		Timothy Boyle	40 Colonial Ave	Er. Fence	(V/L)
28778		Bryan Walters	2 Woodstream Dr	Er. Pool-Abv Grnd	
28779		Catherine Becht	113 Richmond Ave	Er. Shed	(V/L)
28780		Thomas & Gwen Mysiak	34 Ashwood Ct	Er. Shed	
28781		David Mik	39 Michael's Walk	Re-Roof	
28782		Brian Uhrmacher	6 Wendtworth Ct	Er. Fence	
28783		Jennifer Uldrich	12 Sawgrass Ln	Er. Shed	
28784		F&D Construction Inc.	464 Pleasant View Dr	Re-Roof	
28785		John & Kristina Neuland	254 Schwartz Rd	Er. Pool-Abv Grnd	
28786		Richard Canazzi	2 Partridge Walk	Er. Fence	
28787		Paul Giordano	24 Pinetree Dr	Er. Fence	
28788		Zenner & Ritter Co. Inc.	204 Pavement Rd	Inst. Generator	
28789		Cortese Brothers Construction	16 Regency Ct	Er. Res. Add.	
28790		Domanick's Enterprises	2068 Como Park Blvd	Er. Deck	(V/L)
28791		Donna Scalfaro	9 Katelyn Ln	Re-Roof	
28792		James J. Schefer	5894 Broadway	Er. Fence	
28793		Majestic Pools Inc.	5894 Broadway	Er. Pool-In Grnd	
28794		Doug Dixon	225 Enchanted Forest N	Er. Res. Add.	
28795		3 Dog Barber	30 Central Ave	Er. Sign	(V/L)
28796		Craig Chadwell	61 Worthington Ln	Er. Pool-In Grnd	
28797		John Cordon	25 Spruceland Ter	Er. Pool-In Grnd	
28798		Essex Homes of WNY, Inc.	13 Weathersfield Ln	Er. Dwlg.-Sin.	
28799		Ryan Lanfear	53 Middlebury Ln	Er. Pool-Abv Grnd	
28800		JG Home Improvements	204 Schwartz Rd	Er. Porch Cover	
28801		Race Storage Sheds LLC	49 Summerfield Dr	Er. Garage	
28802		Eastern Remodeling LLC	71 Cotton St	Re-Roof	(V/L)
28803		Martin Whiteford	5647 Broadway	Er. Comm. Add./Alt.	
28804		Aqua Systems of WNY	20 Parkdale Dr	Inst. Ingrmd. Sprinkler	
28805		Mark Moore	18 Fairfield Ave	Dumpster - Temp.	(V/L)
28806		Prevision Construction	14 Katelyn Ln	Er. Res. Add.	
28807		Marrano/Marc Equity Corp.	18 Cherryfield Ln	Er. Patio Home	
28808		Mark & Dawn Lewandowski	495 Erie St	Er. Comm. Add./Alt.	
28809		Daniel McCormick	1164 Penora St	Er. Shed	
28810		Solcius, LLC	6 Jonquille Ct	Inst. Solar Panels	
28811		Dave & Jeanne Larotonda	53 Pleasant View Dr	Er. Shed	
28812		Joshua Fromm	207 Enchanted Forest N	Er. Fence	

28813	Salvatore Curella	15 Crabapple Ln	Er. Fence
28814	Suzanne Manning	25 Middlebury Ln	Er. Fence
28815	Eric Major	30 Partridge Walk	Er. Fence
28816	Fastsigns	5380 Genesee St	Er. Sign - Pole
28817	John Dudziak	5 Pear Tree Ln	Er. Shed
28818	TNT Custom Decks & Remodel	56 Worthington Ln	Er. Deck
28819	Heritage Homes	20 Rue Madeleine Way	Er. Res. Add.
28820	TNT Custom Decks & Remodel	48 Old Post Rd	Er. Fence
28821	Majestic Pools Inc.	33 Sterling Pl	Er. Pool-In Grnd
28822	John Hazelton	290 Aurora St	Re-Roof (V/L)
28823	Majestic Pools Inc.	33 Sterling Pl	Er. Fence
28824	Majestic Pools Inc.	5570 William St	Er. Pool-In Grnd
28825	Majestic Pools Inc.	5570 William St	Er. Fence
28826	Majestic Pools Inc.	20 Apple Blossom Blvd	Er. Pool-In Grnd
28827	Majestic Pools Inc.	20 Apple Blossom Blvd	Er. Fence
28828	Buscaglia Decks	34 Hidden Trl	Er. Deck
28829	Decks Etc. & Perfect Fence Inc	10 Petersbrook Cir	Er. Deck
28830	Jamie Loos	660 Townline Rd	Er. Deck
28831	Chirstopher Fiorello	1 Buckingham Ct	Re-Roof
28832	Timothy & Leah Mueller	145 Nathan's Trl	Re-Roof
28833	Marrano/Marc Equity Corp.	20 Saybrook Dr	Er. Patio Home
28834	Patricia Dauer	14 Michael's Walk	Er. Deck
28835	Artel DeVries	1 Muirfield Ln	Er. Fence
28836	William C.Rott & Sons Inc.	84 Garfield St	Re-Roof (V/L)
28837	Sturdi Built Sheds LLC	9 Darien Ct	Er. Shed
28838	Erie Construction Mid-West Inc	6331 Broadway	Re-Roof

