

Town Board Minutes

August 19, 2019

Meeting No. 17

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 19th day of August 2019 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
WILLIAM KARN, CHIEF OF POLICE
MICHELLE BARBARO, PARK CREW CHIEF
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

PERSONS ADDRESSING TOWN BOARD:

Rybeck, Lynn, Representing Erie County Legislator John Brusio, spoke to the Town Board on the following matter:

- Updated the board on the following items: Como Lake Park dredging is 3-4 days behind schedule due to rain; Frank Maddock dedicated archway with signage at the sledding hill in Como Lake Park.

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

- Questions regarding new position in the Supervisor's office.
- Commented on changes to the Town Code.

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 5, 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	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

August 19, 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. 57765 to Claim No. 58007 Inclusive

Total amount hereby authorized to be paid: \$1,296,126.53

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

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

August 19, 2019

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
30054		Ferrell Gas Inc./Blue Rhino	4875 Transit Rd	Er. Comm. Add./Alt.	
30107		Michael Schlifke	4 Windsor Ridge Dr	Er. Fence	
30108		450 Central Ave., LLC	450 Central Ave	Er. Sign - Temp	
30109		1 Way Floor Converging & Ren.	131 Stony Rd	Er. Res. Add.	
30110		Keith Wilkinson	10 Lancaster Pkwy	Er. Comm. Bldg.	
30111		David Rogers	6 Walnut Creek Trl	Er. Res. Alt.	
30112		Anthony Foster	157 Hinchey Ave	Er. Fence	(V/L)
30113		F & D Construction Inc.	57 Country Pl	Er. Garage	
30114		Tara Romig	76 Livingston St	Er. Porch	(V/L)
30115		Brandy Illg	8 Chestnut Corner	Er. Fence	
30116		D Allen & Son Contracting Inc.	30 Benson Dr	Re-Roof	(V/L)
30117		Keith Zalikowski	2 Shadyside Ln	Er. Pool-In Grnd	
30118		TSC Construction LLC	69 Cemetery Rd	Cell Tower - Alteration	
30119		Adam Cichocki	44 Pardee Ave	Er. Fence	(V/L)
30120		F.J. Wailand Associates, Inc.	4025 Walden Ave	Er. Comm. Add./Alt.	
30121		Paul Gustas	511 Aurora St	Er. Fence	
30122		Solar Liberty Energy Systems	146 Nichter Rd	Inst. Solar Panels	
30123		Marrano/Marc Equity Corp.	33 Saybrook Dr	Er. Patio Home	
30124		Marrano/Marc Equity Corp.	111 Avian Way	Er. Dwlg.-Sin.	
30125		Francis Banasik	5534 William St	Inst. Generator	
30126		Buffalo Power Systems LLC	15 Sussex Ln	Inst. Generator	
30127		AFAB Sales	22 Country Pl	Er. Shed	
30128		Alan Knowles	104 Burwell Ave	Er. Fence	(V/L)
30129		Flexlume Sign Corp.	0 Pleasant Ave	Er. Sign	(V/L)
30130		Andrea Maunschauer	6324 Broadway	Er. Fence	
30131		Andrea Munschauer	6324 Broadway	Er. Pool-In Grnd	
30132		Schuster Construction LLC	3 Carlisle St	Er. Res. Alt.	
30133		House Crafters LLC	4 Harewood Run	Re-Roof	
30134		4893 Transit Road LLC	4893 Transit Rd	Er. Sign - Temp	
30135		Douglas Wragge	37 Tranquility Trl	Er. Shed	
30136		21 Pavement of WNY LLC	21 Pavement Rd	Er. Comm. Add./Alt.	
30137		Brian Kocialski	86 S Irwinwood Rd	Er. Fence	(V/L)
30142		ECC Electrical Construction	18 Cherryfield Ln	Inst. Generator	
30143		The Peyton Barlow Co. Inc.	4087 Walden Ave	Er. Comm. Add./Alt.	
30144		Kristin Koch	29 Weathersfield Ln	Er. Fence	
30145		Stockmohr Co. Inc.	38 Village View	Re-Roof	
30146		Mr. Pool Enterprises Ltd.	26 Sterling Pl	Er. Pool-In Grnd	
30147		Mr. Pool Enterprises Ltd.	26 Sterling Pl	Er. Fence	
30148		Brian Zybala	19 St John St	Re-Roof	(V/L)
30149		Dalex Construction Inc.	15 Wayne St	Re-Roof	(V/L)
30150		Patrick Mitola	7 Parliament Ln	Er. Fence	
30151		Karen Paradowski	11 Christen Ct	Er. Shed	(V/L)
30152		Kulback's Inc.	18 Lancaster Pkwy	Er. Comm. Add./Alt.	
30153		Beebe Construction Inc.	31 Clermont Ct	Re-Roof	
30154		Zenner & Ritter Co, Inc.	19 Pear Tree Ln	Inst. Generator	
30155		Brian McCadden	157 Hinchey Ave	Er. Garage	(V/L)
30156		Doug Kariman	8 Nottingham Ln	Er. Pool-Abv Grnd	
30157		William Skubis	17 Division St	Re-Roof	(V/L)
30158		William Cinski	31 Trentwood Trl N	Re-Roof	
30159		Thomas Bolender	114 Pleasant Ave	Er. Porch Cover	(V/L)
30160		Building Solutions	46 Worthington Ln	Er. Porch Cover	
30161		Erie Construction Mid-West Inc	559 Aurora St	Re-Roof	
30162		Maple Guys Construction Inc.	85 Laverack Ave	Re-Roof	(V/L)
30163		Z Man Home Improvement	20 Windcroft Ln	Re-Roof	
30164		Brett & Pamela Brewster	20 Brunck Rd	Er. Fence	
30165		Kenneth Lorenz	26 Pleasant View Dr	Er. Porch Cover	

30166	Douglas Wilson	52 Christen Ct	Er. Fence	(V/L)
30167	Gen-Tech Power Systems LLC	2 Pinetree Dr	Inst. Generator	
30168	Timothy Malone	4867 William St	Er. Pool-Abv Grnd	
30169	BB Property Holdings LLC	25 Garfield St	Er. Res. Alt.	(V/L)
30170	George Eigenbrodt	26 Creekwood Dr	Er. Pool-In Grnd	
30171	Roy's Plumbing Inc.	40 Brandel Ave	Inst. Res. Plumbing	(V/L)
30172	Michelle Troyer	41 Madison St	Er. Fence	(V/L)
30173	Stanley Wienckowski	207 Ransom Rd	Er. Garage	
30174	Superior Decks & Gazebos Inc.	74 Second Ave	Er. Deck	(V/L)
30175	Dalex Construction Inc.	10 Sawyer Ave	Re-Roof	(V/L)
30176	Evelyn Troutman	62 Kennedy Ct	Re-Roof	
30177	Jeffrey Horwath	7 Clermont Ct	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

August 19, 2019

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

WHEREAS, Dan Greene, WNY Plumbing Company, 487 Erie Street
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 4429
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.
810 for Dan Greene, WNY Plumbing Company, 487 Erie Street, Lancaster, New York 14086
which is a permit for Private Improvements at 4429 Walden Avenue, Lancaster, New York
for the installation of:

- Survey and Layout, Erosion Control, Earthwork, Building Pads, Storm
Sewer, Sanitary Sewer, Waterline, Asphalt Pavement Concrete Apron,
Sidewalk

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

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

August 19, 2019

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

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated August 8, 2019, has requested the addition of a member to the roster of said fire association.

