

1PRESENTATION OF PREFILED RESOLUTIONS:

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

RESOLVED, that the minutes of the Regular Meeting of the Town Board held February 19, 2013 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 ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

March 4, 2013

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , 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 Director of Administration and Finance, to wit:

Claim No. 29686 to Claim No. 29836 Inclusive

Total amount hereby authorized to be paid: \$1,304,665.10

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

March 4, 2013

File: Rclaims

1THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER STEMPNIAK , WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER 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
21160		Beth A. Gerstein	32 Norris Ave	Inst. Fireplace/Stove	(V/L)
21161		Frances Todaro	2 Cidermill Ct	Er. Deck	
21162		Midcity Home Imprt Inc.	42 Burwell Ave	Re-Roof	(V/L)
21163		David P. Smith	6026 Broadway	Dem. Bldg	
21164		Marrano/Marc Equity Corp.	64 Sterling Pl	Er. Dwlg.-Sin.	
21165		Alliance Homes	83 Middlebury Ln	Er. Dwlg.-Sin.	
21166		Crown Atlantic Co., LLC	444 Schwartz Rd	Er. Com. Tower	
21167		Zenner & Ritter Co., Inc.	19 Camner Ave	Inst. Generator	(V/L)
21168		RJF Development JV	45 Tranquility Trl	Er. Dwlg.-Sin.	
21169		Bruce & Sally Hora	73 Stony Brook Dr	Er. Res. Alt.	
21170		Ken's Candy/Niagara Choc.	4779 Transit Rd	Er. Sign - Temp	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

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 ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

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

NOW, THEREFORE, BE IT

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 Memorandum of Agreement between the Town and the Hull House Foundation, as presented, in order to provide financial assistance for the support of a historical edifice located within the Town, in the amount of \$2,000 as appropriated in account code A7989.449 in the adopted budget for the 2013 fiscal year of the Town of Lancaster.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

March 4, 2013

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

WHEREAS, the Consolidated Water District of the Town of Lancaster maintains hydrants along the westerly line of Town Line Road from Schlemmer Road south to the south boundary line of the Town of Alden, and

WHEREAS, the Town of Alden Fire Protection District had heretofore contracted with the Consolidated Water District of the Town of Lancaster for the use of said hydrants, and

WHEREAS, the Town Board of the Town of Alden has duly held a public hearing on behalf of the Alden Fire Protection District to contract with the Consolidated Water District of the Town of Lancaster for the said hydrants in accordance with an Agreement approved by the Town Attorney and on file with the Town Clerk, which Agreement has been approved by the Town Board of the Town of Alden;

NOW THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute an Agreement by and between the Town of Alden on behalf of the Alden Fire Protection District, and the Consolidated Water District of the Town of Lancaster, providing for rental of forty-eight (48) hydrants along the westerly line of Town Line Road from Schlemmer Road south to the south boundary line of the Town of Alden, commencing April 1, 2013 and terminating March 31, 2018, all in accordance with the terms of said Agreement.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

March 4, 2013

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

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Section 17 (F) of the Code of the Town of Lancaster, upon the application of Julie and Daniel Curtis, for a Special Use Permit for a Home Occupation (Woodcraft/Gift Shop – Two Chicks and a Rooster) on premises located at 732 Aurora Street, Lancaster, New York, and the Board issued such Special Use Permit on April 6, 2009, this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, Julie and Daniel Curtis have requested that the Town Board renew the Special Use Permit for an additional two (2) year period, and

WHEREAS, the Code Enforcement Officer has recommended his approval of this Special Use Permit in his letter dated February 19, 2013;

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

1. That pursuant to Chapter 50-Zoning, Section 17 (F), entitled "Home Occupation", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to Julie and Daniel Curtis, for a Home Occupation (Woodcraft/Gift Shop – Two Chicks and a Rooster) on premises located at 732 Aurora Street, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning April 6, 2013 and ending April 5, 2015, and

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

- a. This Special Use Permit terminates when the applicant no longer resides on the premises.
- b. Permit must be renewed every two (2) years at no additional cost to applicant.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

March 4, 2013

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

NOW, THEREFORE, BE IT

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 Proposal between the Town of Lancaster and Jill Marie Interiors dated February 19, 2013, subject to the approval of the Town Attorney, in order to provide Professional Design Services for the Public Safety Building which includes: Programming, Design Development, Construction Documents and Project Administration, within the Town, at a fee of sixty-two dollars (\$62.00) per hour not to exceed one-hundred (100) hours.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

March 4, 2013

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

WHEREAS, Foit Albert Associates, a professional architectural and engineering firm retained by the Town of Lancaster to provide professional services in regards to the proposed Public Safety Building for the Town of Lancaster, has recommended approval of Change Order No. G-2 for the General Construction Contract with Javen Construction Company, Inc., for potential additional work.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves Change Order No. G-2 to Javen Construction Company, Inc., as follows:

DESCRIPTION OF CHANGE ORDER NO. G-2

Additional contingency allowance to be available for use for potential modifications to the Public Safety Building during the course of construction to provide for improved safety and operational efficiency of the Police Department and the Office of the Courts.

CHANGE ORDER NO. G-2

The original Contract Sum (Including contingency allowance)	\$4,636,000.00
Previously Approved Change Order No. G-1	
in the amount of.....	\$ 350,000.00
Increase for Change Order No. G-2	
in the amount of.	\$ 75,000.00
Details of the Increase of Change Order G-2	
Original contingency allowance	\$ 87,800.00
Additional contingency allowance	\$ 75,000.00
New contingency allowance	\$ 162,800.00
The new Contract Sum increased including this Change Order	
will be	\$5,061,000.00

and,

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

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

March 4, 2013

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

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Section 17 (F) of the Code of the Town of Lancaster, upon the application of Ronald M. Fronckowiak, for a Special Use Permit for a Home Occupation (Mortgage Broker Office) on premises located at 10 Sussex Lane, Lancaster, New York, and the Board issued such Special Use Permit on March 2, 2009, this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, Ronald M. Fronckowiak has requested that the Town Board renew the Special Use Permit for an additional two (2) year period, and

WHEREAS, the Code Enforcement Officer has recommended his approval of this Special Use Permit in his letter dated February 21, 2013;

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

1. That pursuant to Chapter 50-Zoning, Section 17 (F), entitled "Home Occupation", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to Ronald M. Fronckowiak, for a Home Occupation (Mortgage Broker Office) on premises located at 10 Sussex Lane, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning March 2, 2013 and ending March 1, 2015, and

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

- c. This Special Use Permit terminates when the applicant no longer resides on the premises.
- d. Permit must be renewed every two (2) years at no additional cost to applicant.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

March 4, 2013