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

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

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

September 4, 2018

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

WHEREAS, by letter dated August 21, 2018, Michelle Barbaro, Town of Lancaster's Department of Park Crew Chief, has requested that the Town Board authorize an invitation to bid for the rehabilitation of the roof systems at the Parks and Recreation Department Building, Office of Emergency Management and Keysa Town Park Utility Room within the Town of Lancaster, and

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

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby invites public bids for the rehabilitation of the roof systems at the Parks and Recreation Department Building, Office of Emergency Management and Keysa Town Park Utility Room, said bids are to be in conformance with the plans and specifications which are available at the office of Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086, bid submissions are to be received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on 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

September 4, 2018

NOTICE TO BIDDERS

FOR THE

**TOWN OF LANCASTER
PARKS & RECREATION, OFFICE OF EMERGENCY MANAGEMENT
AND KEYSA POOL UTILITY ROOM ROOF REHABILITATION**

Sealed bids for the rehabilitation of the roof systems at Parks & Recreation, Office of Emergency Management, and Keysa Pool Utility Room will be received by the Town Clerk at her office in the Town Hall, 21 Central Avenue, Lancaster, New York on or before 10:00 A.M. local time on September 20, 2018, at which time they will be publicly opened and read aloud.

Contract Documents may be examined at the office of the Town Clerk and at the office of the ENGINEER, Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 between the hours of 9:00 A.M. and 4:00 P.M., except Saturdays, Sundays and Holidays.

Contract Documents may be obtained at the office of the ENGINEER.

Proposals shall be made and received upon the following conditions:

Each proposal must be accompanied by the deposit of a certified check, payable to the Town of Lancaster, for a sum equal to five percent (5%) of the total amount of the Bid, or a bond with sufficient sureties in a penal sum equal to five percent (5%) of such total bid amount, conditioned that if the proposal is accepted, that he will execute within fifteen (15) days from the date of the acceptance of the proposal, a suitable security bond in the amount of the Contract, conditioned for the faithful and prompt performance and completion of the Work specified in the Contract.

All bid deposits except that of the successful bidder will be returned.

Upon acceptance of his Bid, if the successful bidder fails to enter into a Contract pursuant to the requirements of the Contract Documents, or fails to give the further security prescribed in this Notice, with the same time limited therein, then the check deposited as aforesaid and the monies standing to the credit of the same, shall be forfeited to the Town as liquidated damages, or the payment of the bond enforced for the benefit of the Town. The Town of Lancaster reserves the right to waive informalities in or to reject any and all bids.

Consulting Engineers:
William Schutt & Associates, P.C.
37 Central Avenue
Lancaster, NY 14086-2143
(716) 683-5961
Date: September 6, 2018

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

Diane Terranova
Town Clerk

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

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Section 17 (F) of the Code of the Town of Lancaster, upon the application of **David Hawk**, for a Special Use Permit for a Home Occupation (small machine shop) on premises located at 255 Peppermint Road, Lancaster, New York, and the Board originally issued such Special Use Permit on September 20, 2004, this Special Use Permit was subject to renewal upon application by the property owner, and

WHEREAS, **David Hawk** has requested that the Town Board renew the Special Use Permit for an additional two (2) year period, and

WHEREAS, the Code Enforcement Officer has recommended his approval of this Special Use Permit renewal in his letter dated August 16, 2018.

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

1. That pursuant to Chapter 50-Zoning, Section 17 (F), entitled "Home Occupation", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **David Hawk**, for a Home Occupation (small machine shop) on premises located at 255 Peppermint Road, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for a period beginning September 20, 2018 and continuing through September 19, 2020, and

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

- a. Only persons residing on the premises shall be engaged in such an occupation;
- b. The home occupation shall be clearly incidental and subordinate to the use of the premises for residential purposes. The area devoted to the home occupation shall not exceed twenty-five percent (25%) of the ground floor area of the principal structure. The home occupation may be within the principal accessory structure;
- c. There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation & no outdoor sign advertising this business;
- d. No equipment or process shall be used which creates noise, vibration, glare, fumes, odors or electrical interference perceptible to the normal senses off the lot;
- e. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal is considered upon the property owner submitting a written renewal request to the Town Clerk on or before September 19, 2020.
- f. Provide proof of a valid New York State Business License from the appropriate regulatory agency for the business being conducted.

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

September 4, 2018

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

WHEREAS, by resolution adopted on March 5, 2018 the Town Board of the Town of Lancaster approved a Special Use Permit Application submitted by Elizabeth Holmes on behalf of Wreckmaster, Inc., to operate an outdoor Vehicle Recovery Training Area and Storage Yard, and

WHEREAS, due to a typographical error by the applicant the address was mistakenly identified as 5500 Genesee Street, and should have been identified as **5550** Genesee Street, in the Town of Lancaster, and

WHEREAS, the Town of Lancaster's Code Enforcement Department has confirmed the municipal address with the applicant and by email dated August 27, 2018, the applicant has agreed to amend their original Special Use Application.