NOW, THEREFORE,

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

ADDITION:

Mr. Stephan M. Kryst
Lancaster, New York

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

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

August 19, 2019

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

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

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

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

NOW, THEREFORE,

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

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

BE IT FURTHER

RESOLVED, that said license shall be issued for the **one (1) year period of August 7, 2019 to August 6, 2020** in accordance with the application of the petitioner, as filed in the Town Clerk's Office, accompanied with a license fee of \$720.00 for ten (10) amusement devices.

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

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

August 19, 2019
File: RLICENSE (P2)

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

WHEREAS, Daniel Amatura, Highway Superintendent of the Town of Lancaster, by letter dated August 8, 2019 has requested authorization to solicit bids for the purchase of one (1) new and unused **2019 Ford F-350 4x2 Crew Cab, Long Bed Pickup**, for the use by the Highway Department, and

WHEREAS, the Highway Department will be considering a trade-in allowance for one (1) 2005 Ford F-350 4x2 Crew Cab/Long Bed with Lifegate (VIN# 1FTWW30515EA39549 w/82,500 mi.) to offset the cost, and

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

NOW, THEREFORE,
BE IT RESOLVED, as follows:

1. That Bids be received in the Office the Town Clerk by September 5, 2019, at 10:00 A.M. Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of purchasing one (1) new and unused **2019 Ford F-350 4x2 Crew Cab, Long Bed Pickup** for the use of the Highway Department in accordance with specifications on file in the Town Clerk's Office, and
2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof

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

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

August 19, 2019

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

NOTICE IS HEREBY GIVEN, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to **10:00 A.M.**, Local Time, on the **5th day of September, 2019**, for the purpose of providing to the Town of Lancaster with one (1) new and unused **2019 Ford F-350 4x2 Crew Cab, Long Bed Pickup**, for the use by the Highway Department, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

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

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

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

August 22, 2019

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

WHEREAS, Daniel Amatura, Highway Superintendent of the Town of Lancaster, by letter dated August 8, 2019 has requested authorization to solicit bids for the purchase of one (1) new and unused **2019 Ford F-150 XL 4x2 Regular Cab, Long Bed Pickup**, for the use by the Highway Department, and

WHEREAS, the Highway Department will be considering a trade-in allowance for one (1) 2012 Ford F-150 XL Regular Cab/Long Bed 4x2 (VIN# 1FTMF1CMXCKD98699 w/77,000 mi.) to offset the cost, and

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

NOW, THEREFORE,
BE IT RESOLVED, as follows:

1. That Bids be received in the Office the Town Clerk by September 5, 2019, at 10:00 A.M. Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of purchasing one (1) new and unused **2019 Ford F-150 XL 4x2 Regular Cab, Long Bed Pickup**, for the use of the Highway Department in accordance with specifications on file in the Town Clerk's Office, and
2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof

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

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

August 19, 2019

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

NOTICE IS HEREBY GIVEN, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to **10:00 A.M.**, Local Time, on the **5th day of September, 2019**, for the purpose of providing to the Town of Lancaster with one (1) new and unused **2019 Ford F-150 XL 4x2 Regular Cab, Long Bed Pickup**, for the use by the Highway Department, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

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

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

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

August 22, 2019

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

WHEREAS, Wm. Schutt Associates, P.C., the Town of Lancaster's consulting engineer, by letter dated August 7, 2019, has requested that the Town Board authorize an invitation to bid for the Senior Center Restroom Rehabilitation Project within the Town of Lancaster, and

WHEREAS, the Town Board has given due review and consideration to the request for Restroom Rehabilitation for the Senior Center 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 Senior Center Restroom Rehabilitation Project, 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 and 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 10, 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	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

August 19, 2019

NOTICE TO BIDDERS

FOR THE

**TOWN OF LANCASTER
RESTROOM REHABILITATION SENIOR CENTER 100 OXFORD AVE.**

Sealed bids for the rehabilitation of the front restrooms at the Senior Center and Installation of wireless pullcord system for all restrooms 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 10, 2019, at which time they will be publicly opened and read aloud.

This contract will be funded wholly or partially with federal funds, and as such, is subject to all federal rules and regulations pertinent thereto, including, but not limited to, federal policy of encouraging the participation of minority and women business enterprises as sources of suppliers, equipment, construction and services.

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: August 19, 2019

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 WALTER, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has held a public hearing on August 5, 2019, pursuant to Chapter 50-Zoning, Article VIII Administration and Enforcement, §50-46- Special Use Permits, of the Code of the Town Lancaster, upon the application of James E. Miller Jr., on behalf of **Miller & Son Collision LLC** for a Special Use Permit to operate an automobile service and repair business with the addition of classic and muscle car restorations, on premises located at 110 Cemetery Road (SBL No's. 105.03-1-18 & 105.03-1-12) in the Town of Lancaster, Erie County, New York, and

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

NOW, THEREFORE, BE IT

RESOLVED, that to Chapter 50-Zoning, Article V Business Districts, Section 20 (B)(1)(j), entitled "Commercial Motor Service District (CMS)" of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to James Miller Jr., on behalf of **Miller & Son Collision LLC**, to operate an automobile service and repair business, on premises located at 110 Cemetery Road (SBL No's. 105.03-1-18 & 105.03-1-12), in the Town of Lancaster, New York, upon the conditions as set forth in the Zoning Ordinance and the following conditions for the period beginning August 19, 2019 and ending August 18, 2021:

- A. No new or used car sale displayed on this site.
- B. Vehicles for repair are to be stored in the existing fenced area.
- C. Business must operate within all confines of the Town of Lancaster's Noise Ordinance.
- D. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal request is considered upon the property owner submitting an application to the Town Clerk, on or before July 18, 2021.
- 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.
- F. Provide a copy of the business' New York State Tax Employer Identification Number and, where required, a copy of a valid New York State License issued by the appropriate regulatory agency for the service being provided.

