

**PRESENTATION OF PREFILED RESOLUTIONS:**

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

**RESOLVED**, that the minutes of the Joint Meeting of the Town Board and the Planning Board held June 5, 2017 and the Regular Meeting of the Town Board held June 5, 2017 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 GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

June 19, 2017

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, 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 Assistant to the Supervisor, to wit:

Claim No. 48721 to Claim No. 48946 Inclusive

Total amount hereby authorized to be paid: \$1,646,097.14

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

June 19, 2017

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY COUNCIL MEMBER ABRAHAM, 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
26809		Scott & Mary Kantorsi	27 Via Donato W	Er. Porch Cover	
26810		Custom Builders of WNY	149 William Kidder Rd	Er. Dwlg.-Sin.	
26811		Transit Road Apartments LLC	4845 Transit Rd	Er. Sign - Temp	
26812		JAX Contracting Inc./Lowes	363 Lake Ave	Er. Fence	
26813		Solar Liberty Energy Systems	12 Jonquille Ct	Er. Res. Alt.	
26814		Joseph & Marybeth Mills	127 Aurora St	Er. Deck	(V/L)
26815		Joseph & Marybeth Mills	127 Aurora St	Er. Res. Alt.	(V/L)
26816		Merle L. Whitehead	4909 Transit Rd	Er. Sign - Wall	
26817		Colley's Pool Sales Inc.	38 Apple Blossom Blvd	Er. Pool-In Grnd	
26818		Colley's Pool Sales Inc.	38 Apple Blossom Blvd	Er. Fence	
26819		Jonathan Campbell	141 William Kidder Rd	Re-Roof	
26820		Krzysztof Biernat	86 Pavement Rd	Er. Dwlg.-Sin.	
26821		Christopher & Patricia Clonan	6 Edward St	Er. Fence	
26822		Ronald & Tina Farrar	48 Sterling Pl	Er. Shed	
26823		John P. Zeis	41 Maple Dr	Er. Pool-Abv Grnd	
26824		A.J. Caputa	3 Bennington Ln	Er. Shed	
26825		Daniel J. DePetrocellis	2 Wendtworth Ct	Er. Fence	
26826		Andrew C.Pawlak	3566 Bowen Rd	Re-Roof	
26827		Charles & Karen Neary	25 Cambridge Ct	Er. Fence	
26828		Zenner & Ritter Co. Inc.	14 Butler Dr	Inst. Generator	
26829		Frank & Ashley Kulesz Jr.	24 Rollingwood Dr	Dem. In Grnd Pool	
26830		Ron Conestro	60 Hess Pl	Er. Deck	
26831		Superior Pallets, Inc.	3981 Walden Ave	Er. Fence	
26832		Christopher Fabozzi	680 Pleasant View Dr	Er. Fence	
26833		David Ridgeway	4 Ashwood Ct	Re-Roof	
26834		C Davis Construction Corp.	10 Darien Ct	Er. Fence	
26835		Kevin & Corinn Cummings	4959 William St	Er. Deck	
26836		Judith L. Kaczmarek	35 Michael Anthony Ln	Er. Fence	
26837		Kevin & Kelly Hartwig	21 Americo Ct	Er. Pool-In Grnd	
26838		Gerald Lewis DBA	145 Siebert Rd	Re-Roof	
26839		Zenner & Ritter Co. Inc.	10 Fox Hunt Rd	Inst. Generator	
26840		William & Helen Szablewski	3538 Walden Ave	Re-Roof	
26841		Stockmohr Co. Inc.	420 Townline Rd	Re-Roof	
26842		Stockmohr Co. Inc.	65 Holland Ave	Re-Roof	(V/L)
26843		John Rautenstrauch	9 Bridgewater Ct	Er. Pool-Abv Grnd	
26844		Buffalo Roofing Co., LLC	107 William Kidder Rd	Re-Roof	
26845		Avox Systems Inc.	225 Erie St	Inst. Generator	(V/L)
26846		Kayes Roofing & Construction	1903 Como Park Blvd	Re-Roof	(V/L)
26847		Michael V. Fazio	20 Chicory Ln	Er. Deck	
26848		AVA Roofing & Siding Inc.	19 Creekwood Dr	Re-Roof	
26849		Carl Malczewski	5 Charlton Pl	Re-Roof	
26850		Modern Mechanical Inc.	86 Sawyer Ave	Er. Res. Alt.	(V/L)
26851		Kathy A. McCubbin	127 Norris Ave	Er. Pool-Abv Grnd	(V/L)
26852		Kristen M. Heidle	25 Fifth Ave	Storage Pod	(V/L)
26853		Dalex Construction Inc.	342 Aurora St	Re-Roof	(V/L)
26854		Kerri L. O'Connor	779 Aurora St	Re-Roof	
26855		Gerard & Ella Dunne	13 Magrum Ln	Er. Shed	
26856		Michael & Mary Kurzdorfer	41 Irwinwood Rd	Re-Roof	(V/L)
26857		MH White Siding/Roofing Com	647 Erie St	Re-Roof	
26858		Sal & Christina Constantin	33 Sawgrass Ln	Re-Roof	
26859		Kayes Roofing & Construction	113 Stutzman Rd	Re-Roof	
26860		Lemanski Construction	13 Winding Way	Re-Roof	
26861		Lemanski Construction	224 Nathan's Trl	Re-Roof	