NOW, THEREFORE,
BE IT RESOLVED, that the resolution adopted by the Town Board on March 5, 2018, granting a Special Use Permit to Special Use Permit to Elizabeth A. Holmes, on behalf of **Wreckmaster, Inc.**, to operate an outdoor Vehicle Recovery Training Area and Storage Yard on premises located at 5500 Genesee Street in the Town of Lancaster is hereby rescinded.

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

September 4, 2018

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

WHEREAS, Wm. Schutt Associates, P.C., the Town of Lancaster's consulting engineer, has requested that the Town Board authorize an invitation to bid for the On Call Concrete Installation of curbing, sidewalks and aprons at various locations within the Town of Lancaster, and

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

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby invites public bids for the On Call Concrete Installation at various locations within the Town of Lancaster, said bids are to be in conformance with the plans and specifications which are available at the office of Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086, bid submissions are to be received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on 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

September 4, 2018

NOTICE TO BIDDERS

FOR THE

**TOWN OF LANCASTER
ON CALL CONCRETE INSTALLATION
VARIOUS LOCATIONS**

Sealed bids for On Call Concrete Installation at various locations in the town will be received by the Town Clerk at her office in the Town Hall, 21 Central Avenue, Lancaster, New York on or before 10:00 A.M. local time on September 20, 2018, at which time they will be publicly opened and read aloud.

Contract Documents may be examined at the office of the Town Clerk and at the office of the ENGINEER, Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 between the hours of 9:00 A.M. and 4:00 P.M., except Saturdays, Sundays and Holidays.

Contract Documents may be obtained at the office of the ENGINEER.

Proposals shall be made and received upon the following conditions:

Each proposal must be accompanied by the deposit of a certified check, payable to the Town of Lancaster, for a sum equal to five percent (5%) of the total amount of the Bid, or a bond with sufficient sureties in a penal sum equal to five percent (5%) of such total bid amount, conditioned that if the proposal is accepted, that he will execute within fifteen (15) days from the date of the acceptance of the proposal, a suitable security bond in the amount of the Contract, conditioned for the faithful and prompt performance and completion of the Work specified in the Contract.

All bid deposits except that of the successful bidder will be returned.

Upon acceptance of his Bid, if the successful bidder fails to enter into a Contract pursuant to the requirements of the Contract Documents, or fails to give the further security prescribed in this Notice, with the same time limited therein, then the check deposited as aforesaid and the monies standing to the credit of the same, shall be forfeited to the Town as liquidated damages, or the payment of the bond enforced for the benefit of the Town. The Town of Lancaster reserves the right to waive informalities in or to reject any and all bids.

Consulting Engineers:
William Schutt & Associates, P.C.
37 Central Avenue
Lancaster, NY 14086-2143
(716) 683-5961
Date: September 6, 2018

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

Diane Terranova
Town Clerk

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

WHEREAS, Concrete Applied Technologies Corp., 1266 Town Line Road, Alden, NY 14004, the contractor for the Town of Lancaster's Highway Capital Improvements Project involving the culverts on Old Post Rd, Maple Dr. and Erie St., has submitted three (3) Change Orders for a total amount of \$157,730.08 to the Town Board for their approval, based on an increase in work needed to be performed previously provided to the Town Board;

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves Change Orders No. 3, No. 4 and No. 5 to **Concrete Applied Technologies Corp.,** with respect to the outlined descriptions previously provided to the Town Board:

DESCRIPTION OF CHANGE ORDER NO. 3:

Additional waterline relocation costs due to ECWA requirements.

CHANGE ORDER NO. 3:

The original Contract Sum was	\$	771,603.40
The Contract Sum was increased by Change Order #1 in the amount of....	\$	11,742.00
The Contract Sum was increased by Change Order #2 in the amount of....	\$	32,000.00
The Contract Sum will be increased by this Change Order in the amount of....	\$	11,073.31
The new Contract Sum increased including this Change Order will be	\$	826,418.71

DESCRIPTION OF CHANGE ORDER NO. 4:

Waterline shut down delay at Old Post Road culvert.

CHANGE ORDER NO. 4:

The original Contract Sum was	\$	826,418.71
The Contract Sum will be increased by this Change Order in the amount of....	\$	5,365.31
The new Contract Sum increased including this Change Order will be	\$	831,784.02

DESCRIPTION OF CHANGE ORDER NO. 5:

Excess quantities installed above 115% due to box culvert sizes larger than indicated and advanced deterioration of Lake Avenue Bridge.

CHANGE ORDER NO. 5:

The original Contract Sum was	\$	831,784.02
The Contract Sum will be increased by this Change Order in the amount of....	\$	102,156.90
The new Contract Sum increased including this Change Order will be	\$	933,940.92

BE IT FURTHER

RESOLVED, that the Supervisor be and is hereby authorized to execute this Change Order on behalf of the Town of Lancaster.