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

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

August 19, 2019

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

WHEREAS, the Town Board of the Town of Lancaster has held a public hearing on August 7, 2017, pursuant to Chapter 50-Zoning, Article V. Section 19(C)(7) as required under §50-46 of the Code of the Town Lancaster, upon the application of Elizabeth A. Holmes, Esq. on behalf of Taco Cocina Transit, LLC d/b/a **Deep South Taco** for a Special Use Permit to allow outdoor dining and display of sporting events through a large screen monitor on premises locally known as 6727 Transit Road, Lancaster, New York, in the Town of Lancaster, Erie County, New York, and

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

NOW, THEREFORE,

BE IT RESOLVED, that pursuant to Chapter 50-Zoning, Article V. Business Districts, Section 19 (C)(7), entitled “General Business District (GB), Design regulations.” of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to Elizabeth A. Holmes, Esq. on behalf of Taco Cocina Transit, LLC d/b/a **Deep South Taco** for a Special Use Permit to allow outdoor dining and display of sporting events through a large screen monitor on premises locally known as 6727 Transit Road, Lancaster, New York, upon the conditions as set forth in the Zoning Ordinance and the following conditions:

1. The hours of event displays and amplified sound shall not run nor be scheduled to run beyond 11:00P.M. local time.
2. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal request is considered upon the property owner submitting an application to the Town Clerk, on or before July 20, 2021.
3. Applicant will obtain and provide proof of a valid New York State Liquor License from the New York State Liquor Authority.
4. Applicant will obtain and provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided.

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

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

August 19, 2019

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

WHEREAS, David DePaolo, Pleasant Meadows Associates, LLC, 2730 Transit Road, West Seneca, New York 14224 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 Juniper Townhomes, 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. 811 for Pleasant Meadows Associates, LLC, 2730 Transit Road, West Seneca, New York 14224 which is a permit for Private Improvements for Juniper Townhomes for the installation of:

- **Pavement & Curbs**
Street A and Street B; Installation of 1,493± LF of 24' wide asphaltic conc. pavement, 8" sub base no.2 (NYSDOT 304.02), 4" base (NYSDOT 403.11), 1½" top type 7 (NYSDOT 403.18) and 2,986± LF of 24" concrete gutter curbs
- **Waterline**
Street A and Street B; Installation of approx. 1,470± LF 8" PVC, 77± LF of 8" DIP, 8" RPZ hydrant assemblies – 1 ea., tees, valves, service connections and all other appurtenances for a complete installation.
- **Storm Sewer**
Street A and Street B; Installation of approx. 1747± LF of 6" PHDPE; 327± LF of 6" HDPE; 153± LF of 8" HDPE; 153± LF of 8" HDPE; 203± LF of 10" PHDPE; 161± LF of 12" HDPE; 193± LF of 12" PHDPE; 406± LF of 15" HDPE; 303± LF of 15" PHDPE; 335± LF of 24" HDPE; pretreatment chambers – 2ea., LD RCVR – 2ea., BY RCVR – 6ea., RCVR – 11ea., stormwater detention basins – 2ea.

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

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

August 19, 2019

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

WHEREAS, Clyde Mays of 355 Two Rod Rd. of Alden NY, has heretofore submitted an application for approval of a four (4)-lot subdivision of a 9.2+/- acre parcel into three (3) 0.90 acre parcels and one (1) 6.50 acre parcel at 0 Broadway (East of Ransom) (SBL # 117.00-1-26-14) in the Town of Lancaster as described in the plan dated June 21, 2019 and received June 25, 2019 prepared by Anthony Pandolfe of Carmina, Wood, Morris, and

WHEREAS, the plan was submitted to the Planning Board and was approved at their August 7, 2019 meeting, and

WHEREAS, the Planning Board, has completed an environmental review on July 17, 2019, in conformance with SEQR (State Environmental Quality Review) regulations and the Town Board acting as Lead Agency issued a Negative Declaration on August 5, 2019, and

WHEREAS, the Town Board of the Town of Lancaster has duly reviewed and considered the proposed subdivision;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the proposed four (4)-lot subdivision of a 9.2+/- acre parcel into three (3) 0.90 acre parcels and one (1) 6.50 acre parcel at 0 Broadway (East of Ransom) (SBL # 117.00-1-26-14) in the Town of Lancaster as described in the plan dated June 21, 2019 and received June 25, 2019 prepared by Anthony Pandolfe of Carmina, Wood, Morris, with the following conditions:

1. A T-turnaround will be provided for safer access to Broadway
2. Individual deeds will be recorded for all parcels

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

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

August 19, 2019

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

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute on behalf of the Town of Lancaster, the Donation Agreement between the Town of Lancaster and Ms. Ann Potoczniak of 115 Brentwood Dr., Cheektowaga, NY 14227 for the installation of a fence around the basketball court at Westwood Park. Said installation will be performed by Iroquios Fence pursuant to its proposal of July 17, 2019 for a cost not to exceed \$10,750.00, which will be paid solely through the donation of Ms. Ann Potoczniak.

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

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

August 19, 2019

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

WHEREAS, Michelle Barbaro, the Town of Lancaster Parks, Recreation, and Forestry Department's Crew Chief, has requested The Town Board approve the installation of a 350 ft. by 6 ft. chain link fence for the basketball court located at Westwood Park, and

WHEREAS, Michelle Barbaro, pursuant to the Town of Lancaster's Procurement Policy, sent out a Request for Quote to (3) three contractors in which (2) two responses were received; and

WHEREAS, by letter dated August 2, 2019, the Park Crew Chief has recommended the Lancaster Town Board approve the proposal for the chain link fence installation of Iroquois Fence, Inc., 51 N. America Drive, West Seneca, NY in the amount of \$10,750.00; and

WHEREAS, this project will be funded solely through the donation of Ms. Ann Potoczniak of 115 Brentwood Drive, Cheektowaga NY 14227.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to approve the proposal of Iroquois Fence, Inc., 51 N. America Drive, West Seneca, NY to install a 350 ft. by 6 ft. chain link fence for the basketball court at Westwood Park per their quote dated July 19, 2019 in the amount not to exceed \$10,750.00 which will be paid for through the donation of Ms. Ann Potoczniak.