26862	James A. Mitchell, Jr.	1 St Anthony St	Re-Roof	
26863	Forbes Homes, Inc.	27 Hidden Meadow Crossing	Er. Dwlg.-Sin.	
26864	Forbes Homes, Inc.	33 Hidden Meadow Crossing	Er. Dwlg.-Sin.	
26865	Daniel & Janet Paul	6 Bennington Ln	Er. Shed	
26866	Geoffrey Goodwin	11 Lucia Ct	Inst. Generator	
26867	Russell & Allison Beebe	7 Jonquille Ct	Er. Porch Cover	
26868	The Vinyl Outlet Inc.	15 Middlebury Ln	Er. Deck	
26869	Brian Lorentz	651 Aurora St	Er. Fence	
26870	Gary & Suzanne Lelonek	151 Nathan's Trl	Er. Res. Alt.	
26871	5555 Genesee St. Inc.	5555 Genesee St	Er. Fence	
26872	William & Jill Jedlicka	82 Stony Brook Dr	Er. Shed	
26873	House Crafters LLC	185 Laverack Ave	Re-Roof	(V/L)
26874	Craig & Katrina Ryan	39 Middlebury Ln	Er. Porch Cover	
26875	Dennis & Gretchen Snyder	28 Allen St	Er. Shed	(V/L)
26876	Timothy & Tammie Schaefer	56 Court St	Er. Fence	(V/L)
26877	William Anthon	209 Nathan's Trl	Er. Shed	
26878	Schuster Construction LLC	33 Creekwood Dr	Re-Roof	
26879	Tammy Shafer	39 Brandel Ave	Er. Pool-Abv Grnd	(V/L)
26880	Jean Radder	266 Aurora St	Er. Res. Alt.	(V/L)
26881	Donna M. Wypych	5 Sugar Mill Ct	Er. Porch	
26882	Thomas W. Braunschweig	5092 William St	Re-Roof	
26883	Rockwell Construction Inc.	7 Blackstone Ct	Er. Dwlg.-Sin.	
26884	Gerald Lewis DBA	5 Chestnut Corner	Re-Roof	
26885	Deborah J. Murawski	70 Wilma Dr	Re-Roof	(V/L)
26886	City Fence Inc.	2 Branch Way	Er. Fence	
26887	Jeffrey & Courtney Kelchlin	15 Creekwood Dr	Er. Deck	
26888	Sandra Rutkowski	705 Pavement Rd	Er. Fence	
26889	Donald P. Zgoda, Sr.	41 Ashley Dr	Er. Deck	(V/L)
26890	D. Allen & Son Contracting Inc	26 Caswell St	Er. Res. Alt.	(V/L)
26891	Donald P. Zgoda, Sr.	41 Ashley Dr	Er. Shed	(V/L)
26892	Majestic Pools Inc.	5232 William St	Er. Fence	
26893	Majestic Pools Inc.	5232 William St	Er. Pool-In Grnd	
26894	Majestic Pools Inc.	1315 Ransom Rd	Er. Fence	
26895	Majestic Pools Inc.	1315 Ransom Rd	Er. Pool-In Grnd	
26896	Sahlems Roofing & Siding Inc.	21 Katelyn Ln	Re-Roof	
26897	Sahlems Roofing & Siding Inc.	136 Fourth Ave	Re-Roof	(V/L)
26898	Sahlems Roofing & Siding Inc.	21 Red Clover Ln	Re-Roof	
26899	Dinatale Enterprises	830 Ransom Rd	Re-Roof	
26900	Randy & Lisa Coons	194N Maple Dr	Er. Dwlg.-Sin.	
26901	Sturm Roofing LLC	42 Sussex Ln	Re-Roof	
26902	Aristea Lambropoulos	21 Monroe Ave	Er. Res. Alt.	
26903	Theron & Kathy Strickland	3746 Bowen Rd	Er. Deck	
26904	Lemanski Construction	10 Lombardy St	Re-Roof	(V/L)
26905	Jason Czerniak	12 Fourth Ave	Re-Roof	(V/L)
26906	James & Kelly Ptak	196 Nathan's Trl	Re-Roof	
26907	Garret & Judith Alexin	10 Valley Overlook Dr	Er. Porch Cover	
26908	Kenneth & Joy Blair	20 Silent Meadow Lane	Er. Fence	
26909	Denise Mingle	5729 Genesee St	Er. Fence	
26910	Kamholz Enterprises, LLC	14 Arrow Trl	Er. Deck	
26911	Dinatale Enterprises	139 Nathan's Trl	Re-Roof	
26912	JDI Home Improvement	3725 Bowen Rd	Er. Res. Alt.	
26913	Nicklaus & Maroily Ambrose	54 Chestnut Corner	Er. Fence	
26914	Town of Lancaster IDA	1900 Commerce Pkwy	Er. Fence	(V/L)