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

September 4, 2018

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

WHEREAS, Wreckmaster, Inc., has submitted an application for a Special Use Permit to operate an outdoor vehicle Training Area and Storage Yard on premises located at 5550 Genesee Street in the Town of Lancaster in accordance with provisions of Chapter 50-Zoning, Section 20 (B)(1)(e) of the Code of the Town of Lancaster, and

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

NOW, THEREFORE,

BE IT RESOLVED, that pursuant to Chapter 50-Zoning, Section 46, entitled "SPECIAL USE PERMITS" of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for **Wreckmaster, Inc.,** to operate an outdoor Vehicle Training Area and Storage Yard on premises located at 5550 Genesee Street in the Town of Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 17th day of September, 2018, at 7:15 o'clock P.M., Local Time, and that Notice of the time and place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

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

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

September 4, 2018

**LEGAL NOTICE
PUBLIC HEARING
SPECIAL USE PERMIT – WRECKMASTER, INC.
5550 GENESEE STREET, LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 50-Zoning, Section 46 "SPECIAL USE PERMITS" of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 4th day of September, 2018 the said Town Board will hold a Public Hearing on the 17th day of September, 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 **Wreckmaster, Inc.**, for a Special Use Permit to operate to operate an outdoor Vehicle Training Area and Storage Yard on premises located at 5550 Genesee Street, 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**

September 6, 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, the Attorney for the Town has prepared a proposed Local Law to Establish a One-Year Moratorium on all Applications for Rezoning, and

WHEREAS, the Town Board has reviewed and modified the proposed Local Law and the Town of Lancaster 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 which shall be known and may be cited as the “**Town of Lancaster Rezone Application Moratorium**”. The proposed Local Law shall be applicable within the confines of the municipal boundaries of the Town of Lancaster.

Section 1: Purpose and Intent

The Town of Lancaster is in the process of revising and updating its (Zoning Code), following the completion of the comprehensive planning process. The Zoning Code regulates land use within the Town. The primary purpose of this moratorium is to temporarily stop the processing of rezoning applications which could potentially conflict or frustrate the ultimate conclusions and recommendations which will be set forth in the updated Zoning Code. As rezonings are required to be in accordance with the comprehensive plan and processed according to the Town Code, it is important to have the Town Zoning Code review complete before any such application is evaluated.

Section 2: Legislative Findings

Professionals are currently engaged by the Town to assist with the development of a revised and updated Town Zoning Code. The updated Zoning Code should be completed for review and consideration by Fall 2019. The potential exists for land use development through the use of rezoning which could conflict with the Town’s intention to implement zoning regulations that are consistent with the recommendations set forth in the comprehensive plan. This Local Law will provide a temporary Moratorium on rezoning while the Zoning Code is under review to allow the Town to complete the process.

This Moratorium will also allow adequate time for the Town Board of Lancaster to implement legislation it deems necessary and appropriate for the Town, based on recommendations of the comprehensive plan. The Moratorium will also avoid land use development which may be contrary to the provisions of the comprehensive plan and may adversely affect or prevent the crafting and implementation of zoning regulations pursuant to the adopted comprehensive plan. It is intended to preserve the status quo pending the adoption of the amended planning and zoning regulations in accordance with the newly adopted comprehensive plan.

Section 3: Moratorium Imposed

Effective immediately and continuing for a period of one (1) year, following the date on which this Local Law is filed with the Secretary of State, the Town Board and Planning Board of the Town of Lancaster and all other Town agencies and personnel shall not accept, process, review, or consider any applications for rezoning within the Town limits.

Notwithstanding the provisions of Section 3, Paragraph 1 immediately above, this Local Law shall not apply to any property within the Moratorium area for which a complete application for rezoning has been properly filed with the Town of Lancaster as of the effective date of this Local Law.

This Local Law shall be binding on the Town Board, Planning Board, Zoning Board of Appeals, Building Inspector/Code Enforcement Officer, all Town officials and employees, and any applicant or real property owner in the Town desiring to apply for or receive a rezoning approval in the Town of Lancaster.

The Town Board may, by resolution, terminate this Moratorium prior to its expiration or alternatively, extend the Moratorium for an additional six (6) months, as the Town Board, in its sole discretion, deems necessary to allow for the adoption of the Zoning Code to be completed.

Section 4: Term

This Moratorium shall be in effect for a period of one (1) year from its effective date. As noted above, this term may be extended for a cumulative period of up to an additional six (6) months, if necessary, by resolution of the Town Board.

Section 5: Variance

An application for a variance from the terms of this moratorium may be submitted, with a \$450.00 fee, to the Town Clerk. Notwithstanding the provisions of Article 16 of the Town Law and the Zoning Code of the Town of Lancaster, which are hereby superseded, such variance requests shall be considered by the Town Board in accordance with the requirements for a use variance.

Section 6: Effect on Other Laws

To the extent that any law, ordinance, rule, or regulation, or parts thereof, are in conflict with the provisions of this Local Law, this Local Law shall control and supersede such law, ordinance, rule, or regulation.

Section 7: Severability

Should any provision of this Local Law be declared by the Courts to be unconstitutional or invalid, such a decision shall not affect validity of this Local Law as a whole or any part thereof other than the parts so decided to be unconstitutional or invalid.

