

**Town Board Minutes**

May 20, 2019

Meeting No. 11

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 20<sup>th</sup> day of May 2019 at 7:00 P.M. and there were

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

**ABSENT:** ADAM DICKMAN, COUNCIL MEMBER

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

**EXECUTIVE SESSION:**

AT 8:23 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER WALTER, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing collective bargaining negotiations per Article 14 of Civil Service Law.

At 8:46 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:**

**Anderson, Darlene**, spoke to the Town Board on the following matter:

- Comments and questions regarding camper storage code violations.

**Bittner, Jim**, spoke to the Town Board on the following matter:

- Comments on camper storage code violations.

**Braun, Leza**, spoke to the Town Board on the following matter:

- Thanked the Town Board for their confidence in her and their continued support.

**Costello, Gary**, spoke to the Town Board on the following matter:

- Concerns about the excessive noise at the Lancaster Speedway.

**Ederer, Gordon**, spoke to the Town Board on the following matter:

- Comments pertaining to the development of open space and the resulting parking and noise issues.

**Kolb, Kevin**, spoke to the Town Board on the following matter:

- Questions and comments regarding refuse collection.

**PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: Local Law Dogs Revision**

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

At 7:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Local Law Dogs Revision matter.

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

**NAME OF PERSONS ADDRESSING  
THE BOARD ON THIS SUBJECT**

**Proponent/  
Opponent/  
Comments/Question**

None

ON MOTION BY COUNCIL MEMBER WALTER, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the public hearing was closed at 7:17 P.M.

Decision on this matter was reserved.

May 20, 2019

**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 May 6, 2019 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	WAS ABSENT
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER WALTER	VOTED YES
SUPERVISOR COLEMAN	VOTED YES

May 20, 2019

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. 56726 to Claim No. 56882 Inclusive

Total amount hereby authorized to be paid: \$1,135,689.03

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

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

May 20, 2019

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY SUPERVISOR COLEMAN, WHO  
 MOVED ITS ADOPTION, SECONDED BY  
 COUNCIL MEMBER RUFFINO, 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
29557		Dalex Construction Inc.	11 Chicory Ln	Re-Roof	
29558		Gaeton Camillo	15 Branch Way	Inst. Generator	
29559		Dennis Majewicz	22 Lake Forest Pky W	Inst. Generator	
29560		Thomas Shedler	15 Lucia Ct	Inst. Generator	
29561		Z Man Home Improvement	16 Edward St	Re-Roof	
29562		James Blanchard	31 Stream View Ln	Er. Shed	
29563		F & D Construction Inc.	9 Fox Trace	Er. Porch	
29564		Santoro Sign Inc.	4422 Walden Ave	Er. Sign	
29565		Affable Care Dental	4845 Transit Rd	Er. Sign - Wall	
29566		Joseph Polak	83 Newberry Ln	Er. Pool-Abv Grnd	
29567		Michael Reinhold	85 Field Ave	Er. Res. Alt.	(V/L)
29568		Gary Majchrzak	3740 Bowen Rd	Er. Fence	
29569		Lawrence Mruk	2 Cherryfield Ln	Er. Deck	
29570		Riverside Door & Window Inc.	14 Ashwood Ct	Re-Roof	
29571		Jeffrey Budzinski	39 Church St	Er. Pool-Abv Grnd	(V/L)
29572		Jeffrey Budzinski	39 Church St	Er. Fence	(V/L)
29573		Sunroom Additions & Improve.	32 Magrum Ln	Er. Res. Add.	
29574		L. Beahan	78 Holland Ave	Er. Fence	(V/L)
29575		Kathleen Shields	25 Hillside Pky	Re-Roof	
29576		PCB Piezotronics	221 Warner Rd	Re-Roof	
29577		Westwood Specialties, Inc.	18 Lake Ave	Er. Res. Alt.	(V/L)
29578		TNT Custom Decks & Remod.	362 Seneca Pl	Er. Fence	
29579		Richard Schumacher Remodeling	243 Pleasant View Dr	Er. Porch Cover	
29580		LJ Construction	5 Old Mill Run	Re-Roof	
29581		LJ Construction	204 Central Ave	Re-Roof	(V/L)
29582		Timothy Glawatz	9 Summerfield Dr	Er. Pool-Abv Grnd	
29583		LJ Construction	5 Old Mill Run	Er. Res. Add.	
29584		Sahlems Roofing & Siding Inc.	61 Kennedy Ct	Re-Roof	
29585		Michael Kemp	60 Worthington Ln	Er. Shed	
29586		NYS Electric & Gas Corp.	150 Erie St	Er. Comm. Add./Alt.	(V/L)
29587		Jeffrey Szczesek	133 Nathan's Trl	Er. Porch Cover	
29588		Jeffrey Sowinski	5 Squirrel Run	Er. Shed	
29589		Sturm Roofing LLC	11 Thomas Dr	Re-Roof	
29590		Brian Fritschi	19 Tranquility Trl	Er. Shed	
29591		Richard Sabadasz	570 Ransom Rd	Re-Roof	
29592		Isadore DeMarco	221 Nathan's Trl	Er. Pool-Abv Grnd	
29593		Danaby Construction	15 Thomas Dr	Re-Roof	
29594		JML Technology Holdings LLC	41 Central Ave	Er. Comm. Add./Alt.	(V/L)
29595		JML Technology Holdings LLC	41 Central Ave	Er. Comm. Add./Alt.	(V/L)
29596		JML Technology Holding LLC	41 Central Ave	Er. Comm. Add./Alt.	(V/L)
29597		Jim & Tonia Pacer	43 Cedar Brook Dr	Er. Fence	
29598		Robert Prawel	39 Veterans Dr	Er. Res. Add.	(V/L)
29599		Jay Welsted	51 Avian Way	Er. Pool-Abv Grnd	
29600		Gen-Tech Power Systems LLC	54 Foxwood Row	Inst. Generator	
29601		Michelle Troyer	41 Madison St	Re-Roof	(V/L)
29602		American Exteriors of WNY	147 Siebert Rd	Re-Roof	
29603		R. Jennings & R.Campione	374 Townline Rd	Er. Fence	
29604		Kohorst Custom Homes & Remod	205 Central Ave	Er. Sign	(V/L)
29605		Jeffrey Lentsch	23 Plumb Creek Trl	Er. Shed	
29606		Alden State Bank	36 School St	Re-Roof	(V/L)
29607		Solcius, LLC	227 Nathan's Trl	Inst. Solar Panels	
29608		Steven Kaminski	131 Siebert Rd	Er. Pool-Abv Grnd	
29609		David Lattuca	150 Robert Dr	Er. Fence	(V/L)
29610		First United Methodist Church	517 Central Ave	Er. Deck	
29611		Castanza Building Corp.	6211 Genesee St	Er. Res. Add.	
29612		Kevin Szczesny	17 Arrow Trl	Er. Deck	
29613		X-Press Signs Inc.	473 Aurora St	Er. Signs - Wall	
29614		DJS Home Improvements	12 Blackstone Ct	Er. Res. Alt.	