**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 GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

June 19, 2017

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

**WHEREAS**, the Bowmansville Volunteer Fire Association, Inc., by letter received June 2, 2017 has requested the addition of two (2) members to the roster of said fire association.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby confirm the additions to the membership of the Bowmansville Volunteer Fire Association the following individuals:

**ADDITIONS:**

James Sands  
Lancaster, New York

Matthew Wall  
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 ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

June 19, 2017

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

**WHEREAS**, Mark Lubera, Park Crew Chief of the Town of Lancaster's Parks Recreation & Forestry Department, has requested to have a new heating and air-conditioning unit purchased and installed for the office at the Town of Lancaster's Police Gun Range, and

**WHEREAS**, the Park Crew Chief, obtained two (2) quotes for the purchase and installation in accordance with the Town of Lancaster's Procurement Policy, and

**WHEREAS**, by letter dated May 25, 2017 Mark Lubera has recommended that the Town of Lancaster award the purchase and installation of a new heating and air-conditioning unit to Besch Mechanical, Inc., in the amount of \$8,195.00 per their quote dated May 23, 2017, and

**WHEREAS**, funding for the new heating and air-conditioning unit purchase and installation at the office in the Town of Lancaster's Police Gun Range will be paid for with funds from the Town's Buildings Contractual Expenses Budget Line Item 01-1620-426, and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to award the contract for the purchase and installation of a new heating and air-conditioning unit for the office located within the Town of Lancaster's Police Gun Range to Besch Mechanical, Inc., 323 Central Avenue, Lancaster, NY 14086, in accordance with their quote dated May 23, 2017 in the amount not to exceed \$8,195.00 and to be paid for with funds from the Town's Buildings Contractual Expenses Budget Line Item 01-1620-426.

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

June 19, 2017

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

**WHEREAS**, David Watz, 6130 Broadway Street, Lancaster, New York 14086 has applied for a Dumping Permit for property situated on 6130 Broadway Street, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

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

**WHEREAS**, the Building Inspector and Town Engineer have completed their review of this application and by letter June 7, 2017 the Building Inspector made a formal, favorable recommendation to the Town Board.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that David Watz, 6130 Broadway Street, Lancaster, New York be and is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant situated on 6130 Broadway Street, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and

**BE IT FURTHER**

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

1. Fill shall consist of clean dirt fill. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.
2. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted materials.
3. Dirt, silt or sediment is prohibited from being tracked onto Broadway Street. Dirt tracked on the road must be cleaned on a daily basis and more often if necessary. The Town of Lancaster Police shall stop operation immediately upon complaint of dirty road.
4. Fill area shall be graded and seeded to the proposed elevation upon completion of fill operation.
5. Dumping will be allowed between the hours of 7 A.M. and 8 P.M. Monday thru Saturday. No dumping shall be allowed on Sunday.
6. Dust from the site shall also be prevented from migrating off site.
7. Fill shall only be placed in the areas which are indicated on the plot plan.



**BE IT FURTHER**

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

**BE IT FURTHER**

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

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAM	VOTED

June 19, 2017

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

**WHEREAS**, the Town Board is considering the site plan application of Up State Tower, Co., LLC, and Buffalo Lake Erie Wireless Systems (“Blue Wireless”) for the construction of a new 160’ wireless telecommunications facility consisting of freestanding self-support tower, antennas, an equipment shelter, fenced compound and other appurtenances necessary to operate the facility, on private property on a +/- 3.16 acre parcel located at 5393 William Street (SBL No. 116.19-1-1) BUF-653, in the Town of Lancaster, Erie County, New York, and

**WHEREAS**, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this project pursuant to SEQR regulations at their meeting on June 5, 2017 and recommended that a Negative Declaration be issued, and

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

**WHEREAS**, the Town Board has identified the relevant areas of environmental concern, is fully familiar with the proposed location and the surrounding parcels, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

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

**NOW, THEREFORE,**

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

1. Based upon the Town Board’s thorough and careful review of the project, Up State Tower, Co., LLC, and Buffalo Lake Erie Wireless Systems (“Blue Wireless”)’s application materials, including the Environmental Assessment Form, project plan and all other materials submitted in connection therewith, the project described as a proposal to install a 160’ self-support tower and associated telecommunications equipment in proposed 50’ X 50’ fenced compound, will not result in any significant environmental impacts and hereby issues a negative declaration pursuant to SEQRA for the reasons stated herein.