Section 8: Effective Date

This Local Law shall take effect immediately 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 17th day of September, 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

September 4, 2018

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to 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 and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted September 4, 2108, the said Town Board will hold a Public Hearing on the 17th day of September, 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 for the purposes of considering and possibly adopting a Local Law of the year 2018 which Establishes a One-Year Moratorium on Applications for Rezoning within the Town of Lancaster. Copies of the proposed Local Law of the year 2018 are available at the office of the Town Clerk for inspection at Town Hall at its address listed above, between the hours of 9:00 A.M. and 4:00 P.M.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**By: Diane M. Terranova
Town Clerk**

September 6, 2018

Town of Lancaster
Local Law No. ___ of 2018

A Local Law to Establish a One-Year Moratorium on Applications for rezoning.

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

Section 1: Purpose and Intent

The Town of Lancaster is in the process of revising and updating its (Zoning Code), following the completion of the comprehensive planning process. The Zoning Code regulates land use within the Town. The primary purpose of this moratorium is to temporarily stop the processing of rezoning applications which could potentially conflict or frustrate the ultimate conclusions and recommendations which will be set forth in the updated Zoning Code. As rezonings are required to be in accordance with the comprehensive plan and processed according to the Town Code, it is important to have the Town Zoning Code review complete before any such application is evaluated.

Section 2: Legislative Findings

Professionals are currently engaged by the Town to assist with the development of a revised and updated Town Zoning Code. The updated Zoning Code should be completed for review and consideration by Fall 2019. The potential exists for land use development through the use of rezoning which could conflict with the Town's intention to implement zoning regulations that are consistent with the recommendations set forth in the comprehensive plan. This Local Law will provide a temporary Moratorium on rezoning while the Zoning Code is under review to allow the Town to complete the process.

This Moratorium will also allow adequate time for the Town Board of Lancaster to implement legislation it deems necessary and appropriate for the Town, based on recommendations of the comprehensive plan. The Moratorium will also avoid land use development which may be contrary to the provisions of the comprehensive plan and may adversely affect or prevent the crafting and implementation of zoning regulations pursuant to the adopted comprehensive plan. It is intended to preserve the status quo pending the adoption of the amended planning and zoning regulations in accordance with the new comprehensive plan.

Section 3: Moratorium Imposed

Effective immediately and continuing for a period of one (1) year, following the date on which this Local Law is filed with the Secretary of State, the Town Board and Planning Board of the Town of Lancaster and all other Town agencies and personnel shall not accept, process, review, or consider any applications for rezoning within the Town limits.

Notwithstanding the provisions of Section 3, Paragraph 1 immediately above, this Local Law shall not apply to any property within the Moratorium area for which a complete application for rezoning has been properly filed with the Town of Lancaster as of the effective date of this Local Law.

This Local Law shall be binding on the Town Board, Planning Board, Zoning Board of Appeals, Building Inspector/Code Enforcement Officer, all Town officials and employees, and any applicant or real property owner in the Town desiring to apply for or receive a rezoning approval in the Town of Lancaster.

The Town Board may, by resolution, terminate this Moratorium prior to its expiration or alternatively, extend the Moratorium for an additional six (6) months, as the Town Board, in its sole discretion, deems necessary to allow for the adoption of the Zoning Code to be completed.

Section 4: Term

This Moratorium shall be in effect for a period of one (1) year from its effective date. As noted above, this term may be extended for a cumulative period of up to an additional six (6) months, if necessary, by resolution of the Town Board.

Section 5: Variance

An application for a variance from the terms of this moratorium may be submitted, with a \$450.00 fee, to the Town Clerk. Notwithstanding the provisions of Article 16 of the Town Law and the Zoning Code of the Town of Lancaster, which are hereby superseded, such variance requests shall be considered by the Town Board in accordance with the requirements for a use variance.

Section 6: Effect on Other Laws

To the extent that any law, ordinance, rule, or regulation, or parts thereof, are in conflict with the provisions of this Local Law, this Local Law shall control and supersede such law, ordinance, rule, or regulation.

Section 7: Severability

Should any provision of this Local Law be declared by the Courts to be unconstitutional or invalid, such a decision shall not affect validity of this Local Law as a whole or any part thereof other than the parts so decided to be unconstitutional or invalid.

Section 8: Effective Date

This Local Law shall take effect immediately 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 Town of Lancaster intends to apply for Federal Community Development Funds, known as Community Development Block Grant Funds, for the year 2019-2020 and must identify eligible projects which would benefit low to moderate income persons within the Town, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to hold a Public Hearing to provide an opportunity for citizens to express community development and housing needs and to discuss proposals to meet those needs to assist the Town Board in the development of the Town's application for Community Development Block Grant funds;

NOW, THEREFORE,
BE IT RESOLVED, that a Public Hearing, to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate income persons in the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York on the 17th day of September, 2018 at 7:15 o'clock P.M. Local Time, and the Notice of the Time and Place of such Hearing be published in the Lancaster Bee, a local newspaper of general circulation in said Town and be on the Town Bulletin Board, which Notice shall be in 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

September 4, 2018

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to a resolution of the Town Board of the Town of Lancaster adopted on September 4, 2018 a Public Hearing will be held on the 17TH day of September, 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 regarding the use of Federal Community Development funds in the Town of Lancaster.