29615	John Young	29 Pheasant Run Ln	Er. Pool-Abv Grnd	
29616	James Lipiecki	99 Newberry Ln	Er. Pool-Abv Grnd	
29617	William Magnuszewski	16 Avian Way	Re-Roof	
29618	Theodore Jewett	20 Clark St	Re-Roof	(V/L)
29619	Sturm Roofing LLC	5 Devonshire Ln	Re-Roof	
29620	Adam Pace	2 Branch Way	Er. Shed	
29621	Christopher McCrobie	6 Maple Dr	Er. Pool-Abv Grnd	
29622	Village of Lancaster	0 Legion Pky	Dem. Bldg	(V/L)
29623	Gary Derkovitz	23W Payne St	Er. Fence	(V/L)
29624	Steven Sachenik	2072 Como Park Blvd	Er. Fence	(V/L)
29625	John Phillips	255 Westwood Rd	Re-Roof	
29626	Joseph Polak	83 Newberry Ln	Er. Garage	
29627	Dalex Construction Inc.	27 Sawgrass Ln	Re-Roof	
29628	Bruce Norton	501 Central Ave	Er. Fence	
29629	Bruce Norton	501 Central Ave	Er. Shed	
29630	Charles Contrino	3573 Walden Ave	Er. Sign	(V/L)
29631	Philip Hall	57 Lakeside Cres	Re-Roof	(V/L)
29632	Michael Hatsios	5545 Genesee St	Er. Pool-Abv Grnd	
29633	Eric Beckman	325 Aurora St	Re-Roof	(V/L)
29634	Countryside Builders Corp.	24 Hidden Meadow Cros	Er. Res. Alt.	
29635	Peter Petryshyn	35 Benson Dr	Er. Fence	(V/L)
29636	Kim Benson	91 Pheasant Run Ln	Er. Res. Alt.	
29637	NEC Transit William LLC	4979 Transit Rd	Er. Sign - Temp	

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

May 20, 2019

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

**WHEREAS**, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

**WHEREAS**, the Office of the Municipal Clerk is the oldest among public servants; and

**WHEREAS**, the Office of Municipal Clerk provides the professional link between citizens, the local governing bodies and agencies of government at other levels; and

**WHEREAS**, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

**WHEREAS**, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meeting of their state, province, county and international professional organizations; and

**WHEREAS**, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Erie County Town Clerk and Tax Collectors Association, hereby recognize the week of May 5 through May 11, 2019 as Municipal Clerk’s Week and further extends appreciation to Lancaster Town Clerk, Diane M. Terranova and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

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

May 20, 2019



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

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

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

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

**NOW, THEREFORE,**

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

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

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

May 20, 2019

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

**A BOND RESOLUTION, DATED MAY 20, 2019, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ACQUISITION OF VARIOUS MAINTENANCE VEHICLES AND EQUIPMENT, AT AN ESTIMATED MAXIMUM COST OF \$900,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$900,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.**

**BE IT RESOLVED**, by the Town Board of the Town of Lancaster, in the County of Erie, New York (the "Town") (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

**SECTION 1.** The Town is hereby authorized to acquire various maintenance vehicles and equipment, including all necessary equipment, apparatus and warranties and all preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$900,000.

**SECTION 2.** The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$900,000 of the Town, hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

**SECTION 3.** It is hereby determined that the Purpose is an object or purpose described in subdivision 28 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such Purpose is 15 years.

**SECTION 4.** Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

**SECTION 5.** It is hereby determined the proposed maturity of the obligations authorized by this resolution is expected to be in excess of five years.

**SECTION 6.** The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

**SECTION 7.** Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond

anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

**SECTION 8.** The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Town then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (a) the date hereof or (b) the date of any earlier expression by the Town of its intent to reimburse such expenditures) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration (or reaffirmation) of the Town's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

**SECTION 9.** The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

**SECTION 10.** The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

**SECTION 11.** The Town hereby determines that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") are required.

**SECTION 12.** In the absence or unavailability of the Town Supervisor, the Deputy Town Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

**SECTION 13.** The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

**SECTION 14.** This resolution is subject to permissive referendum pursuant to Section 35.00 of the Local Finance Law. The Town Clerk is hereby authorized and directed to publish (one time) and post on the sign-board of the Town, this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

**SECTION 15.** If no petitions are filed in the permissive referendum period, the Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00

of the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

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

May 20, 2019

**NOTICE OF ADOPTION OF BOND RESOLUTION  
SUBJECT TO PERMISSIVE REFERENDUM  
AUTHORIZING THE ACQUISITION OF  
VARIOUS MAINTENANCE VEHICLES AND EQUIPMENT**

Notice is hereby given that at its May 20, 2019 meeting the Town Board of the Town of Lancaster adopted a bond resolution authorizing the acquisition of various maintenance vehicles and equipment, including all necessary equipment, apparatus and warranties and all preliminary costs and costs incidental thereto, and in connection with the financing thereof (collectively the "Purpose") at an estimated maximum cost of \$900,000. Such resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of such serial bonds, in an aggregate principal amount not to exceed \$900,000 of the Town, such amount to be offset by any federal, state, county and/or local funds received. Such resolution is subject to permissive referendum pursuant to New York law.

BY ORDER OF THE TOWN BOARD OF  
TOWN OF LANCASTER, ERIE COUNTY,  
NEW YORK

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

**WHEREAS**, the Twin District Fire Company by letter dated May 7, 2019,  
has requested the addition of three (3) members to the roster of said fire association.

**NOW, THEREFORE,**

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

**ADDITIONS:**

Chad Dupray  
Lancaster, New York

Brian Macpeek  
Lancaster, New York

Mark Dauer  
Lancaster, New York

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

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

May 20, 2019

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

**WHEREAS**, the Lancaster/Depew Meals on Wheels desires to enter into a contractual arrangement with the Town to continue the provision of meals to housebound seniors, and

**WHEREAS**, the Town Board has given due review and consideration to this request and deems it in the public interest for the Town to enter into a contract to provide for the continuation of this meal service for seniors during the 2019 calendar year;

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into an agreement with the Meals on Wheels of Western New York, Inc., to provide continuation of the meal program for housebound seniors for the 2019 calendar year, the Town will provide under this contract the sum of up to \$30,000.00 as appropriated in the Town's 2019 Program for the Aging, Contractual Expenses Budget, line item A7610.410.