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

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

August 19, 2019

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

WHEREAS, Michelle Barbaro, the Town of Lancaster's Parks Crew Chief, has requested the Town Board approve expending funds to furnish and install a new Horton 2110/2003 O/SX automatic sliding door, electrical work, replacement of porcelain tile, required painting and masonry work, for the Town's Recreation Building, and

WHEREAS, the Park Crew Chief, obtained a proposal from MGR Constructors Inc., in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, by letter dated August 15, 2019, Michelle Barbaro has recommended that the Town of Lancaster authorize MGR Constructors Inc., to furnish and install a new Horton 2110/2003 O/SX automatic sliding door for the Town's Recreation Building in the amount of \$8,250.00, and for the electrical work, replacement of porcelain tile, required painting and masonry work, an amount of \$3,270.00, for a total amount not to exceed \$11,520.00 per their proposal dated August 16, 2019, and

WHEREAS, funding for the purchase and installation of a new Horton 2110/2003 O/SX automatic sliding door, electrical work, replacement of porcelain tile, required painting and masonry work will be paid for from the unappropriated fund balance from December 31, 2018, that was assigned for capital improvements.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute and accept the proposal for the purchase and installation of a new Horton 2110/2003 O/SX automatic sliding door, electrical work, replacement of porcelain tile, required painting and masonry for the Town's Recreation Building, from MGR Constructors Inc., P.O. Box 61, Bowmansville, New York 14026 in accordance with their proposal dated August 16, 2019 in the amount not to exceed \$11,520.00 and

BE IT FURTHER

RESOLVED, that funding for this project be and hereby is appropriated from the unappropriated fund balance from December 31, 2018, that was assigned for capital improvements with the implementation of the following budget adjustment

Increase A599 Appropriated Fund Balance	\$11,520
Increase A960 Budget Appropriations	\$11,520
Increase A1620.260 Buildings, Other Cap. Outlay	\$11,520

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

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

August 19, 2019

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

WHEREAS, Chris Wood, PE, has prepared and submitted a site plan, dated October 10, 2018 and received October 10, 2018, and revised site plans submitted January 30, 2019 and received January 31, 2019, for the construction of two 4-unit and one 5-unit apartments buildings with associated utility improvements, referred to as Theo's Place Apartments on a +/- 1.34 acre parcel, located at 5153 Transit Road, SBL No. 115.05-2-6 in the Town of Lancaster, and

WHEREAS, the revised site plan for this project was submitted to the Planning Board and was recommended for approval at their July 17, 2019 meeting, and

WHEREAS, the Town, acting as Lead Agency has completed an environmental review on February 2, 2019 in conformance with the SEQRA (State Environmental Quality Review Act) regulations and on March 18, 2019 a Negative Declaration was issued.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the revised site plan prepared and submitted by Chris Wood, PE dated October 10, 2018 and received October 10, 2018, and revised site plans submitted January 30, 2019 and received January 31, 2019, for the construction of two 4-unit and one 5-unit apartment buildings with associated utility improvements, referred to as Theo's Place Apartments on a +/- 1.34 acre parcel, located at 5153 Transit Road, SBL No. 115.05-2-6 in the Town of Lancaster, with the following conditions:

1. Contractor to provide an "As-built" survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.
2. Private Improvement Permits are required.
3. Property owner to return two (2) executed originals of the Stormwater Control Facility Maintenance Agreement to the Town Attorney's Office. This Agreement shall be binding on all subsequent landowners and shall be filed in the office of the County Clerk as a deed restriction on the property prior to issuance of Certificate of Occupancy.

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

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

August 19, 2019

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

WHEREAS, the Town Board is considering construction of two new parking areas on previously developed commercial property, submitted by Architect, Daniel Baccari, on a +/- 3.93 acre parcel located at 3861 Walden Avenue, SBL No. 105.00-1-4.3 in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Planning Board has reviewed the environmental impact of this expansion project pursuant to SEQR regulations at their meeting on August 7, 2019 and recommended a Negative Declaration be issued, and

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

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

WHEREAS, the proposed action has been labeled an “Unlisted” action under SEQRA.

NOW, THEREFORE,

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

1. This project is described as construction of two new parking areas on previously developed commercial property, submitted by Architect, Daniel Baccari, on a +/- 3.93 acre parcel located at 3861 Walden Avenue, SBL No. 105.00-1-4.3 in the Town of Lancaster, will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

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

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

August 19, 2019

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: August 19, 2019

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

The Town Board of the Town of Lancaster has reviewed the proposed construction of two new parking areas on previously developed commercial property, submitted by Architect, Daniel Baccari, on a +/- 3.93 acre parcel located at 3861 Walden Avenue, SBL No. 105.00-1-4.3 in the Town of Lancaster and the Town Board has determined that the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: New Parking Areas - Ferguson Electric # 1651

Location of Action: 3861 Walden Avenue, SBL No. 105.00-1-4.3 Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted

Description of Action: The project is described as construction of two new parking areas on previously developed commercial property.

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

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? **No impact.**
2. Will the proposed action result in a change in the use or intensity of use of land? **No impact.**
3. Will the proposed action impair the character or quality of the existing community? **No impact.**
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? **The Town of Lancaster has not established a Critical Environmental Area (CEA).**
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? **No impact.**
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? **No impact.**

7. Will the proposed action impact existing:
 - a. public/private water supplies? **No impact.**
 - b. public/private wastewater treatment utilities? **No impact.**
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? **No impact.**
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna)? **No impact.**
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No impact.**
11. Will the proposed action create a hazard to environmental resources or human health? **No impact.**

For Further Information:

Contact Person: Kevin E. Loftus, Town Attorney

Address: Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

Telephone Number: (716) 684-3342

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

WHEREAS, Daniel Baccari, on behalf of Ferguson Electric has prepared and submitted a site plan, dated May 25, 2019 and received June 25, 2019 for construction of two new parking areas on previously developed commercial property on a +/- 3.93 acre parcel, located at 3861 Walden Avenue, SBL No. 105.00-1-4.3 in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was recommended for approval at their August 7, 2019 meeting, and

WHEREAS, the Town, acting as Lead Agency has completed an environmental review on August 7, 2019 in conformance with the SEQRA (State Environmental Quality Review Act) regulations and on August 19, 2019 a Negative Declaration was issued.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan prepared and submitted by Daniel Baccari, on behalf of Ferguson Electric, dated May 25, 2019 and received June 25, 2019 for construction of two new parking areas on previously developed commercial property on a +/- 3.93 acre parcel, located at 3861 Walden Avenue, SBL No. 105.00-1-4.3, with the following condition(s):

1. Contractor to provide an "As-built" survey to the Building Department prior to any Certificates of Compliance/Occupancy.

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

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

August 19, 2019

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

WHEREAS, the Town Board is considering an addition of a proposed 3,500 SF. concrete pad for dumpsters, extending an existing pad by 327 SF., and adding a paved area of 13,668 SF., with landscape changes to the north of the property, submitted by Brian Kulbacki, on a +/- 11.5 acre parcel located at 204 Cemetery Road SBL No. 105.00-1-25.2 in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Planning Board has reviewed the environmental impact of this expansion project pursuant to SEQR regulations at their meeting on August 7, 2019 and recommended a Negative Declaration be issued, and

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

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

WHEREAS, the proposed action has been labeled an “Unlisted” action under SEQRA.

