

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 August 7, 2017 and the Regular Meeting of the Town Board held August 7, 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

August 21, 2017

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. 49471 to Claim No. 49700 Inclusive

Total amount hereby authorized to be paid: \$ 917,588.97

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

August 21, 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
27205		We Care Home Repair	18 Crabapple Ln	Er. Deck	
27206		Kelly & Bryan Brooks	80 Harvey Dr	Er. Fence	(V/L)
27207		Timothy & Sandy Ruch	169 Enchanted Forest S	Er. Fence	
27208		CCP Enterprises	142 Albert Dr	Re-Roof	(V/L)
27209		Majestic Pools Inc.	108 Pavement Rd	Er. Fence	
27210		Majestic Pools Inc.	108 Pavement Rd	Er. Pool-In Grnd	
27211		Laure Kolb	47 Irwinwood Rd	Er. Fence	(V/L)
27212		Paul J. Schrader	25 Bowen Ave	Er. Porch	(V/L)
27213		Paul J. Schrader	25 Bowen Ave	Er. Deck	(V/L)
27214		Mark Melewski	9 Parliament Ln	Er. Shed	
27215		Carmella Zelaski	71 Cowing St	Dem. Rear Struc	(V/L)
27216		All General Builders	71 Cowing St	Er. Garage	(V/L)
27217		RJF Development JV	27 Weathersfield Ln	Er. Dwlg.-Sin.	
27218		RJF Development JV	64 Tranquility Trl	Er. Dwlg.-Sin.	
27219		Greg Schober	6389 Genesee St	Er. Dwlg.-Sin.	
27220		Carol M. Abendschein	3717 Bowen Rd	Re-Roof	
27221		Gerald Lewis DBA	3 Rose Hill Cir	Re-Roof	
27222		JLB Installations	31 Tranquility Trl	Er. Pool-In Grnd	
27223		Dean DeAnthony	40 Crabapple Ln	Er. Deck	
27224		Lynn S. Graap	95 Erie St	Er. Res. Alt.	(V/L)
27225		Robert Waterman	5106 William St	Er. Deck	
27226		H Young's Home Improvement	37 Charlton Pl	Re-Roof	
27227		Lamparelli Construction Co.	6727 Transit Rd	Er. Comm. Add./Alt.	
27228		Marrano/Marc Equity Corp.	32 Pear Tree Ln	Er. Dwlg.-Sin.	
27229		Charles Nagel	53 Avian Way	Re-Roof	
27230		Switala's Siding Cedar Inc.	9 Quail Run Ln	Re-Roof	
27231		D Allen & Son Contracting Inc.	22 Old Post Rd	Re-Roof	
27232		Robin & Claudette Reofica	40 Crabapple Ln	Er. Shed	
27233		Benjamin & Heidi Indelicato	17 Chestnut Corner	Er. Fence	
27234		Benjamin & Heidi Indelicato	17 Chestnut Corner	Er. Pool-In Grnd	
27235		Jeffrey Radzwill	41 Woodgate Dr	Er. Fence	
27236		Queen City Home Pros.	6 Branch Way	Er. Porch Cover	
27237		Majestic Pools Inc.	157 Siebert Rd	Er. Fence	
27238		Majestic Pools Inc.	157 Siebert Rd	Er. Pool-In Grnd	
27239		Majestic Pools Inc.	43 Rose St	Er. Fence	
27240		Majestic Pools Inc.	43 Rose St	Er. Pool-In Grnd	
27241		Expert Contracting	374 Westwood Rd	Re-Roof	
27242		Expert Contracting	141 Nathan's Trl	Re-Roof	
27243		Kevin & Joanna Janik	4 Trails End	Er. Deck	
27244		J-Cap Contractors LLC	35 Linden Ave	Re-Roof	(V/L)
27245		RJ Zima Inc.	34 Summerfield Dr	Inst. Ingrnd. Sprinkler	
27246		David Ridgeway	27 Benson Dr	Re-Roof	(V/L)
27247		David Ridgeway	23 Benson Dr	Re-Roof	(V/L)
27248		Tool Box Construction	274 Schwartz Rd	Dem. Bldg	
27249		Tool Box Construction	274 Schwartz Rd	Er. Res. Add.	
27250		Gregg & Roberta Sand	22 Quail Hollow	Er. Deck	
27251		Window Experts & More	152 Sheldon Ave	Er. Res. Add.	(V/L)
27252		Kathy D. Wysocki	57 Carter St	Er. Fence	(V/L)
27253		Joshua Puerner	19 Hinchey Ave	Er. Deck	(V/L)
27254		Keith & Stephanie Haefner	19 Hampton Ct	Er. Fence	
27255		Irwin Roofing	21 Creekwood Dr	Re-Roof	
27256		Irwin Roofing	368 Aurora St	Re-Roof	(V/L)
27257		Renee Triplet	41 Colonial Ave	Re-Roof	(V/L)