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

May 20, 2019

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

**WHEREAS**, Kulback's Inc., 2 Wendling Court, Lancaster, New York 14086  
has applied to the Town Board of the Town of Lancaster for a permit for Private  
Improvements upon real property in the Town of Lancaster within PCB Piezotronics, Inc.  
0 Walden Avenue, and

**WHEREAS**, the Town Engineer of the Town of Lancaster has certified  
on the following permit application that he has reviewed the improvement plans and permit  
application for the installation of the private improvements requested, and that they conform  
to the Ordinances of the Town of Lancaster.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that Private Improvement Permit Application No. 799  
for PCB Piezotronics, Inc., 0 Walden Avenue, Lancaster, New York 14086 which is a permit  
for Private Improvements for the installation of:

- Construction of a 30,900 square foot single story pre-engineered metal building, asphalt pavement, storm water management and landscaping.

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

May 20, 2019



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

**WHEREAS**, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster Town Code provide for the adoption and enactment of local laws, and

**WHEREAS**, a proposed Local Law of the Year 2019 entitled “**STORMWATER CONTROL REVISION**”, of the Code of the Town of Lancaster, was introduced to the Town Board of the Town of Lancaster by Supervisor Coleman on the 15<sup>th</sup> day of April, 2019, and

**WHEREAS**, the Town Board, acting as Lead Agency under the State Environmental Quality Review Act (“SEQRA”) has determined the action is a Type II action under 6NYCRR Part 617.5(c)(33), and

**WHEREAS**, the Town Board called for, noticed, and held a public hearing on the proposed Local Law on May 6, 2019, where all interested parties were allowed to address the proposed Local Law;

**WHEREAS**, the Town Board of the Town of Lancaster after due review and deliberation finds it in the best interest of the Town to adopt said Local Law.

**NOW, THEREFORE,**

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

1. The attached Local Law No. 5 of 2019 is hereby adopted.
2. The Local Law shall be effective upon its filing with the Secretary of State pursuant to the Municipal Home Rule Law.

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

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

May 20, 2019

**LEGAL NOTICE  
NOTICE OF ADOPTION  
LOCAL LAW NO. 5 OF THE YEAR 2019  
TOWN OF LANCASTER**

**PLEASE TAKE NOTICE** that there has been adopted by the Town Board of the Town of Lancaster, County of Erie, State of New York, on May 20, 2019 Local Law No. 5 of the Year 2019, which amends the Town of Lancaster Zoning Code, Article IX. Storm Water Control, §50-54/ Performance and design criteria (A)(1) and §50-55. Maintenance and repair of Stormwater facilities, (C) and adding (D) to further clarify stormwater control requirements. Copies of the Local Law are on file for review in the Lancaster Town Hall, 21 Central Avenue and on the Town of Lancaster's website, <http://www.lancasterny.gov>.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

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

May 23, 2019

**Town of Lancaster  
Local Law No. 5 of 2019**

**A Local Law Amending the Town of Lancaster Stormwater Control Requirements.**

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

**Section 1:** Chapter 50. Zoning, Article IX Stormwater Control §50-54(A)(1) of the Town of Lancaster Town Code is amended to read in its entirety as follows:

- (1) The New York State Stormwater Management Design Manual (New York State Department of Environmental Conservation, most current version or its successor, hereafter referred to as the “Design Manual”); The Post-Developed Stormwater runoff from a 24 hr. 100 year storm event must be equal to or less than the Pre-Developed Stormwater runoff from a 24 hr. 10 year storm event.

**Section 2:** Chapter 50. Zoning, Article IX Stormwater Control §50-55(C) of the Town of Lancaster Town Code is amended and §50-55(D) is added, to read in their entirety as follows:

- C.** Maintenance after construction. The owner and/or operator of permanent stormwater management facilities/practices installed in accordance with this chapter shall ensure they are operated and maintained to achieve the goals of this chapter. Proper operation and maintenance also includes, as a minimum, the following:
  - (1) A preventive/corrective maintenance program for all critical facilities and systems of treatment and control (or related appurtenances) which are installed or used by the owner and/or operator to achieve the goals of this chapter.
  - (2) Written procedures for operation and maintenance and training of new maintenance personnel.
  - (3) Discharges from the SMPs shall not exceed design criteria or cause or contribute to water quality standard violations in accordance with **Article IX. §50-55(C)(3)**.
  
- D.** Maintenance agreements. The Town of Lancaster shall approve a formal maintenance agreement for stormwater management facilities which shall be binding on all subsequent real property landowners and shall be recorded in the Office of the County Clerk as a deed restriction on the property. Proof of said filing shall be provided to the Town prior to the issuance of P.I.P’s.

**Section 3:** Severability. Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

**Section 4:** Effective Date. This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

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

**WHEREAS**, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster Town Code provide for the adoption and enactment of local laws, and

**WHEREAS**, a proposed Local Law of the Year 2019 entitled “**CHAPTER 25 REVISION**”, of the Code of the Town of Lancaster, was introduced to the Town Board of the Town of Lancaster by Supervisor Coleman on the 15<sup>th</sup> day of April, 2019, and

**WHEREAS**, the Town Board, acting as Lead Agency under the State Environmental Quality Review Act (“SEQRA”) has determined the action is a Type II action under 6NYCRR Part 617.5(c)(33), and

**WHEREAS**, the Town Board called for, noticed, and held a public hearing on the proposed Local Law on May 6, 2019, where all interested parties were allowed to address the proposed Local Law;

**WHEREAS**, the Town Board of the Town of Lancaster after due review and deliberation finds it in the best interest of the Town to adopt said Local Law.

**NOW, THEREFORE,**

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

1. The attached Local Law No. 6 of 2019 is hereby adopted.
2. The Local Law shall be effective upon its filing with the Secretary of State pursuant to the Municipal Home Rule Law.

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

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

May 20, 2019

**LEGAL NOTICE  
NOTICE OF ADOPTION  
LOCAL LAW NO. 6 OF THE YEAR 2019  
TOWN OF LANCASTER**

**PLEASE TAKE NOTICE** that there has been adopted by the Town Board of the Town of Lancaster, County of Erie, State of New York, on May 20, 2019 Local Law No. 6 of the Year 2019, which amends Chapter 25 of the Town Code of the Town of Lancaster to incorporate information relating to the Town's new Refuse Collection, Disposal and Recyclable Materials Collection and Processing Service. Copies of the Local Law are on file for review in the Lancaster Town Hall, 21 Central Avenue and on the Town of Lancaster's website, <http://www.lancasterny.gov>.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

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

May 23, 2019

**Town of Lancaster  
Local Law No. 6 of 2019**

**A Local Law Amending Chapter 25 of the Town Code of the Town of Lancaster to update information relating to the Town's new Refuse Collection, Disposal and Recyclable Materials Collection and Processing Service.**

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

**Section 1:** The title of Chapter 25 of the Town of Lancaster Town Code is amended to read in its entirety as follows:

**Chapter 25. Refuse, Garbage and Recycling**

**Section 2: Article II.** Title and §25-5, and §25-7 of the Lancaster Town Code are amended to read in their entirety as follows:

**Article II. Refuse Garbage and Recycling: Hours of Collection**

§25-5. Legislative authority: title

The title of this local law shall be "**Refuse, Garbage and Recycling: Hours of Collection.**"

§25-7. Hours of collection.