NOW, THEREFORE,

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

1. This project is described as an addition of a proposed 3,500 SF. concrete pad for dumpsters, extending an existing pad by 327 SF., and adding a paved area of 13,668 SF., with landscape changes to the north of the property, submitted by Brian Kulbacki, on a +/- 11.5 acre parcel located at 204 Cemetery Road SBL No. 105.00-1-25.2 in the Town of Lancaster, will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

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

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

August 19, 2019

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: August 19, 2019

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

The Town Board of the Town of Lancaster has reviewed the proposed 3,500 SF. concrete pad for dumpsters, extending an existing pad by 327 SF., and adding a paved area of 13,668 SF., with landscape changes to the north of the property, submitted by Brian Kulbacki, on a +/- 11.5 acre parcel located at 204 Cemetery Road SBL No. 105.00-1-25.2 in the Town of Lancaster and the Town Board has determined that the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Apple Rubber # 2562

Location of Action: 204 Cemetery Road, SBL No. 105.00-1-25.2 Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted

Description of Action: Addition of a proposed 3,500 SF. concrete pad for dumpsters, extending an existing pad by 327 SF., and adding a paved area of 13,668 SF., with landscape changes to the north of the property,

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

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? **No impact.**
2. Will the proposed action result in a change in the use or intensity of use of land? **No impact.**
3. Will the proposed action impair the character or quality of the existing community? **No impact.**
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? **The Town of Lancaster has not established a Critical Environmental Area (CEA).**
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? **No impact.**
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? **No impact.**

7. Will the proposed action impact existing:
 - a. public/private water supplies? **No impact.**
 - b. public/private wastewater treatment utilities? **No impact.**
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? **No impact.**
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna)? **No impact.**
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No impact.**
11. Will the proposed action create a hazard to environmental resources or human health? **No impact.**

For Further Information:

Contact Person: Kevin E. Loftus, Town Attorney

Address: Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

Telephone Number: (716) 684-3342

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

WHEREAS, on January 7, 2019 the Town Board of the Town of Lancaster approved a site plan submitted by Brian Kulbacki, on behalf of Apple Rubber Products Inc., and

WHEREAS, Brian Kulbacki, on behalf of Apple Rubber Products Inc., has prepared and submitted an amended site plan, dated June 24, 2019 and received June 24, 2019 for addition of a 3,500 SF. concrete pad for dumpsters, extend existing concrete pad by 327 SF., with a proposed area of 13,668 SF. of additional paving, including landscape changes to the north of the property on a +/- 11.5 acre parcel, located at 204 Cemetery Road, SBL No. 105.00-1-25.2 in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was recommended for approval at their August 7, 2019 meeting, and

WHEREAS, the Town, acting as Lead Agency has completed an environmental review on August 7, 2019 in conformance with the SEQRA (State Environmental Quality Review Act) regulations and on August 19, 2019 a Negative Declaration was issued.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan prepared and submitted by Brian Kulbacki, on behalf of Apple Rubber Products Inc., dated June 24, 2019 and received June 24, 2019 for addition of a 3,500 SF. concrete pad for dumpsters, extend existing concrete pad by 327 SF., with a proposed area of 13,668 SF. of additional paving, including landscape changes to the north of the property on a +/- 11.5 acre parcel, located at 204 Cemetery Road, SBL No. 105.00-1-25.2 in the Town of Lancaster with the following conditions:

1. Contractor to provide an “As-built” survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.
2. All conditions contained in the January 7, 2019 resolution remain in effect.

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

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

August 19, 2019

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

WHEREAS, Anthony Pandolfe of Carmina, Wood, Morris, on behalf of Nicholas Cutaia of Fairways at Lancaster LLC., has prepared and submitted an amended site plan, dated July 18, 2019 and received July 23, 2019 for the creation of an asphalt parking lot with striping on Genesee St. to service the existing restaurant and building located on a +/- 5.6 acre parcel, located at 5354 Genesee St, SBL No. 82.19-1-5.1 in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was recommended for approval at their August 7, 2019 meeting, and

WHEREAS, the Town, acting as Lead Agency under the State Environmental Quality Review Act ("SEQRA") has identified the relevant areas of environmental concern and determined this action to be a Type II action under SEQR.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the amended site plan prepared and submitted by Anthony Pandolfe on behalf of Nicholas Cutaia of Fairways at Lancaster LLC dated July 18, 2019, and received July 23, 2019 for the creation of an asphalt parking lot with striping on Genesee St. to service the existing restaurant and building located on a +/- 5.6 acre parcel, located at 5354 Genesee St, SBL No. 82.19-1-5.1 in 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

August 19, 2019

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

WHEREAS, Johanna Coleman, Supervisor of the Town of Lancaster, by letter dated July 11, 2019 has requested the creation of one (1) position of Payroll Supervisor Part-Time, in the Town of Lancaster Supervisor’s Office.

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) position of Payroll Supervisor Part-Time, in the Town of Lancaster Supervisor’s Office.

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	NO
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

August 19, 2019

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

WHEREAS, Johanna Coleman, Supervisor of the Town of Lancaster, by letter dated July 11, 2019 has recommended the appointment of the following individual to the following part-time permanent position in the Town of Lancaster Supervisor’s Office.

NOW, THEREFORE,

BE IT RESOLVED, that the following individual is hereby appointed to the following part-time permanent position in the Town of Lancaster Supervisor’s Office, 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 employees:

NAME	ADDRESS	POSITION	HOURLY RATE	EFFECTIVE DATE
Morgan Fay	Lancaster, NY	Payroll Supervisor	\$30.75	October 7, 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	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	NO
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

August 19, 2019

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

WHEREAS, the Town Board of the Town of Lancaster previously adopted a resolution on July 15, 2019 concerning the appointment of Kristine Voight of Lancaster, New York, and

WHEREAS, the Town Board wishes to modify the terms of Ms. Voight’s appointment.

NOW, THEREFORE,

BE IT RESOLVED, that the July 15, 2019 resolution concerning the appointment of Kristine Voight is hereby rescinded, and

BE IT FURTHER

RESOLVED, that Kristine Voight is hereby appointed to the position of Payroll Supervisor, full-time, in the Town of Lancaster Town Supervisor’s Office, effective September 9, 2019 at an annual salary of \$47,569.00 on step which represents 85% of the full salary of \$55,963.00, 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 permanent Town employees.

BE IT FURTHER,

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

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

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

August 19, 2019

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 reviewed the operation of the Town Dog Control Department, and has determined to clarify the compensation structure in the Department.