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 ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

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

**Town of Lancaster Town Board**

**Dated: June 19, 2017**

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

The Town of Lancaster Town Board (the "Town Board"), has reviewed the proposed construction of a new Up State Tower, Co., LLC, and Buffalo Lake Erie Wireless Systems ("Blue Wireless") 160' self-support tower and associated telecommunications equipment in proposed 50' X 50' fenced compound, on a +/-3.16 acre parcel. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Up State Tower Co., LLC, Cell Tower BUF-653

**Location of Action:** 5393 William Street (SBL No. 116.19-1-1) Lancaster, New York 14086, Erie County.

**SEQR Status:** Type I Action.

**Description of Action:** The construction of a proposed 160' Self-Support Tower and associated telecommunications equipment in 50' X 50' Lease Area.

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

- 1. Impact on land – Small impact**
  - The proposed action may involve construction on land where the depth to water table is less than 3 feet.
- 2. Impact on Geological Features – No impact**
- 3. Impacts on Surface Water – Small impact**
  - The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the beds or banks of any other water body.
- 4. Impact on Groundwater – No impact**
- 5. Impact on Flooding – No impact**
- 6. Impact on Air – No impact**
- 7. Impact on Plants and Animals – No impact**
- 8. Impact on Agricultural Resources – No impact**
- 9. Impact on Aesthetic Resources – No impact**
  - It is noted that this will result in a 160 foot tall tower in the area.

- 10. Impact on Historic and Archeological Resources – No impact**
- 11. Impact on Open Space and Recreation – No impact**
- 12. Impact on Critical Environmental Areas – N/A**
  - The Town of Lancaster has not established a Critical Environmental Area (CEA).
- 13. Impact on Transportation – No impact**
- 14. Impact on Energy – No impact**
- 15. Impact on Noise, Odor and Light – No impact**
- 16. Impact on Human Health – No impact**
- 17. Consistency with Community Plans – No impact**
- 18. Consistency with Community Character – 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 COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS**, the Town Board is considering the modifications to create a Mexican Restaurant by Taco Cocina Transit, LLC d/b/a Deep South Taco, to an abandoned building on +/- 1.8 acres previously utilized as a restaurant, located at 6727 Transit Road in the Town of Lancaster, and

**WHEREAS**, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on June 5, 2017 and recommended that a Negative Declaration be issued, and

**WHEREAS**, the Town Board has duly considered the plans for the building, 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 Municipal Review Committee; and

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

**WHEREAS**, the proposed action has been labeled an "Unlisted" action under SEQRA.

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

1. This project described as the approval for modification of previously approved site plan in order to establish a new restaurant operation 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 ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

June 19, 2017

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

**Town of Lancaster Town Board**

**Dated: June 19, 2017**

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

The Town of Lancaster Town Board (the "Town Board"), has reviewed the proposed modifications to create a Mexican Restaurant by Taco Cocina Transit, LLC d/b/a Deep South Taco, to an abandoned building on +/- 1.8 acres previously utilized as a restaurant, located at 6727 Transit Road. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Taco Cocina Transit, LLC d/b/a Deep South Taco

**Location of Action:** 6727 Transit Road, Lancaster, New York 14086, Erie County.

**SEQR Status:** Unlisted Action.

**Description of Action:** the approval for modification of previously approved site plan in order to establish new restaurant operation.

**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. The proposed action will not create a material conflict with an adopted land use plan or zoning regulations.
2. The proposed action will not result in a change in the use or intensity of use of land.
3. The proposed action will not impair the character or quality of the existing community.
4. The Town of Lancaster has not established a Critical Environmental Area (CEA).
5. The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.
6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.
7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.
8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.
9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).

**10.** The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.

**11.** The proposed action will not create a hazard to environmental resources or human health.

**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 TO WIT:

**BE IT RESOLVED**, that the Town of Lancaster, Location Code 30040, hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

TITLE	STANDARD WORK DAY (HRS/DAY)	NAME	SOCIAL SECURITY NUMBER (LAST 4)	REGISTRATION NUMBER	CURRENT TERM BEGIN & END DATES	RECORD OF ACTIVITIES RESULT
Elected Officials						
Member, Town Planning Board	7	Kristin McCracken			01/01/17 – 12/21/23	0.61

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

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

June 19, 2017



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

**WHEREAS**, The Town Board has previously duly advertised for the submission of bids for the proposed the Keysa Park Town Pool Renovation Project in the Town of Lancaster, and

**WHEREAS**, one bid was received, opened and reviewed on June 8, 2017, and

**WHEREAS**, Wm. Schutt Associates, the Town of Lancaster's engineering consultant, by letter dated June 9, 2017 has recommended award of the bid to Millennium Pursuits, Inc., d/b/a Leisure Craft Pools, being the sole responsible bidder in the amount of \$96,188.00, and