Collection of garbage, rubbish, **refuse and recycling** by private collectors under contract with property owners or businesses in the Town of Lancaster for premises which are sited within a residential district or within 500 feet of any residential district shall occur only between the hours of 7:00 a.m. and 6:00 p.m.

**Section 3: Article III.** Refuse and Recycling, §25-11 Definitions.is amended, §25-12.(becomes New) **Receptacles and storage.;** §25-13.(becomes) Duties of owners and occupants, some subsections are amended and new subsections added; §25-14.(becomes) Duties of authorized collector and licensed private collectors, subsection D is amended; §25-15.(becomes) Licensing., subsections F & G(2) are amended, Subsection G(3) is deleted; §25-16.(becomes) Prohibited acts; penalties for offenses., subsection D is amended, and subsection F is added, §25-17.(becomes) Enactment of other provisions., §25-18.(becomes) Severability.; §25-19.(becomes) Effective date., to the Town of Lancaster Town Code which will read as follows:

**§25-11. Definitions.**

Facility...

**ADD:**

**Garbage Cart**

**A Town-authorized container of either 65 gallons or 95 gallons for the storage and collection of garbage (black lid). One cart shall be assigned to each residential producer or other authorized unit and shall be the property of the Town of Lancaster. A person who is the owner or occupant of a residential producer shall have the option to purchase, at his or her own expense, one additional level of Garbage Collection and Recycling services and will then be provided one additional garbage cart. There shall be no more than four (4) garbage carts at any residential producer or other authorized unit. Each garbage cart provided by the Town of Lancaster shall remain the property of the Town of Lancaster and shall not be removed from the residence or other authorized unit to which it was assigned.**

.....

**DELETE: RECYCLABLE CONTAINERS**

**Those containers issued by the Town of Lancaster into which recyclable materials must be placed for collection.**

**REPLACE WITH:**

**RECYCLABLE CART**

**A Town-authorized container of either 65 gallons or 95 gallons for the storage and collection of recyclable materials (red lid). One recyclable cart shall be assigned to each residential producer and other authorized unit and shall be the property of the Town of Lancaster. Any recyclable cart assigned to a residential producer or other authorized unit shall remain at the residence or other authorized unit and shall not be moved from the same. Additional recyclable carts shall be available to owners or occupants of either residential units or authorized units in the manner described in the definition of “garbage cart.”**

**AMEND: RESIDENTIAL PROPERTY**

**Properties within the Refuse District used as dwellings, including but not limited to single and double-family dwellings and apartment buildings containing three (3) to eight (8) units.**

.....

Town Board

**ADD: TOWN DISPOSAL STICKER TAG**

**A sticker or tag available from the Town which shall bear an identification mark established by the Town.**

**TOWN STICKER ITEMS**

**Town sticker items must be refuse bags and cannot exceed 40 pounds. Materials must be non-vermin attracting waste and bags cannot be busted open. All collectible material shall be properly sealed and presented and set curbside, adjacent to refuse cart (not on top) and contain a Town Disposal Sticker.**

**ADD §25-12. Receptacles and storage.**

- A. The Town shall provide and assign to each residential unit and other authorized unit one garbage cart and one recycling cart. Additional garbage and recycling carts may be obtained as described in the definition of “garbage cart.” Garbage carts shall be used for the collection, storage and disposal of all garbage and non-recyclable refuse and rubbish that may accumulate or be produced by them. Recycling carts shall be used for the collection, storage and disposal of recyclable materials.**
- B. Garbage and non-recyclable refuse and rubbish shall be stored in the garbage cart with the lid completely closed. No garbage cart shall exceed 300 lbs. (136 kg.) for a 95-gallon cart or 200 lbs (91 kg.) for a 65-gallon cart, in weight when filled.**
- C. Recycling materials shall be stored in the recycling cart with the lid completely closed. No recycling cart shall exceed 300 lbs. (136 kg.) for a 95-gallon cart or 200 lbs (91 kg.) for a 65-gallon cart, in weight when filled.**

**D. All garbage and recycling carts shall be maintained in good condition. All garbage and recycling carts shall be kept as sanitary as possible in view of the use to which they are put and shall be thoroughly cleaned by the owner or occupant of the premises after garbage or recyclable materials are removed by the collector. Except when placed at the curb-line for collection, all carts shall be stored on the property producing the solid waste on either the side or in back of the dwelling or inside the garage.**

**AMEND: §25-13. Duties of owners and occupants.**

A, B & E from original 25-12 to be included & remain the same.

**AMEND: C. Every owner and/or occupant of any residential property located within the Town of Lancaster's Refuse District shall, prior to initial collection, source-separate any and all recyclable materials from all other municipal solid wastes.**

**D. Every owner and/or occupant of any residential property located within the Refuse District shall use the recyclable **cart or carts** issued to it by the Town to contain any recyclable material prior to collection and shall prepare the recyclable materials to the specifications of the authorized collector.**

**F. Disposable plastic bags may be placed adjacent to the Town issued refuse carts which are waterproof, strong, and securely tied, and do not exceed more than 40 pounds in weight (each) and have affixed Town issued tags or stickers. However, glass and other objects in refuse that are sharp or that could cause injury shall not be placed in plastic bags. In addition, residents utilizing the Town issued bag tags and stickers shall put food waste in the carts and put non-putrescible and non-vermin attracting waste outside the cart. All residential properties within the Refuse District subscribing to refuse collection services are permitted to purchase additional tags for use.**

**G. When the authorized collector or any licensed private collector refuses to collect municipal solid waste as provided for in §25-14E hereinafter set forth, such owner and/or occupant shall immediately remove all such materials from any curb, sidewalk or street side.**

**H. Each owner of a commercial and/or institutional property located within the Refuse District shall contract with a licensed private collector for the collection and removal of all MSW and recyclable materials generated from the use or occupancy of his property, provided that, when approved by the Town, such owners or occupants of commercial and industrial property may collect, convey and dispose of privately generated MSW by their own containers and/or trucks, provided that they comply with the applicable provisions of this local law and New York State Department of Environmental Conservation Regulations.**

**I. All major appliances or large household furnishings not capable of being placed in receptacles or bundles as provided herein may be placed at the curb-line or pavement-line only on the scheduled bulk pickup collection day for that area. Residents are allowed to place out a total of three (3) bulk items per month per dwelling/parcel during the second full week of each month. It shall be the sole responsibility of the owner to dismantle the appliance or furnishing so that it will not be a hazard to the public. Specifically, all refrigerator and freezer doors must be removed and Freon lines must be decommissioned.**