The Town of Lancaster is eligible for a Federal Community Development grant under Title I of the Housing and Community Development Act of 1974, as amended.

The purpose of the hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate income persons in the Town of Lancaster.

Citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Lancaster's selection of potential projects to be submitted for possible funding by the Federal Community Development Grant Program.

The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities. The meeting room is wheelchair accessible. Those needing special arrangements should call the Town at (716) 683-9028 by September 10, 2018.

**TOWN BOARD OF THE TOWN
OF LANCASTER**

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

September 6, 2018

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

WHEREAS, the Town Board has previously duly advertised for bids for one (1) new and unused **2018 Ford Escape Four Wheel Drive, SUV**, for use by the Parks, Recreation and Forestry Department, and

WHEREAS, one bid was received, opened and reviewed on August 23, 2018, and

WHEREAS, by letter dated August 23, 2018, Park Crew Chief, Michelle Barbaro, has recommended awarding the bid for the one (1) new and unused **2018 Ford Escape Four Wheel Drive, SUV** to Basil Ford, Inc., being the sole responsible bidder in the amount of \$24, 299.00, and

WHEREAS, the Parks Department will receive a trade-in allowance for their 2009 Ford 250 4 x 4 Reg. Cab 8' Box Pick-up (VIN# 1FTWF31529EA55294 w/132,856 mi.) in the amount of \$2,500.00 which will bring the total expenditure for the new and unused **2018 Ford Escape Four Wheel Drive, SUV** to \$21,799.00;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster, upon the recommendation of Michelle Barbaro, Parks Crew Chief, hereby awards the bid for one (1) new and unused **2018 Ford Escape Four Wheel Drive, SUV**, which includes a Trade-in Allowance for a 2009 Ford 250 4 x 4 Reg. Cab 8' Box Pick-up (VIN# 1FTWF31529EA55294 w/132,856 mi.) in the amount of \$2,500.00, to Basil Ford, Inc., 1540 Walden Avenue, Cheektowaga, New York 14225, for use by the Parks, Recreation and Forestry Department as it conforms to the specifications on file in the office of the Town Clerk, for a total amount not to exceed \$21,799.00 and which will be paid from the Town's 2018 Parks Equipment, Passenger Vehicles Budget, Line item # 01-7110-0220.

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

September 4, 2018

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

WHEREAS, the Executive Director of the Town of Lancaster's Youth Bureau, John Trojanowsky, by letter dated August 21, 2018 has requested to purchase **one (1) new and unused 2019 Chevrolet Express Passenger RWD 2500 LS Van** for use by the Town of Lancaster's Youth Bureau, and

WHEREAS, the above-referenced vehicle is available under New York State Contract PC66681 SB, Group 40451 Award No. 22898, Mini-Bid No. 18070164, from authorized State Contractor, Joe Basil Chevrolet, Inc., for a cost of \$24,599.03, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, this purchase is eligible to be funded through a New York State Education Department Grant through the efforts of Assembly Member Monica Wallace, and

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

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the purchase of **one (1) new and unused 2019 Chevrolet Express Passenger RWD 2500 LS Van** from the 2018 authorized State Contractor Joe Basil Chevrolet, Inc., 5111 Transit Road, Depew, New York 14043 under State Contract PC66681 SB, Group 40451 Award No. 22898, Mini-Bid No. 18070164, as proposed by the Town of Lancaster Youth Bureau Executive Director, John Trojanowsky, for an amount not to exceed \$24,599.03 and shall be paid for with funds made available from the Town's Youth Bureau Passenger Vehicle Budget, Line Item 001-1730-0225.

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 WLATER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 4, 2018

PREFILED RESOLUTION No. 14 – MEETING OF SEPTEMBER 4, 2018

Ruffino/_____ Authorize Supervisor's Office To Provide Information Re: Request For Proposals

This resolution failed due to lack of second.

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

WHEREAS, pursuant to Town Board resolutions dated February 21, 2017, May 1, 2017, and January 2, 2018, Mary Beth Gianni is currently a Recreation Supervisor, part-time temporary seasonal, in the Town’s Senior Center in the Department of Programs for the Aging (the “Department”) and has been providing temporary general oversight of Department operations since February 20, 2017 due to the retirement of Recreation Leader Mary Bartz, and

WHEREAS, the Erie County Department of Personnel has advised that the appropriate Civil Service job title for the person providing permanent operational supervision in the Department is Recreation Supervisor – Senior Citizens, and

WHEREAS, Mary Beth Gianni 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 the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) for authorization by the County of Erie Department of Personnel to create one (1) new position of Recreation Supervisor – Senior Citizens, full-time.