**WHEREAS**, funding for the Keysa Park Town Pool Renovation Project will be paid for with funds from the Recreation Filing Fees.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby awards the bid for the Town of Lancaster's Keysa Park Town Pool Renovation Project to Millennium Pursuits, Inc., d/b/a Leisure Craft Pools, 2 Lancaster Parkway, Lancaster, New York, 14086 in the amount of \$96,188.00 being the sole responsible bidder in conformance with the specifications on file in the office of Wm. Schutt Associates, consulting Town Engineer, and to be paid for with funds from the Recreation Filing Fees 37-7000-400;

**BE IT FURTHER**

**RESOLVED**, that the Supervisor is hereby authorized to execute this contract on behalf of the Town of Lancaster and to do all things necessary to effectuate the intent of this resolution pending the receipt and approval of all required documents and Insurance certificates 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 ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

June 19, 2017

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

**WHEREAS**, the Town Board of the Town of Lancaster has expressed interest in purchasing land located at 00 Lake Avenue (SBL No. 115.19-3-7.1) to increase park-land area for the residents within the Town of Lancaster, and

**WHEREAS**, the Town Board of the Town of Lancaster deems it to be in the best interest of all parties involved that an appraisal be obtained for valuation of said property, and

**WHEREAS**, Howard P. Schultz & Associates, LLC, 4 Centre Drive, Orchard Park, New York 14127, a duly qualified appraisal firm, has submitted an invoice dated June 5, 2017, for appraisal services rendered for the property located at 00 Lake Avenue (SBL No. 115.19-3-7.1), for the sum of \$2,000.00.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves payment for the invoice submitted by **Howard P. Schultz & Associates, LLC**, for appraisal services rendered for the real property located 00 Lake Avenue (SBL No. 115.19-3-7.1) within the Town of Lancaster at a cost not to exceed \$2,000.00 which will be paid for from the Town's Recreation Filing Fees Fund 37-7000-400.

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 GASZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

June 19, 2017

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

**WHEREAS, Irene J. Colvin**, the owner of real property situate at **29 Hawthorne Trail**, Lancaster, New York, has submitted an application for a Special Use Permit for a Home Occupation (Cottage Industry – Homemade Pierogi) in accordance with the provisions of Chapter 50-17(F) Zoning, Supplementary regulations for all residential districts, Home Occupations Code of the Town of Lancaster.

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

That pursuant to Chapter 50-Zoning, Section 17(F), entitled Zoning, Supplementary regulations for all residential districts, Home Occupations, of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for a Home Occupation (Cottage Industry – Homemade Pierogi) on premises locally known as 29 Hawthorne Trail, Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 3<sup>rd</sup> day of July 2017 at 7:15 o'clock P.M. Local Time, and the notice of the time and place of such hearing be published in a newspaper of general circulation in said Town, and posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

June 19, 2017

**LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER  
SPECIAL USE PERMIT – COLVIN**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the authority set forth in Chapter 50-Zoning, Section 17(F) “Home Occupations” of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 19<sup>th</sup> day of June, 2017 the Town Board will hold a Public Hearing on the 3<sup>rd</sup> day of July, 2017 at 7:15 o’clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of **Irene J. Colvin**, for a Special Use Permit for a Home Occupation (Cottage Industry – Homemade Pierogi) on premises locally known as 29 Hawthorne Trail, in the Town of Lancaster, County of Erie, State of New York.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

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

June 22, 2017

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

**WHEREAS**, A Public Hearing was held on June 5, 2017 on the petition of **Frank Trybuskiewicz**, 12310 Cary Road, Alden, New York 14004, for the rezone of a parcel of land locally known as 5680 Broadway (SBL No. 116.05-1-3), Lancaster, New York from Residential Commercial Office District (RCO) to Multifamily Residential District three (MFR-3), and

**WHEREAS**, the Planning Board of the Town of Lancaster recommended approval of the rezone at its May 3, 2017 meeting, and

**WHEREAS**, a SEQR review was completed on the proposed rezone on May 15, 2017 and on June 5, 2017 a Negative Declaration was issued, and

**WHEREAS**, notices of said Hearings were duly published and posted, and

**WHEREAS**, in accordance with Section 239 (m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto;

**NOW, THEREFORE  
BE IT RESOLVED,**

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from a Residential Commercial Office District (RCO) to Multifamily Residential District three (MFR-3).

**5680 Broadway**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot No 7, Section 7, Township 11, Range 6 of the Holland Land Company's Survey, more particularly bound and described as follows:

COMMENCING in the center line of the Cayuga Creek Road (now Broadway) at a point 4 chains and 5 links easterly from the southeast corner of a piece of land formerly sold from the above described Lot to Ira P. Wheeler; and running thence North 15 degrees east along the east line of lands of Byron Blackman (liber 839, Page 232), a distance of 845.50 feet, running thence easterly and parallel to the center line of Cayuga Creek Road a distance of 212.82 feet; running thence southerly and parallel to the first mentioned line a distance of 845.50 feet to the center line of Cayuga Creek Road (now Broadway), and running thence westerly along the center line of the road a distance of 212.82 feet to the place or point of beginning.