**J. Bulk waste and large appliances are to be collected by the authorized collector and each private collector on days to be determined by the Town.**

- (1) Carpeting must be rolled in lengths of 4 feet or less, taped securely, and no wider than 18 inches.**
- (2) Large items must be of size that can easily be handled by two employees.**
- (3) Additional acceptable items include small furniture, bedding and mattresses, hot water tanks, and large appliances.**
- (4) Bulk item collection does NOT include air conditioners, microwave-emitting equipment, microwave ovens, and regulated material covered by the New York State Electronic Equipment Recycling and Reuse Act, such as televisions and computers.**
- (5) Any item, such as a weed trimmer or small lawnmower, with an engine requiring oil and gas must have those liquids removed prior to collection.**

**K. Unacceptable waste such as dead animals, explosive and flammable materials, pesticides, batteries, compressed gas cylinders, aerosol cans, motor oils, regulated and non-regulated hazardous chemicals, medical & infectious waste, construction material, septic waste & sludge, junk automobiles and tires shall be separated from the recyclables and non-recyclables and disposed of pursuant to New York State Department of Environmental Conservation regulations. Disposal of said unacceptable waste is the responsibility of the resident and will not be picked up by the licensed authorized collector.**

**L. Every owner/occupant of any residential, commercial, and/or institutional property located within the Town's Refuse District shall put out for collection municipal solid waste and recyclable materials no earlier than 5:00 p.m. on the day prior to collection. Garbage and recycling days for pick up will be determined by the Town. All garbage and recycling carts shall be removed within twelve (12) hours after being emptied and stored in a concealed location from the street.**

**M. All garbage and recycling carts shall be placed on the curb-line or pavement-line in front of the premises.**

**AMEND: §25-14. Duties of authorized collector and licensed private collectors.**

A, B, C, E, F (1-5), & G from original 25-13 to be included & remain the same.

**AMEND: D. Bulk items and large appliances** shall be collected by the authorized collector and each licensed private collector on days to be determined by the Town.

**AMEND: §25-15. Licensing.**

A, B, C, D, E & H from original 25-14 to be included & remain the same.

**AMEND:** F. Each private collector to be licensed must have **Commercial General Liability coverage, naming the Town of Lancaster as an additional insured, in the amount of \$1,000,000 Each Occurrence and \$3,000,000 in the Aggregate. The licensed private collector shall file with the Town Clerk a certificate of insurance for that amount prior to the issuance of a license to the private collector. In addition, the licensed private collector shall maintain insurance as outlined below:**

- (1) **Workers Compensation:  
Part 1: Workers Compensation: Statutory  
Part 2: Employers Liability: \$1,000,000.**

**\*Note: If New York State domiciled employees are used, coverage to be New York Statutory for both Parts 1 and 2.**

- (2) **New York Disability Benefits Liability: Statutory coverage if New York State domiciled employees are used.**

- (3) **Automobile Liability:  
-\$1,000,000. Each Accident  
-Town of Lancaster to be scheduled as an Additional Insured.**

- (4) **Umbrella Liability:  
-\$5,000,000. Each Occurrence  
-\$5,000,000. Aggregate  
-Town of Lancaster to be scheduled as an Additional Insured.**

- (5) **Contractors Pollution Liability  
-\$2,000,000. Each Claim  
-\$2,000,000. Aggregate**

**G.** Every license issued by the Town Clerk, pursuant to this article, shall be subject to the following conditions:

- (1) Each vehicle used by the licensed private collector in the collection and transportation of MSW and recyclable materials in the Refuse District shall be neat clean and in good repair.

**AMEND:** (2) **No owner, collector or employee of a private contractor shall be under the influence of alcohol or other drugs or use insolent or improper language during pickup or when receiving complaints over the telephone.**

**DELETE:** (3)

**AMEND:** **§25-16. Prohibited acts; penalties for offenses.**

A, B, C(1-3), & E(1,2) from original 25-15 to be included & remain the same.

**AMEND:** **D.** No court proceedings shall be commenced against any person who violated the provisions of Subsection C hereinabove set forth for any violation occurring before **June 1, 2019** in order to permit persons to come into compliance with this local law.

**ADD** **F. Replacement of Lost/Stolen/Damaged Carts. If a cart is reported lost/stolen/damaged the resident will be responsible for a replacement fee of \$60.**

**AMEND: §25-17. Enactment of other provisions.**

from original 25-16 to be included & remain the same.

**AMEND: §25-18. Severability.**

from original 25-17 to be included & remain the same.

**AMEND: §25-19. Effective date.**

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

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

**WHEREAS**, by letter dated May 9, 2019, Michelle Barbaro, Town of Lancaster's Department of Park Crew Chief, has requested that the Town Board authorize an invitation to bid for the furnishing and installing a synthetic Little League Baseball Infield at Offerman Field within the Town of Lancaster's Westwood Park, 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 furnishing and installing a synthetic Little League Baseball Infield at Offerman Field within the Town of Lancaster's Westwood Park, said bids are to be in conformance with the plans and specifications which are available at the office of Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086, 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 June 6, 2019 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	WAS ABSENT
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER WALTER	VOTED YES
SUPERVISOR COLEMAN	VOTED YES

May 20, 2019

**NOTICE TO BIDDERS**

FOR THE

**TOWN OF LANCASTER  
WESTWOOD PARK SYNTHETIC LITTLE LEAGUE BASEBALL INFIELD**

Sealed bids for the proposed improvements at the Town's Westwood Park for furnishing and installing a synthetic baseball infield 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 June 6, 2019**, 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 percentum (5%) of the total amount of the Bid, or a bond with sufficient sureties in a penal sum equal to five percentum (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

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

Diane Terranova  
Town Clerk

Date: May 23, 2019

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER WALTER, 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 **Tonya M. Bradford**, for a Special Use Permit for a Home Occupation (Hair Salon) on premises located at 30 Woodgate Drive, Lancaster, New York, and the Board issued such Special Use Permit on May 4, 2015, this Special Use Permit is subject to renewal upon application by the property owner, and

**WHEREAS**, **Tonya M. Bradford** 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 May 10, 2019;

**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 the renewal of a Special Use Permit to **Tonya M. Bradford** for a Home Occupation (Hair Salon) on premises located at 30 Woodgate Drive, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning May 4, 2019 and ending May 3, 2021, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Article IV, Section 17(F), of the Code of the Town of Lancaster and to any additional conditions listed herein, as long as the applicant continues to engage in the home occupation on the premises, namely:

- A. There shall be no outdoor sign advertising this business.
- B. This Special Use Permit terminates when the applicant no longer resides on the premises.
- C. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal is considered upon the property owner submitting an application to the Town Clerk, **on or before May 3, 2021.**
- D. Applicant will obtain and provide a copy of the business' New York State Tax/Federal Employer Identification Number and, where required, a copy of a valid State License issued by the appropriate regulatory agency for the service being provided.
- E. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.