BE IT FURTHER,

RESOLVED, that Mary Beth Gianni be and is hereby appointed to the position of Recreation Supervisor – Senior Citizens, full-time provisional, at her current rate of pay, effective September 1, 2018, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of law and shall be governed by the same terms and conditions as apply to other non-represented, full-time provisional Town employees; 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

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

WHEREAS, Mary Beth Gianni, Recreation Supervisor, for the Town of Lancaster Senior Center, by letter dated August 23, 2018 has recommended the appointment of the following individual to the following part-time permanent position.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual is hereby appointed to the following part-time permanent position in the Lancaster Senior Center, working not more than nineteen and three-quarter hours per week, and that this being a part-time position, provides 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 Bastedo Lancaster, NY	Van Driver	\$13.00	September 5, 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

September 4, 2018

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

WHEREAS, John Trojanowsky, Executive Director of the Youth Bureau has recommended that the Town of Lancaster continue to participate in the collaborative effort with Lancaster Central School District by providing 50% of the direct salary and 50% of the annual cost of certain fringe benefits (health insurance coverage) for the Program Coordinator for the jointly funded Family Support Center within the Lancaster Central School District, and

WHEREAS, the annual direct salary cost is approximately \$56,191.20; and the annual health insurance coverage cost is approximately \$7,528.92, and

WHEREAS, the Board deems it in the public's interest to provide 50% of the annual direct salary cost and annual health insurance cost to the District to ensure this service is maintained for the community.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

That the Supervisor of the Town of Lancaster is hereby authorized to enter into an Agreement with the Lancaster Central School District for the purpose of providing a Coordinator for the Family Support Center for the period of September 1, 2018 to June 30, 2019 with the Town paying 50% of the annual direct salary (\$28,095.60) and 50% of the annual health insurance (\$3,764.46) for a total contribution of \$31,860.06 for the jointly funded Program Coordinator to the Lancaster Central School District, to paid in four quarterly installments with funds from budget line A4320.411 Youth-At-Risk Programs.

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

September 4, 2018

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

WHEREAS, the Executive Director of the Youth Bureau has recommended that the Town of Lancaster continue to participate in the collaborative effort with Lancaster Central School District by providing 50% of the annual compensation and 50% of the annual cost of health insurance coverage for the Psychologist for the jointly funded School and Community Support Program within the Lancaster Central School District, and

WHEREAS, the annual direct salary cost is approximately \$42,150.00; and the annual contractual and fringe benefit cost is approximately \$14,228.81, and

WHEREAS, the Town Board deems it in the public's interest to provide 50% of the annual compensation cost and annual contractual and fringe benefit cost to the School District to ensure this service is maintained for the community.

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

That the Supervisor of the Town of Lancaster is hereby authorized to enter into an Agreement with the Lancaster Central School District for the purpose of providing a Psychologist for the School and Community Support Program for the period of September 4, 2018 to June 30, 2019 with the Town paying 50% of the annual compensation (\$21,075.00) and 50% of the annual contractual and fringe benefit expenses (\$7,114.40) for a total contribution of \$28,189.40 for the joint funding of the Psychologist to the Lancaster Central School District, to paid with funds from budget line A4240.411 School Social Worker/Counselor.

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

September 4, 2018

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

WHEREAS, the Town Board of the Town of Lancaster has expressed interest in having the Lancaster Town Hall and Opera House inspected to determine where maintenance improvements may need to be made, and

WHEREAS, the Town Board of the Town of Lancaster deems it to be in the public's best interest to obtain professional facility inspections of the Town Hall and Opera House, from a qualified engineer, and

WHEREAS, at the request of Daniel Amatura, Wendel Duchscherer Architects & Engineers PC, 375 Essjay Road, Suite 200, Williamsville, New York 14221, have performed the facility inspection of the Lancaster Town Hall and Opera House located at 21 Central Avenue and have submitted an invoice (#349683) dated August 21, 2018, in the amount of \$1,800.00.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves payment for the invoice submitted by **Wendel Duchscherer Architects & Engineers PC**, for professional facility inspection services rendered for the Lancaster Town Hall and Opera House located at 21 Central Avenue within the Town of Lancaster at a cost not to exceed \$1,800.00 which will be paid for with funds from the Town's 2018 Engineer, Contractual Expenses Professional Services Budget, Line Item 01-1440-410.

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

September 4, 2018

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 Brian Kulbacki, on behalf of Apple Rubber Products, Inc., proposing to build a 12,070 sq. ft. addition to the back of their existing building located at 204 Cemetery Road (SBL No. 105.00-1-25.2) on a ± 44.86 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