EXCEPTING therefrom that portion of the premises appropriated by the State of New York recorded in the Erie County Clerk's Office in Liber 5930 of Deeds at pages 565 and 568.

Property to be rezoned from RCO to MFR3 consists of approximately 4.09 acres.

2. That said Ordinance Amendment be added in the Minutes of the meeting of the Town Board of the Town of Lancaster held on the 19<sup>th</sup> day of June 2017;

3. That a certified copy thereof be published in the Official Newspaper of Town of Lancaster pursuant to Town Law;

4. That Affidavits of Publication be filed with the Town Clerk; and
5. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

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

June 19, 2017

**LEGAL NOTICE  
ADOPTION OF AMENDMENT  
ZONING ORDINANCE, TOWN OF LANCASTER  
FRANK TRYBUSKIEWICZ  
5680 BROADWAY  
TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that the Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from Residential Commercial Office District (RCO) to Multifamily Residential District three (MFR-3) for the property known as **5680 Broadway** (SBL No. 116.05-1-3) within the Town of Lancaster, New York.

**June 22, 2017**

**STATE OF NEW YORK :**  
**COUNTY OF ERIE : ss:**  
**TOWN OF LANCASTER:**

**THIS IS TO CERTIFY** that I, Diane M. Terranova, Town Clerk of the Town of Lancaster, in said County of Erie, have compared the foregoing copy of an Ordinance on the 19<sup>th</sup> day of June 2017 and that he same is a true and correct copy of said original, and of the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto signed my hand and affixed the Seal of said Town this 19<sup>th</sup> day of June 2017.

---

**Diane M. Terranova, Town Clerk**

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

**WHEREAS, Frank Trybuskiewicz,** has submitted a site plan prepared by Left Coast Design Studio Architecture, P.C., dated May 23, 2016, with a revision date of September 6, 2016, and received September 6, 2016, for the proposed conversion of Two Existing Multiple-Unit Dwellings, located at 5680 Broadway (SBL No. 116.05-1-3), in the Town of Lancaster, and

**WHEREAS,** the site plan for this project was submitted to the Planning Board and was approved at their September 21, 2016 meeting, and

**WHEREAS,** the Town, acting as lead agency has completed an environmental review for the rezone on May 15, 2017, in conformance with SEQR (State Environmental Quality Review) regulations and on June 5, 2017 a Negative Declaration was issued.

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Frank Trybuskiewicz and Left Coast Design Studio Architecture, P.C., dated May 23, 2016, with a revision date of September 6, 2016, and received September 6, 2016, for the proposed conversion of Two Existing Multiple-Unit Dwellings, located at 5680 Broadway (SBL No. 116.05-1-3).

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

June 19, 2017



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

**WHEREAS**, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated June 12, 2017, has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

**NOW, THEREFORE, BE IT**

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

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Donna Greene (rehire)	Tutor	\$16.50	June 20, 2017- Aug 31, 2017

**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 ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

June 19, 2017

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

**WHEREAS**, John Trojanowsky, Executive Director of the Town of Lancaster Youth Bureau, by letter dated June 13, 2017, has requested an adjustment to the rate of pay for Marco Casali, and Martha Smith, tutors for the Youth Bureau, due to Marco Casali not having an increase in salary since he was first appointed five years ago and Martha Smith not having an increase in salary since she was first appointed four years ago.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the rate of pay for Marco Casali and Martha Smith be adjusted from \$15.00 per hour to \$16.00 per hour, effective June 20, 2017, 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 ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

June 19, 2017

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

**WHEREAS**, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated June 13, 2017 has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Parks, Recreation and Forestry Department, for a period not to exceed five (5) months, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Anthony Marrano (rehire) Lancaster, NY	Laborer	\$10.00	June 5, 2017
Thomas Monin (rehire) Lancaster, NY	Laborer	\$12.00	June 19, 2017
Brianna Bartholomew (rehire) Depew, NY	Lifeguard	\$12.00	June 19, 2017
Skylar Merrell (new hire) Lancaster, NY	Recreation Attendant	\$10.00	June 19, 2017
Gretchen Galliford (new hire) Bowmansville, NY	Recreation Attendant	\$18.00	July 6, 2017
Becky Edwards (rehire) Cheektowaga, NY	Recreation Attendant	\$21.00	June 19, 2017
Kelly Fellner (rehire) Lancaster, NY	Recreation Attendant	\$12.00	June 19, 2017
Kara Paradowski (rehire) Lancaster, NY	Recreation Attendant	\$12.00	June 19, 2017
Tyler Witt (rehire) Lancaster, NY	Recreation Attendant	\$21.00	June 19, 2017
Tyler Lis (rehire) Lancaster, NY	Recreation Attendant	\$12.00	June 19, 2017
Joe Mescall (rehire) Lancaster, NY	Recreation Attendant	\$12.00	June 19, 2017
Andrew Fellner (rehire) Lancaster, NY	Recreation Attendant	\$12.00	June 19, 2017