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

May 20, 2019

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

**WHEREAS**, Timothy Schmitt, on behalf of Franklin G. Downing, Jr., of **Towne AVW, Inc. d/b/a/ Audi Buffalo and Towne Volkswagen**, in the Town of Lancaster, has submitted an application for a Special Use Permit to operate an automobile dealership to include mechanical servicing and body repairing of motor vehicles on premises located at 5243 and 5255 Genesee Street and 00 Home Road (SBL Nos. 93.06-3-38.1, 93.06-2-51.1 & 93.06-2-46.1) Bowmansville, in accordance with provisions of Chapter 50-Zoning, Section 20 (B)(1)(j) 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 **Towne AVW, Inc. d/b/a/ Audi Buffalo and Towne Volkswagen**, to operate an automobile dealership which includes mechanical servicing and body repairing of motor vehicles on premises located at 5243 and 5255 Genesee Street and 00 Home Road, Bowmansville, in the Town of Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 3<sup>rd</sup> day of June, 2019, 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	WAS ABSENT
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER WALTER	VOTED YES
SUPERVISOR COLEMAN	VOTED YES

May 20, 2019



**LEGAL NOTICE  
PUBLIC HEARING  
SPECIAL USE PERMIT-  
TOWNE AVW, INC. D/B/A/ AUDI BUFFALO AND TOWNE VOLKSWAGEN  
5243 AND 5255 GENESEE STREET AND 00 HOME ROAD, BOWMANVILLE**

**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 20<sup>th</sup> day of May, 2019 the said Town Board will hold a Public Hearing on the 3<sup>rd</sup> day of June, 2019, at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of Timothy Schmitt, on behalf of Franklin G. Downing, Jr., of **Towne AVW, Inc. d/b/a/ Audi Buffalo and Towne Volkswagen** to operate an automobile dealership which includes mechanical servicing and body repairing of motor vehicles on premises located at 5243 and **5255** Genesee Street and 00 Home Road, Bowmansville 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**

May 23, 2019

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

**WHEREAS**, the Town of Lancaster (the “Town”) and [Charter Communications] (“Charter”) have negotiated an Easement (the “Easement”) granting Charter an easement to construct, place, operate, replace, remove, extend, repair and maintain service lines including, poles, anchors, aerial cable, buried cables, conduits, handholes, manholes and other appurtenances necessary to provide telecommunications services (the “Project”), on property owned by the Town, known as 37 Gale Drive (SBL No. 116.05-4-18) in the Town of Lancaster, New York (the “Property”), with rights for appropriate ingress and egress and utilities in connection therewith, and

**WHEREAS**, the Town Board has reviewed the Project and the Easement, and all other materials submitted in connection therewith, and

**WHEREAS**, the Town Board determined that conveyance of the Easement for telecommunications purposes to service an [approved subdivision] is a Type II action under SEQR (State Environmental Quality Review) pursuant to 6 NYCRR § 617.5(c)(13).

**NOW, THEREFORE,**

**BE IT RESOLVED** that, the Board hereby (a) approves the Easement with Charter, in the form presented to the Board, for the Easement over the Property, subject to permissive referendum; (b) authorizes the Supervisor to execute the Easement (with such non-material amendments, additions or alterations as may be determined appropriate by the Town’s legal counsel); (c) authorizes the Supervisor and other appropriate Town officials to proceed with the implementation of all steps reasonably necessary and appropriate to allow for the Town’s performance of the Easement; and (d) directs the publication of the notice for a permissive referendum, as may be required.

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

May 20, 2019

**PUBLIC NOTICE**

**TOWN OF LANCASTER**

NOTICE IS HEREBY GIVEN that on May 20, 2019, the Town Board of the Town of Lancaster adopted a resolution which is subject to a permissive referendum in accordance with Article 7 of the Town Law of the State of New York.

The Town of Lancaster has offered an easement agreement to [Charter Communications] to use a portion of real property owned by the Town of Lancaster, known as 37 Gale Drive, in the Town of Lancaster, Erie County, New York (Tax Map Number 116.05-4-18). The purpose of the easement is to construct, place, operate, replace, remove, extend, repair and maintain service lines including, poles, anchors, aerial cable, buried cables, conduits, handholes, manholes and other appurtenances necessary to provide telecommunications services, together with rights for appropriate ingress and egress and utilities in connection therewith. The resolution is on file with the Town Clerk.

[Charter Communications] desires to accept such offer of a lease agreement subject to the terms and conditions of the lease agreement.

SIGNED \_\_\_\_\_  
DIANE M. TERRANOVA  
TOWN CLERK

May 23, 2019

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

**WHEREAS, J&B Installations, Inc.,** 732 Visions Drive, Skaneateles  
Fall, New York 13153, the contractor for the replacement of the roof at the Town Highway  
Department Building, located at 525 Pavement Road, has submitted Change Order No. 1 in  
the amount of \$6,299.19 to the Town Board for their approval, based on the description of  
work previously provided to the Town Board;

**NOW, THEREFORE,**  
**BE IT RESOLVED,** that the Town Board of the Town of Lancaster  
hereby approves Change Order No. 1 to **J&B Installations, Inc.,** with respect to the outlined  
descriptions provided to the Town Board:

**DESCRIPTION OF CHANGE ORDER NO. 1:**

Additional compensation for additional work performed for the asbestos remediation of the  
exterior roofing tar materials.

**CHANGE ORDER NO. 1:**

The original Contract Sum was .....	\$	148,800.00
The Contract Sum will be increased by this Change Order in the amount of....	\$	6,299.19
The new Contract Sum increased including this Change Order will be	\$	<b>155,099.19</b>

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

May 20, 2019

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

**WHEREAS,** William J. Karn Jr., Police Chief of the Town of Lancaster, by letter dated May 10, 2019, has requested the creation of one (1) additional position of Clerk Typist, in the Police Department.