NOW, THEREFORE,

BE IT RESOLVED, that effective July 21, 2019, any individual appointed to an unsalaried part-time position as Dog Control Officer in the Town of Lancaster Dog Control Department shall be compensated for the actual number of hours worked, except that, in the case of an unscheduled call-in required as a result of a dangerous dog presenting a threat to public safety as determined by the Town of Lancaster Police Department, any such individual shall be compensated for the greater of four hours or the actual number of hours worked, and

BE IT FURTHER,

RESOLVED, that the provisions of this resolution shall supersede any previous resolutions of the Board regarding the compensation of unsalaried employees in the Dog Control 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	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

August 19, 2019

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

WHEREAS, Patrick O'Brien, School Resource Officer for the Town of Lancaster, by communication dated August 9, 2019 has requested to resign from his position as School Resource Officer in order to return to his former position of Police Officer, effective September 1, 2019, and

WHEREAS, William J. Karn, Jr., Police Chief of the Town of Lancaster, by letter dated August 8, 2019, has agreed to the requests of Mr. O'Brien and has recommended to the Town Board that Patrick O'Brien's position be changed from School Resource Officer to Police Officer effective September 1, 2019, and

NOW, THEREFORE,

BE IT RESOLVED, that Patrick O'Brien, is hereby appointed to the position of Police Officer in the Town of Lancaster Police Department effective September 1, 2019, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the Cayuga Club Police Benevolent Association and all applicable provisions of law, and

BE IT FURTHER,

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

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

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

August 19, 2019

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

WHEREAS, on August 26, 2019 the Town Board of the Town of Lancaster entered into an agreement with the Lancaster Central School District which included a provision for a third School Resource Officer position; and

WHEREAS, William J. Karn Jr., Police Chief of the Town of Lancaster by letter dated August 7, 2019, has recommended the appointment of Police Officer Stacy Maute, to fill a vacancy in the position of School Resource Officer.

NOW, THEREFORE,

BE IT RESOLVED, that Police Officer Stacy Maute, of Lancaster New York, be and is hereby appointed to the position of School Resource Officer in the Town of Lancaster Police Department, effective August 26, 2019, subject to the applicable provisions of the current Cayuga Club Police Benevolent Association Collective Bargaining Agreement and the above mentioned agreement with Lancaster Central School District.

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

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

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

August 19, 2019

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

WHEREAS, the Highway Department Superintendent, Daniel Amatura, has notified the Town that that there are curbs, sidewalks and aprons at various locations throughout the Town of Lancaster that are in need of being replaced, and

WHEREAS, the Town solicited three (3) written Requests for Proposals for the concrete curbing, sidewalk and apron replacements throughout the Town of Lancaster pursuant to §104 of General Municipal Law and in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, by letter dated May 20, 2019, Daniel Amatura, has recommended that the contract to replace curbs, sidewalks, and aprons at various locations throughout the Town, be awarded to Master's Edge, Inc., for an amount not to exceed \$30,000.00 and will be paid for with funds from the 2019 Highway Budget Contractual Expenses (Curbing) Line 13-5110-0413.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to accept the proposal from Master's Edge, Inc., 3409 Broadway Street, Cheektowaga, NY, 14227, to perform replacement services for curbs, sidewalks and aprons at various locations throughout the Town of Lancaster, for an amount not to exceed \$30,000.00 with funds allocated in the 2019 Highway Budget Contractual Expenses (Curbing) Line 13-5110-0413.

BE IT FURTHER,

RESOLVED, that there shall be no execution of the contract nor payment for services rendered until the required documents have been received and approved by the Town Attorney.

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

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

August 19, 2019

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

WHEREAS, John Trojanowsky, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated August 13, 2019, has recommended the appointment of the following individual to the following part-time temporary seasonal position in the Town of Lancaster Youth Bureau.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual is hereby appointed to the following part-time temporary seasonal position in the Town of Lancaster Youth Bureau, for a period not to exceed five (5) months, and that these being part-time position, provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

NAME	ADDRESS	POSITION	HOURLY RATE	EFFECTIVE DATE
Nina Wright	Lancaster, NY	Tutor	\$16.00	August 12, 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	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

August 19, 2019

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

WHEREAS, Russ Licata, 11150 Westwood Road, Alden, Lancaster, New York 14004 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 3861 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. 812 for Russ Licata, 11150 Westwood Road, Alden, New York 14004 which is a permit for Private Improvements at 3861 Walden Avenue for the:

- Construction of one (1) 5660 cu. ft. detention basin and associated swale serving parking areas.

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

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

August 19, 2019

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

WHEREAS, the Town Board is considering construction of a new 112 ft. long by 24 ft. wide 8 car garage, submitted by Jason Havens, on behalf of Frank Trybuskiewicz, on a +/- 3.8732 acre parcel located at 5680 Broadway SBL No. 116.05-1-3 in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Planning Board has reviewed the environmental impact of this expansion project pursuant to SEQR regulations at their meeting on August 7, 2019 and recommended a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the expansion project using the short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Town of Lancaster Planning Board, and

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

WHEREAS, the proposed action has been labeled an “Unlisted” action under SEQRA.

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

1. This project is described as the construction of a new 112 ft. long by 24 ft. wide 8 car garage, submitted by Jason Havens, on behalf of Frank Trybuskiewicz, on a +/- 3.8732 acre parcel located at 5680 Broadway SBL No. 116.05-1-3 in the Town of Lancaster, will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.

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

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

4. This resolution is effective immediately.

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

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

August 19, 2019

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: August 19, 2019

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

The Town Board of the Town of Lancaster has reviewed the construction of a new 112 ft. long by 24 ft. wide 8 car garage, submitted by Jason Havens, on behalf of Frank Trybuskiewicz, on a +/- 3.8732 acre parcel located at 5680 Broadway SBL No. 116.05-1-3 in the Town of Lancaster and the Town Board has determined that the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Garage Construction # 1143

Location of Action: 5680 Broadway SBL No. 116.05-1-3 Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted

Description of Action: The project is described as construction of a new 112 ft. long by 24 ft. wide 8 car garage.