Brian Jandzinski (new hire) Lancaster, NY	Recreation Attendant	\$21.00	June 19, 2017
Tyler Balsavage (new hire) Lancaster, NY	Recreation Attendant	\$12.00	June 19, 2017
Ben Mazur (new hire) Lancaster, NY	Recreation Attendant	\$12.00	June 19, 2017
Gabby Cumbo (rehire) Lancaster, NY	Recreation Attendant	\$21.00	June 19, 2017
Brittnee Nicoloff (rehire) Orchard Park, NY	Recreation Attendant	\$12.00	June 19, 2017
Madison Schiffler (new hire) Lancaster, NY	Recreation Attendant	\$12.00	June 19, 2017
Sara Smith (new hire) Lancaster, NY	Recreation Attendant	\$12.00	June 19, 2017
Isabella Wandsworth (new hire) Lancaster, NY	Recreation Attendant	\$12.00	June 19, 2017

**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 ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

June 19, 2017

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

**WHEREAS**, the Twin District Volunteer Fire Company, Inc., by letter dated June 14, 2017, has requested the deletion of one member from the active roster of said fire association,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby deletes from the membership of the Twin District Volunteer Fire Company, the following individual:

**DELETION:**

Gerald Kania

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

June 19, 2017

File: RFIRE (P6)

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

**WHEREAS**, Taco Cocina Transit c/o Barclay Damon LLP, has submitted a site plan prepared by ABSTRACT Architecture, PC, dated April 26, 2017, and received May 1, 2017, for the proposed site modifications to an existing restaurant building to create a Mexican restaurant, known as **Deep South Taco** located at 6727 Transit Road (SBL No. 82.03-1-63), in the Town of Lancaster, and

**WHEREAS**, the site plan for this project was submitted to the Planning Board and was approved at their May 17, 2017 meeting, and

**WHEREAS**, the Town, acting as lead agency has completed an environmental review for the rezone on June 5, 2017, in conformance with SEQR (State Environmental Quality Review) regulations and on June 19, 2017 a Negative Declaration was issued.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by the Taco Cocina Transit c/o Barclay Damon LLP, has submitted a site plan prepared by ABSTRACT Architecture, PC, dated April 26, 2017, and received May 1, 2017, for the proposed site modifications to an existing restaurant building to create a Mexican restaurant, known as **Deep South Taco** located at 6727 Transit Road (SBL No. 82.03-1-63), in the Town of Lancaster with the following condition:

- Obtain Special Use Permit application approval allowing outdoor accessory uses per Chapter 50-19(C)(7)

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

June 19, 2017

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

**WHEREAS, Forbes Capretto Homes, Inc.,** 470 Cayuga Road, Buffalo, New York 14225 has heretofore applied for approval of a fifty-eight (58) +/- single family home development to be known as "Hidden Meadow Subdivision, Phase 2" located west of Aurora Street in the Town of Lancaster, and

**WHEREAS,** the Preliminary Plat was submitted to the Planning Board and was approved at their April 1, 2015 meeting, and

**WHEREAS,** the Town Engineer has given his approval to the filing of this Subdivision which will include any new waterlines and seven (7) hydrants, and

**WHEREAS,** the Town, acting as lead agency has completed an environmental review on May 4, 2015, in conformance with SEQR (State Environmental Quality Review) regulations and on June 15, 2015 a Negative Declaration was issued, and

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

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

1. That the Town Board of the Town of Lancaster hereby approves the proposed fifty-eight (58) +/- single family home development final plat as prepared by Greenman-Pedersen, Inc., dated May 10, 2017 and filed with the Town Clerk on May 23, 2017 for said development to be known as the "Hidden Meadow Subdivision, Phase 2" for filing in the Erie County Clerk's office with the following condition:

- Street lighting to be installed by developer as required for the project.

2. That the Town Clerk be and is hereby directed to properly endorse the approval of the Town Board of the Town of Lancaster on the mylar copy thereof and to attend to the filing of said fifty-eight (58)+/- single family home development subdivision map in the Erie County Clerk's Office.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

June 19, 2017

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

**WHEREAS**, the Lancaster Rural Cemetery Association, by letter dated May 31, 2017 has requested that the Town of Lancaster's Forestry Department assist them in replacing trees that were damaged and removed from their property due to the winter and spring storms, and

**WHEREAS**, the Lancaster Rural Cemetery Association, is requesting the Town of Lancaster purchase and plant ten (10) trees in Fall of 2017 and then ten (10) more trees each year thereafter for the next five (5) years at a cost to the Town of approximately \$3,900.00 over the six year period, and

**WHEREAS**, by letter dated June 13, 2017, Parks Crew Chief, Mark Lubera has recommended granting the Lancaster Rural Cemetery Association's request to have the town of Lancaster purchase and plant ten (10) trees in Fall of 2017 and then ten (10) more trees each year thereafter for the next five (5) years, and

**WHEREAS**, after due review and consideration, the Town Board of the Town of Lancaster deems it in public interest to grant the Lancaster Rural Cemetery Association's request.