September 4, 2018

COMMUNICATIONS & REPORTS

539. Lancaster Volunteer Ambulance Corp. to Town Clerk –
LVAC calls for July 2018. Disposition = Received & Filed
540. Town Attorney to Town Board and Planning Board –
SEQR response form Erie County Division of Sewerage Management regarding
Thomas Asphalt Addition, 56 Gunville Road, Proj. #1637.
Disposition = Planning Committee
541. Town Attorney to NYSDEC, NYSDOT, US Army Corps of Engineers, Erie County
Water Authority, Erie County Health Dept., Div. of Sewerage Management and
Erie County DEP –
Coordinated review regarding Linguine’s Italian Restaurant, 5354 Genesee St.,
Proj. #2608. Disposition = Planning Committee
542. Depew High School Student Senate President to Supervisor –
Request for permission for the motorcade to travel through the Town on
Friday, October 12, 2018 at approximately noon.
Disposition = Received & Filed
543. . Town Attorney to Town Board and Planning Board –
SEQR response form NYS Dept. of Environmental Conservation regarding
Thomas Asphalt Addition, 56 Gunville Road, Proj. #1637.
Disposition = Planning Committee
544. Town Clerk to Chief, Twin District V.F.C., Inc., Chief, Town Line V.F.D., Inc.,
Chief, Millgrove, V.F.D., Inc., Chief, Bowmansville V.F.A., Inc., President, Twin
District V.F.C., Inc., President, Town Line V.F.D., Inc., President, Millgrove
V.F.D., Inc., President, Bowmansville V.F.A., Inc. and Ronald Rozler, Office of
Emergency Management –
Notice of change in start time for the Annual Inspection hosted by Bowmansville
V.F.A. which will be will be on Monday, September 24, 2018 at 7:00PM.
Disposition = Received & Filed
545. Town Engineer to Town Board –
Recommend approval of Revised Change Orders #3, #4, #5 & #6 Concrete
Applied Technologies Corp. (CATCO) regarding Highway Capital
Improvements Project Old Post Rd., Erie St., Maple Dr., Lake Ave.
Disposition = Resolution 9/4/18
546. Supervising Code Enforcement Officer to Town Board –
Recommend approval of Special Use Permit for David Hawk, 255 Peppermint
Road. Disposition = Resolution 9/4/18
547. Lancaster Town Band Inc. to Supervisor and Town Board –
Thank you for support for this year’s concert series.
Disposition = Received & Filed
548. Executive Director Youth Bureau to Supervisor and Town Board –
Request for resolution to purchase one (1) 2019 Chevrolet Express Passenger
Van from Joe Basil Chevrolet, 5111 Transit Rd., Depew, NY.
Disposition = Resolution 9/4/18
549. William Karn to Town Board –
Observed violations of Special Use Permit by Accadia Site Contracting/PM
Peppermint employees at 31 Peppermint Road.
Disposition = Town Attorney, Code Enforcement Officer
550. Park Crew Chief to Town Board –
Request for resolution for publication for a bid for rehabilitation of the roof
systems at Parks & Recreation, Office of Emergency Management and Keysa
Pool Utility Room. Disposition = Resolution 9/4/18

- 551. Park Crew Chief to Town Board –
Request for resolution to purchase one new and unused 2018 Ford Escape SE Four Wheel Drive from Basil Ford, Inc., 1540 Walden Ave., Cheektowaga, NY.
Disposition = Resolution 9/4/18**
- 552. Lancaster Central School District to Board of Education Members –
Copy of resolution authorizing acceptance of partial payments of school taxes.
Disposition = Town Clerk**
- 553. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent and Building Inspector –
Draft copy of minutes from August 15, 2018 Planning Board meeting.
Disposition = Planning Committee**
- 554. Town Engineer to Town Board –
Recommend acceptance by the Town of Public Improvement Permit #792 for Streetlights installed at Cross Creek Phase 6. Disposition = For Resolution**
- 555. Town Engineer to Town Board –
Recommend acceptance by the Town of Public Improvement Permit #793 for Streetlights installed at Cross Creek Phase 7. Disposition = For Resolution**
- 556. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Water Authority regarding Thoman Asphalt Addition, 56 Gunnville Road, Proj. #1637. Disposition = Planning Committee**
- 557. Marybeth Gianni, Recreation Supervisor to Supervisor and Town Board –
Request for resolution to hire Patricia Bastedo for the position of Van Driver, permanent part-time for the Senior Citizens Center effective September 5, 2018.
Disposition = Resolution 9/4/18**
- 558. Town Attorney to Supervisor, Town Board, Planning Board, Building Inspector, Town Engineer and Town Clerk –
Notice of SEQR Review Meeting regarding Site Plan: Cider Facility, 4493 Walden Ave., Proj. #1807 and Site Plan: Walmart Canopy, 4875 Transit Road, Proj. #8161 on September 4, 2018 at 6:15PM.
Disposition = Received & Filed**
- 559. Town Clerk to Various News Media –
Notice of Municipal Review Committee meeting on September 4, 2018 at 6:15PM for the SEQRA Review - Site Plan Cider Facility, 4493 Walden Ave. and Walmart Canopy, 4975 Transit Road. Disposition = Received & Filed**
- 560. Town Engineer to Town Board –
Recommend acceptance by the Town of Public Improvement Permit #793 for Streetlights installed at Cross Creek Phase 7 (Revised).
Disposition = For Resolution**
- 561. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**
- 562. Town Engineer to Town Board –
Recommend approval of Change Order No. 1 Wolf's Nursery regarding Pheasant Run Basin Rehabilitation. Disposition = For Resolution**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER DICKMAN AND SECONDED BY
COUNCIL MEMBER GACZEWSKI AND CARRIED,** the meeting was adjourned in
memory of Senator John McCain at 7:58 P.M.

Signed _____

Diane M. Terranova, Town Clerk