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

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? **No impact.**
2. Will the proposed action result in a change in the use or intensity of use of land? **No impact.**
3. Will the proposed action impair the character or quality of the existing community? **No impact.**
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? **The Town of Lancaster has not established a Critical Environmental Area (CEA).**
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? **No impact.**
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? **No impact.**

7. Will the proposed action impact existing:
 - a. public/private water supplies? **No impact.**
 - b. public/private wastewater treatment utilities? **No impact.**
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? **No impact.**
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna)? **No impact.**
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No impact. Floodplain on property needs to be avoided.**
11. Will the proposed action create a hazard to environmental resources or human health? **No impact.**

For Further Information:

Contact Person: Kevin E. Loftus, Town Attorney

Address: Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

Telephone Number: (716) 684-3342

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

WHEREAS, the Town Board is considering a proposed 21,000 SF. one-story automobile dealership and service center, to include new paved service parking lot, utilities, lighting and landscape improvements, submitted by William Wincott, on behalf of Towne Audi on a +/- 3.0 acre parcel, located at 6501 Transit Road, SBL No. 93.05-1-1.111 in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Planning Board has reviewed the environmental impact of this expansion project pursuant to SEQR regulations at their meeting on August 7, 2019 and recommended a Negative Declaration be issued, and

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

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

WHEREAS, the proposed action has been labeled an “Unlisted” action under SEQRA.

NOW, THEREFORE,

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

1. This project is described as 21,000 SF. one-story automobile dealership and service center, to include new paved service parking lot, utilities, lighting and landscape improvements submitted by William Wincott, on behalf of Towne Audi on a +/- 3.0 acre parcel, located at 6501 Transit Road, SBL No. 93.05-1-1.111 in the Town of Lancaster, will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

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

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

August 19, 2019

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: August 19, 2019

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

The Town Board of the Town of Lancaster has reviewed the 21,000 SF. one-story automobile dealership and service center, to include new paved service parking lot, utilities, lighting and landscape improvements submitted by William Wincott, on behalf of Towne Audi on a +/- 3.0 acre parcel, located at 6501 Transit Road , SBL No. 93.05-1-1.111 in the Town of Lancaster, and the Town Board has determined that the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Towne Audi #1902

Location of Action: 6501 Transit Road, SBL No. 93.05-1-1.111 Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted

Description of Action: 21,000 SF. one-story automobile dealership and service center, to include new paved service parking lot, utilities, lighting and landscape improvements

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

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? **No impact.**
2. Will the proposed action result in a change in the use or intensity of use of land? **Small impact. Vacant lot to car dealership.**
3. Will the proposed action impair the character or quality of the existing community? **No impact.**
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? **The Town of Lancaster has not established a Critical Environmental Area (CEA).**
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? **Small impact.**
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? **No impact.**

7. Will the proposed action impact existing:
 - a. public/private water supplies? **No impact.**
 - b. public/private wastewater treatment utilities? **No impact.**
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? **No impact.**
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna)? **No impact. Site has been filled. Wetland delineation is needed.**
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No impact.**
11. Will the proposed action create a hazard to environmental resources or human health? **No impact.**

For Further Information:

Contact Person: Kevin E. Loftus, Town Attorney

Address: Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

Telephone Number: (716) 684-3342

COMMUNICATIONS & REPORTS

- 613. Donna Cacciotti to Town Board –
Comments and concerns regarding speeding and overweight vehicles on Pleasant View Drive. Disposition = Police Chief**
- 614. Park Crew Chief to Town Board –
Request for resolution for installation of a fence for the basketball court at Westwood Park by Iroquois Fence, Inc., 51 N. America Drive, West Seneca, NY.
Disposition = Resolution 8/19/19**
- 615. NYS Dept. of Public Service to Supervisor –
Notice of a series of Public Statement Hearings regarding NYSEG/Rochester Gas & Electric Proposed Rate Request to be held in August 2019.
Disposition = Received & Filed**
- 616. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Dept. of Public Works regarding JAGG Electrical and Controls, 18 Lancaster Pkwy; Proj. #1608.
Disposition = Planning Committee**
- 617. Town Clerk to Town Board –
Town Clerk Monthly Report for July 2019. Disposition = Received & Filed**
- 618. Code Enforcement to Drainage & Storm Sewer Committee –
MS4 Report July, 2019. Disposition = Received & Filed**
- 619. Town Engineer to Town Board –
Recommend approval of site plan for Theo's Place Apartments, 5153 Transit Road. Disposition = Resolution 8/19/19**
- 620. Michael J. Valley, Ph.D to Board of Education Members –
Copy of resolution to accept partial payment in any dollar amount for school taxes. Disposition = Received & Filed**
- 621. President Hull House Foundation to Supervisor –
Thank you for support of the Hull Family Home & Farmstead and request for financial assistance in the 2020 fiscal year. Disposition = Director of Finance**
- 622. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Water Authority regarding Amended Site Plan for Fairways Parking Lot (Linguine's Restaurant), 5354 Genesee Street; Proj. #2608. Disposition = Planning Committee**
- 623. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Water Authority regarding Garage Construction, 5680 Broadway; Proj. #1143. Disposition = Planning Committee**
- 624. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Water Authority regarding 73 Cemetery Road, relocation of detention and retention ponds; Proj. #1896.
Disposition = Planning Committee**
- 625. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Health Department regarding Dog Training Facility, 0 Lancaster Parkway; Proj. #1905.
Disposition = Planning Committee**
- 626. Town Attorney to Town Board and Planning Board --
SEQR response from NYSDEC regarding New Parking Addition, 4931 Transit Road; Proj. #1394. Disposition = Planning Committee**

627. **Town Attorney to Town Board and Planning Board --**
SEQR response from Erie County Dept. of Public Works regarding Apple
Rubber Products Amended Plan, 204 Cemetery Rd.; Proj. #2562.
Disposition = Planning Committee
628. **Town Line Volunteer Fire Department to Town Clerk –**
Change in roster. Disposition = Resolution 8/19/19
629. **NYS Dept. of Taxation & Finance to Supervisor –**
Certificate of the Final State Equalization Rate for the 2019 Assessment
Roll. Disposition = Received & Filed
630. **Highway Superintendent to Town Board –**
Request for resolution authorizing publication of a bid for new and unused
2019 Ford F350 4 X 2 Crew Cab, Long Bed Pickup.
Disposition = Resolution 8/19/19
631. **Highway Superintendent to Town Board –**
Request for resolution authorizing publication of a bid for new and unused
2019 Ford F150 XL 4 X 2 Regular Cab, Long Bed.
Disposition = Resolution 8/19/19
632. **Charter Communications to Supervisor –**
Notice of upcoming changes. Disposition = Received & Filed
633. **Town Clerk to Code Enforcement Officer –**
Request for renewal of Special Use Permit for Deep South Taco, 6727 Transit
Road. Disposition = Resolution 8/19/19
634. **Supervising Code Enforcement Officer to Town Clerk –**
Approval of issuance of a Game Room License to AMF Bowling Center
(Lancaster Lanes). Disposition = Resolution 8/19/19
635. **Town Clerk to Chief Twin District VFC, Inc., Chief Town Line VFD, Inc., Chief**
Millgrove VFD, Inc., Chief Bowmansville VFA, Inc., President Twin District
VFC, Inc., President Town Line VFD, Inc., President Millgrove VFD, Inc.,
President Bowmansville VFA, Inc. and Ron Rozler, Office of Emergency
Management –
Reminder of Annual Inspection hosted by Millgrove V.F.D., Inc. on Monday,
September 23, 2019 at 6:00PM. Disposition = Received & Filed
636. **Town Clerk to Town Board –**
Final Report of the 2019 County/Town tax collection.
Disposition = Received & Filed
637. **Park Crew Chief to Town Board –**
Request for resolution for purchase and installation of fencing for Offerman
Field and Wrigley Field at Westwood Park from Oneida Fence, Inc., 100 W.
Drullard Ave., Lancaster, NY. Disposition = Resolution 8/19/19
638. **Erie County Commissioner of Public Works to Supervisor –**
Notice of road closure for Pleasant View Drive between Stony Road and Harris
Hill beginning on August 19, 2019 through August 23, 2019.
Disposition = Police Chief & Town Clerk For Website
639. **Linda Herrmann to Supervisor –**
Request for consideration to serve on the Board of Assessment Review for the
2020 Town wide assessment revaluation. Disposition = Received & Filed
640. **Executive Director Youth Bureau to Supervisor and Town Board –**
Request for resolution to change Nina Wright’s status from part-time permanent
to part-time seasonal tutor effective August 12, 2019.
Disposition = Resolution 8/19/19