**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) additional position of Clerk Typist, in the Police Department.

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

May 20, 2019

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

**WHEREAS**, William J. Karn Jr., Police Chief for the Town of Lancaster, by letter dated May 10, 2019, has recommended the appointment of Leza Braun to the position of Clerk Typist in the Town of Lancaster Police Department, and

**WHEREAS**, Leza Braun 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 Leza Braun of Lancaster, New York, be and is hereby appointed to the position of Clerk Typist, in the Town of Lancaster Police Department, contingent upon approval by Erie County Department of Personnel, effective June 3, 2019 and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA White Collar Union and all applicable provisions of law, and

**BE IT FURTHER,**

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

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

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

May 20, 2019

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

**WHEREAS**, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated May 15, 2019, 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 Youth Bureau, 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>
Lynn Dalfonso Lancaster, NY	Tutor	\$20.00	June 10, 2019
Robert Pacillo Lewiston, NY	Tutor	\$20.00	June 10, 2018
Ryan Kaminski Buffalo, NY	Tutor	\$17.50	June 10, 2018
Alaina Zyhowski Lancaster, NY	Tutor	\$16.00	June 10, 2018
Taylor Carlson Depew, NY	Tutor	\$15.00	June 10, 2018
Leah Voit Depew, NY	Tutor	\$15.00	June 10, 2019

**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	WAS ABSENT
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 GACZEWSKI, TO WIT:

**WHEREAS**, the Park Crew Chief of the Town of Lancaster, by letter dated, May 15, 2019 has requested the creation of one (1) new position of Forestry Supervisor, in the Parks, Recreation, and Forestry Department.

**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 Forestry Supervisor, in the Parks, Recreation, and Forestry Department.

**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	WAS ABSENT
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED NO
COUNCIL MEMBER WALTER	VOTED YES
SUPERVISOR COLEMAN	VOTED YES

May 20, 2019



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 letters dated May 13, 2019, and May 16, 2019 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>
Alec Tamburri Lancaster, NY	Laborer	\$12.00	May 13, 2019
Sean Coughlin Lancaster, NY	Laborer	\$12.00	May 20, 2019
Colin Gasiewicz Lancaster, NY	Lifeguard	\$12.50	May 21, 2019
John Pilato Lancaster, NY	Forestry Supervisor	\$28.00	May 22, 2019

**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	WAS ABSENT
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED NO
COUNCIL MEMBER WALTER	VOTED YES
SUPERVISOR COLEMAN	VOTED YES

May 20, 2019

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

**WHEREAS**, Natale Development Company/Cocoon Development, LLC, developer of “Hamlet Meadows Subdivision” located on Harris Hill Road and filed under Map Cover No. 3753, has requested permission to erect a model patio home within the subdivision pending approval of the Home Owners’ Association by the Attorney General’s Office;

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Building Inspector be and hereby is authorized to issue a permit for a model home to be constructed in the “Hamlet Meadows Subdivision” at 15 Juliette Drive (SBL No. 82.15-1-13); with the following conditions:

1. No Certificate of Occupancy will be issued by the Town of Lancaster until the entire subdivision infrastructure is completed and all private improvements are made and accepted.
2. No Certificate of Occupancy will be issued by the Town of Lancaster until documentation of the Homeowners’ Association approval by NYS is provided by the developer to include the name of the entity, what it will be responsible for and contact information, which will be updated with the Town as changes occur.

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

May 20, 2019

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

**WHEREAS**, William Severyn, developer of “Severyn Subdivision” located on St. Anthony Street and filed under Map Cover No. 3679, has requested permission to erect single family model homes within the subdivision;

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Building Inspector be and hereby is authorized to issue a permit for a model home to be constructed in the “Severyn Subdivision” at 2b St Anthony St (SBL No.105.03-1-39.3), 4a St Anthony St (SBL No.105.03-1-39.2) & 4b St Anthony St (SBL No.105.03-1-39.1); with the following conditions:

1. No Certificate of Occupancy will be issued by the Town of Lancaster until the remaining subdivision infrastructure is completed and all public improvement permits are accepted.
2. No Certificate of Occupancy will be issued by the Town of Lancaster until the property owner has two (2) original Stormwater Control Facility Maintenance Agreements fully executed with one being on file with the Town and proof of the other being filed with Erie County is provided to the Town Attorney’s Office.

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

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

May 20, 2019

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 (“the Town”) had previously entered into an Agreement with the Lancaster Central School District (“the District”) to cover the joint sharing of the use, costs and expenses for the fuel storage and distribution system previously located at the District’s facility on Pleasant View Drive in the Town of Lancaster and which has expired according to its terms on June 30, 2018, and

**WHEREAS**, the District’s Transportation Department recently constructed a new Bus Garage located at 4082 Walden Avenue which included the purchase and installation of a new fuel storage and distribution system, and

**WHEREAS**, the Town Attorney, has negotiated a new agreement with the District which includes the Town providing an annual reimbursement to the District for a portion of the construction costs beginning June 30, 2019 and ending June 30, 2023, and

**WHEREAS**, the Town Board has reviewed the new agreement for the sharing of use, costs and expenses of the fuel storage and distribution system with the District to commence May 14, 2019 and terminate May 13, 2023 and is agreeable to its terms;

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that the Supervisor is hereby authorized to execute, on behalf of the Town of Lancaster, a new agreement with the Lancaster Central School District to cover a portion of the construction costs and the joint sharing of the use, costs and expenses for the Fuel Storage and Distribution System the District’s Transportation /Bus Garage located at 4082 Walden Avenue in the Town of Lancaster for the period commencing May 14, 2019 to May 13, 2023 with an option to renew for an additional five (5) year period upon written agreement of both Parties.

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

May 20, 2019

## COMMUNICATIONS & REPORTS

338. Town Clerk to Town Board –  
Town Clerk Monthly Report for April 2019. Disposition = Received & Filed
339. Erie County Dept. of Senior Services to Supervisor –  
Information regarding Elder Law Day on June 6, 2019, at the Millennium Hotel from 8:00AM to 1:30PM. Disposition = Received & Filed
340. Lancaster Volunteer Ambulance Corp to Town Clerk –  
LVAC calls for March 2019. Disposition = Received & Filed
341. Lancaster Volunteer Ambulance Corp. to Town Clerk –  
LVAC calls for April 2019. Disposition = Received & Filed
342. Code Enforcement Officer to Drainage & Storm Sewer Committee –  
MS4 Report for April 2019. Disposition = Received & Filed
343. Town Attorney to Town Board and Planning Board –  
SEQR response from NYS Dept. of Parks, Recreation & Historic Preservation regarding 4,000 SF Office/Warehouse, 10 Lancaster Parkway, Proj. #1956.  
Disposition = Planning Committee
344. Town Attorney to Town Board and Planning Board –  
SEQR response from NYSDEC regarding Edwards 3-Lot Subdivision, 6466 Broadway, Proj. #6268. Disposition = Planning Committee
345. Town Attorney to Town Board and Planning Board –  
SEQR responses from Erie County Dept. of Sewerage Management and Erie County Dept. of Environment & Planning regarding Siebert Road Subdivision, 185 Siebert Road, Proj. #2018. Disposition = Planning Committee
346. Certification Board of Regents to Matthew Fischione, CFM –  
Certificate issued 4/17/2019 duly registering Matthew Fischione as an ASFPM Certified Floodplain Manager. Disposition = Received & Filed
347. Town Clerk to Code Enforcement Officer –  
Transmittal of Commercial Special Use Permit Application for Towne AVW, Inc., 5255 Genesee Street. Disposition = Planning Committee
348. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent and Building Inspector –  
Draft copy of minutes from the May 1, 2019 Planning Board meeting.  
Disposition = Received & Filed
349. Tom Bertucci to Drainage Committee Members –  
Request to install a new fence where the existing fence is located.  
Disposition = Received & Filed
350. Attorney Joseph E. Zdarsky to Town Clerk –  
Copy of application to reclassify its on-premises liquor license at its Halfway House. Disposition = Received & Filed
351. Twin District Fire Company to Town Clerk –  
Change in roster. Disposition = Resolution 5/20/19
352. Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Dept. of Health regarding Edwards 3-Lot Subdivision, 6466 Broadway, Proj. #6268. Disposition = Planning Committee
353. Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Water Authority regarding Edwards 3-Lot Subdivision, 6466 Broadway, Proj. #6268. Disposition = Planning Committee

354. Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Health Dept. regarding PCB Piezotronics,  
0 Walden Avenue, Proj. #2190. Disposition = Planning Committee
355. Town Attorney to Town Board and Planning Board –  
SEQR responses from Erie County Division of Sewerage Management and Erie  
County Dept. of Environment & Planning regarding Hull House Parking Lot,  
00 Genesee Street, Proj. #1816. Disposition = Planning Committee
356. Town Attorney to Town Board and Planning Board –  
SEQR response from NYSDEC regarding 4,000 SF Office/Warehouse,  
10 Lancaster Parkway, Proj. #1956. Disposition = Planning Committee
357. Town Attorney to Town Board and Planning Board –  
SEQR response from NYSDEC regarding 2-Lot Subdivision, 5 Wainwright  
Court, Proj. #2702. Disposition = Planning Committee
358. Town Attorney to NYSDEC, Erie County DEP, Erie County DPW, US Army  
Corps of Engineers, Div. of Sewerage Management, Erie County Health Dept.,  
and Erie County Water Authority -  
Request for lead agency designation regarding Amended Preliminary Plat for  
Windsor Ridge Phase 2 Subdivision, Proj. #8205.  
Disposition = Planning Committee
359. Town Clerk to Various News Media –  
Press release announcing that the Erie County Dept. of Senior Services will hold  
an Elder Law Day 2019 on June 6, 2019 at the Millennium Hotel, 2040 Walden  
Ave. from 8:00am to 1:30pm. Disposition = Received & Filed
360. Town Clerk to Various News Media –  
Notice of Town of Lancaster Ethics Board Meeting on May 22, 2019 at 4:00pm  
at 21 Central Ave. Disposition = Received & Filed
361. Town Attorney to NYSDEC, Erie County DEP, Erie County DPW, US Army  
Corps of Engineers, Div. of Sewerage Management, Erie County Health Dept.,  
and Erie County Water Authority -  
Revised request for lead agency designation regarding Amended Preliminary  
Plat for Windsor Ridge , Phase 2 Subdivision, Proj. #8205.  
Disposition = Planning Committee
362. Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Dept. of Environment & Planning  
regarding 2019 Local Law Small Wireless Facilities, Town-wide.  
Disposition = Planning Committee
363. Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Dept. of Environment & Planning  
regarding 2019 Local Law Stormwater Revisions, Town-wide.  
Disposition = Planning Committee
364. Anthony Rogacki to Supervisor –  
Letter of intent to retire from the position of Mechanic Assistant with the Town  
of Lancaster Highway Department effective May 31, 2019.  
Disposition = Received & Filed
365. Park Crew Chief to Town Board –  
Request for authorization to publish for a bid for Westwood Park Synthetic  
Little League Baseball Infield at Offerman Field.  
Disposition = Resolution 5/20/19
366. Supervising Code Enforcement Officer to Town Board –  
Recommend renewal of Special Use Permit for Tonya Bradford,  
30 Woodgate Drive. Disposition = Resolution 5/20/19

367. **Town Clerk to Code Enforcement Officer –**  
**Request for renewal of Special Use Permit for 5898 Broadway.**  
**Disposition = Received & Filed**
368. **Highway Superintendent to Town Board –**  
**Request for resolution for change order to the original resolution for J&B**  
**Installations, 732 Visions Dr., Skaneateles Falls, NY for the Highway Dept.**  
**roof replacement for asbestos removal. Disposition = Resolution 5/20/19**
369. **Bowmansville Volunteer Fire Association to Supervisor –**  
**Notice of new President of the Bowmansville Volunteer Fire Association for 2019,**  
**Thomas Smith. Disposition = Received & Filed**
370. **Code Enforcement Officer to Town Board –**  
**Recommend approval of Model Home Permits for St. Anthony St.**  
**Disposition = Resolution 5/20/19**
371. **Code Enforcement Officer to Town Board –**  
**Recommend approval of Model Home Permit for 15 Juliette Drive.**  
**Disposition = Resolution 5/20/19**
372. **Police Chief to Town Board –**  
**Request for resolution to create a temporary Clerk Typist position for Records**  
**Clerk in the Police Dept. effective June 3, 2019 and appoint Leza Braun to the**  
**new position. Disposition = Resolution 5/20/19**
373. **Executive Director Youth Bureau to Supervisor and Town Board –**  
**Recommend several individuals for various positions in the Youth Bureau's**  
**Summer Skills Building Program, Safe Summer Reinforcement & Enrichment**  
**Programs effective June 10, 2019 through August 31, 2019.**  
**Disposition = Resolution 5/20/19**
374. **Police Chief to Town Clerk –**  
**Articles and communications. Disposition = Received & Filed**
375. **Park Crew Chief to Supervisor and Town Board –**  
**Request for resolution appointing three individuals to the position of part-time**  
**temporary seasonal employee in the Parks, Recreation and Forestry Dept. for the**  
**summer of 2019. Disposition = Resolution 5/20/19**
376. **John Pilato to Park Crew Chief –**  
**Letter of resignation from his full time laborer position in the Parks, Recreation**  
**and Forestry Dept. effective May 21, 2019. Disposition = Resolution 5/20/19**
377. **Park Crew Chief to Town Board –**  
**Request for resolution creating the position of Forestry Supervisor in the Parks,**  
**Recreation and Forestry Dept., and request for resolution appointing John Pilato**  
**to the position of part-time Forestry Supervisor in the Parks, Recreation and**  
**Forestry Dept. effective May 22, 2019. Disposition = Resolution 5/20/19**

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER RUFFINO AND SECONDED BY  
COUNCIL MEMBER GACZEWSKI AND CARRIED,** the meeting was adjourned in  
memory of Jodie Anstett, Joan Meissner and Patricia Sojka at 8:47 P.M.

Signed \_\_\_\_\_

Diane M. Terranova, Town Clerk