**NOW THEREFORE**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby grants the Lancaster Rural Cemetery Association's request for the Town to purchase and plant ten (10) trees in Fall of 2017 and then ten (10) more trees each year thereafter for the next five (5) years for an approximate, six-year cost to the Town of \$3,900.00, with payment for the trees being planted in 2017 to be paid from budget account A8810.449.

**BE IT FURTHER**

**RESOLVED**, that the following budget transfer be and hereby is approved:

- 1) Transfer \$780.00 from account A1990.411 Contingency.
- 2) Transfer \$780.00 to account A8810.449 Support for Lancaster Rural Cemetery.

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

June 19, 2017



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GACZEWSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, 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 Highway Superintendent submitted four (4) 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 June 9, 2017, Daniel Amatura, Highway Superintendent has recommended that the contract to perform the necessary curb, sidewalk, and apron replacements be awarded to Master's Edge, Inc., Concrete Construction, for an amount not to exceed \$33,300.00 and to be paid for with funds available in the 2017 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 enter into a contract with Master's Edge, Inc., Concrete Construction, 3409 Broadway Street, Cheektowaga, NY, 14227, to perform the necessary replacement services for various curbs, sidewalks and aprons at locations throughout the Town of Lancaster, for an amount not to exceed \$33,300.00 with funds allocated in the 2017 Highway Budget Contractual Expenses (Curbing) Line 13-5110-0413.

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

June 19, 2017

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

**WHEREAS**, the Town and Village of Lancaster, Village of Depew Comprehensive Master Plan, titled: A Comprehensive Plan for a Common Future was completed in February 2000; and

**WHEREAS**, the Lancaster Town Board continues to rely on this document to assist in the development and redevelopment of the Town of Lancaster while an updated comprehensive plan is currently in progress;

**NOW, THEREFORE BE IT**

**RESOLVED**, that the Lancaster Town Board does hereby reaffirm the Town and Village of Lancaster, Village of Depew Comprehensive Master Plan, titled: A Comprehensive Plan for a Common Future, prepared February 2000.

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

June 19, 2017

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

**WHEREAS,** the Lancaster Town Board seeks funding from the New York State Office of Parks, Recreation, and Historic Preservation through the Parks Acquisition Program to purchase land for use as a park and retain consultants to conduct planning activities, and

**WHEREAS,** the Lancaster Parkland Acquisition and Planning Project is being initiated based on community support for the project.

**NOW THEREFORE, BE IT**

**RESOLVED** that the Lancaster Town Board hereby affirms public and community support for the project and,

**BE IT FURTHER**

**RESOLVED** that the Lancaster Town Board hereby declares its approval/endorsement for the Lancaster Parkland Acquisition and Planning Project.

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

June 19, 2017

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

**WHEREAS**, the Town of Lancaster intends to submit an application for grant funding to the New York State Office of Parks, Recreation and Historic Preservation for the Town of Lancaster Parkland Acquisition and Planning Project which requires matching funds in the amount of 50% of the total estimated project cost; and

**WHEREAS**, this project is eligible for funding from the Town of Lancaster's Recreation Filing Fee Fund, Account # 37.7000.0200;

**NOW, THEREFORE BE IT**

**RESOLVED**, that the Lancaster Town Board does hereby declare its intention to allocate a maximum of \$350,000 in Recreation Filing Fee Fund monies from Account # 37.7000.0200 to be used as matching funds should a grant be awarded from the New York State Office of Parks, Recreation and Historic Preservation for the Town of Lancaster Parkland Acquisition and Planning Project.

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

June 19, 2017

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

**WHEREAS**, The Town of Lancaster's Highway Department has been notified of a significant residential flooding issue between lots 240-246 of Enchanted Forest North in the Town, caused by large tree roots blocking the pipe that drains the storm water, and

**WHEREAS**, according to NYS Highway Law §147 the Town Highway Superintendent may enter upon private property adjacent to Town Highways for drainage purposes after they have been directed to do so by the Erie County Commissioner of Public Works and been given proper authorization by the Town Board of the municipality in which the property is located, and

**WHEREAS**, by email communication dated June 15, 2017, the Erie County Commissioner of Public Works has given authorization to the Town of Lancaster to enter upon the land situate between 240-246 Enchanted Forest North in order to take corrective action, and

**WHEREAS**, in compliance with NYS Highway Law §148 the Town contacted the property owner, via Certified Return Receipt USPS Mail Delivery, notifying them of its intention to enter upon the property in order to rectify the drainage issue, and

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes Daniel Amatura, Highway Superintendent of the Town of Lancaster to enter property situate between 240-246 Enchanted Forest North, in order to take corrective action to alleviate significant drainage problems to adjacent neighbors caused by tree roots blocking the storm water drain pipes.

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

June 19, 2017