641. **Town Engineer to Town Board –
Recommend Apple Rubber Amended Site Plan for action.
Disposition = Resolution 8/19/19**
642. **Park Crew Chief to Town Board –
Request for resolution to have a new Horton 2110/2003 O/SX automatic sliding door furnished and installed at the Recreation Building by Imperial Door Controls, Inc., 85 Oriskany Dr., Tonawanda, NY.
Disposition = Resolution 8/19/19**
643. **Kenneth Zollitsch, Greenman-Pedersen, Inc. to Town Attorney --
Draft Scoping for Siebert Road Subdivision.
Disposition = Town Engineer & Code Enforcement Officer**
644. **Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Sewerage Management regarding Tom Ferry 3-Lot Minor Subdivision, 272 Pavement Road; Proj. #3665.
Disposition = Planning Committee**
645. **Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Department of Public Works regarding Tom Ferry 3-Lot Minor Subdivision, 272 Pavement Road; Proj. #3665.
Disposition = Planning Committee**
646. **Town Attorney to Town Board and Planning Board –
SEQR response from US Army Corps of Engineers regarding Dog Training Facility, 0 Lancaster Pkwy.; Proj. #1905. Disposition = Planning Committee**
647. **Town Attorney to Town Board and Planning Board –
SEQR response from NYSDOT regarding Parker Hannifin Amendment, 4087 Walden Avenue, Proj. #3444. Disposition = Planning Committee**
648. **Town Attorney to Town Board and Planning Board –
SEQR response from NYSDEC regarding Garage Construction, 5680 Broadway; Proj. #1143. Disposition = Planning Committee**
649. **Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Sewerage Management regarding Colin M. Hurd, Inc., 12 Wendling Court; Proj. #3310.
Disposition = Planning Committee**
650. **Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Environment & Planning regarding New Parking Addition, 4931 Transit Road, Proj. #1394.
Disposition = Planning Committee**
651. **Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Sewerage Management regarding Ferguson Electric, 3861 Walden Ave.; Proj. #1651.
Disposition = Planning Committee**
652. **Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Department of Public Works regarding 73 Cemetery Road, Relocation of detention and retention ponds; Proj. 1896.
Disposition = Planning Committee**
653. **Police Chief to Lancaster Town Board –
Request for resolution appointing Officer Stacy Maute to fill the position of School Resource Officer at Lancaster High School effective August 26, 2019; and request for resolution to change position of Patrick O'Brien to Patrol Officer effective September 1, 2019. Disposition = Resolution 8/19/19**

654. **Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent and Building Inspector – Draft copy of minutes from August 7, 2019 Planning Board meeting. Disposition = Received & Filed**
655. **Planning Board to Town Board – Memo recommending approval of Preliminary Plat Plan for Clyde Mays 4-Lot Minor Subdivision, 0 Broadway, Proj #1908; condition noted. Disposition = Planning Committee**
656. **Planning Board to Town Board – Memo recommending approval of Site Plan Review for Towne Audi, Transit Road and Pasquale Drive, north of Genesee St., Proj. #1902.; condition noted. Disposition = Planning Committee**
657. **Planning Board to Town Board – Memo recommending approval of Amended Site Plan for Fairways Parking Lot, 5354 Genesee Street, Proj. 2608. Disposition = Planning Committee**
658. **Planning Board to Town Board – Memo recommending approval of Site Plan Review for Apple Rubber, 204 Cemetery Road, Proj. #2562; condition noted. Disposition = Planning Committee**
659. **Planning Board to Town Board – Memo recommending approval of Site Plan Review for Ferguson Electric, 4861 Walden Avenue; Proj. #1651. Disposition = Planning Committee**
660. **Planning Board to Town Board – Memo recommending approval of Site Plan Review regarding Garage Construction, 5680 Broadway, Proj. #1143; condition noted. Disposition = Planning Committee**
661. **Erie County Commissioner of Public Works to Supervisor – Notice of road closures of Ransom Road between Cayuga Creek and Hall Road and Schwartz Road between William Street and Broadway between August 21, 2019 and September 9, 2019. Disposition = Police Chief & Town Clerk For Website**
662. **Park Crew Chief to Town Board – Request for resolution to have a new Horton 2110/2003 O/SX automatic sliding door furnished and installed, including option #2, at the Recreation Building by MGR Constructors, Inc. P.O. Box 61, Bowmansville, NY. Disposition = Resolution 8/19/19**
663. **Police Chief to Town Clerk – Articles and communications. Disposition = Received & Filed**
664. **Charter Communications to Supervisor – Notice of upcoming changes. Disposition = Received & Filed**
665. **Town Attorney to Town Board and Planning Board – SEQR response from Erie County Department of Environment & Planning regarding Dog Training Facility, 0 Lancaster Parkway; Proj. #1905. Disposition = Planning Committee**
666. **Town Attorney to Town Board and Planning Board – SEQR response from Erie County Division of Sewerage Management regarding Dog Training Facility, 0 Lancaster Parkway; Proj. #1905. Disposition = Planning Committee**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER RUFFINO AND SECONDED BY
COUNCIL MEMBER WALTER AND CARRIED,** the meeting was adjourned in memory
of Robert Snyder at 7:57 P.M.

Signed _____

Diane M. Terranova, Town Clerk