27258	House Crafters LLC	20 Sawyer Ave	Re-Roof	(V/L)
27259	David Merriman	99 Spohn Dr	Er. Shed	
27260	Summers & Sons Construction	32 Logan Ln	Er. Deck	
27261	Sahlems Roofing & Siding Inc.	25 Red Clover Ln	Re-Roof	
27262	Sahlems Roofing & Siding Inc.	5360 William St	Re-Roof	
27263	Summers & Sons Construction	9 Cherryfield Ln	Er. Deck	
27264	D Allen & Son Contracting Inc.	180 Broezel Ave	Re-Roof	
27265	Lynda C. Herzog	55 School St	Er. Porch	(V/L)
27266	Stephen Zdziebko	704 Pleasant View Dr	Er. Shed	
27267	Aaron Connacher	28 Newberry Ln	Er. Fence	
27268	Tri-Town Construction Inc.	7 Newell Ave	Re-Roof	(V/L)
27269	James P. Terhaar Carpentry	113 Maple Dr	Re-Roof	
27270	Bishnu P. Kapri	25-27 Clark St	Re-Roof	(V/L)
27271	American Fence Company	117 Pheasant Run Ln	Er. Fence	
27272	Lawrence Tamrowski	31 Livingston St	Er. Fence	(V/L)
27273	Kayes Roofing & Construction	9 Pine View Ln	Re-Roof	
27274	Sturm Roofing LLC	33 Sussex Ln	Re-Roof	
27275	Jeffrey & Cindy Moore	195 Enchanted Forest S	Er. Shed	
27276	5980 Armor Duells	12 Hidden Meadow Crossing	Er. Dwlg.-Sin.	
27277	ECC Electrical Construction	14 Primrose Ln	Inst. Generator	
27278	Eric P. Karjel	3 Pear Tree Ln	Er. Fence	
27279	Russell Fitzgibbon	41 Greenmeadow Dr	Er. Gazebo	
27280	Daniel & Kristi Bifaro	36 Pear Tree Ln	Er. Shed	
27281	Elvira Moon	57 Caswell St	Er. Shed	(V/L)
27282	Steven Buscaglia	154 Nichter Rd	Er. Deck	
27283	Andrew & Shelley Wos	42 Michael Anthony Ln	Er. Res. Alt.	
27284	Keith A. Harman	547 Aurora St	Er. Garage	
27285	James MacKinnon	190 Aurora St	Re-Roof	(V/L)
27286	Tina Taylor	7 Sawgrass Ln	Re-Roof	
27287	Ronald Balducci	3591 Walden Ave	Dem. Bldg	
27288	Timothy M. Deakin	12 Windsor Ridge Dr	Er. Fence	
27290	Gerald Lewis DBA	36 Signal Dr	Re-Roof	

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

August 21, 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 Town of Lancaster Youth Bureau has recommended to the Town Board the appointments of Eric Cornell, Devon George, Christian Kowalski, Harbir Singh, John Kordrupel, and Rev. David Richards to serve as members on the Town of Lancaster Youth Board.

NOW, THEREFORE, BE IT

RESOLVED, that Eric Cornell, Devon George, Christian Kowalski, Harbir Singh, John Kordrupel, and Rev. David Richards be and are hereby appointed as members on the Town of Lancaster Youth Board for the term of August 22, 2017 through December 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

August 21, 2017

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

WHEREAS, Diane M. D’Arcy, the owner of real property situate at **208 Ransom Road**, Lancaster, New York, has submitted an application for a Special Use Permit for a Home Occupation (Dog Grooming) 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 (Dog Grooming) on premises locally known as 208 Ransom Road, Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 5th day of September 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

August 21, 2017

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER
SPECIAL USE PERMIT – D’ARCY**

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 21st day of August, 2017 the Town Board will hold a Public Hearing on the 5th day of September, 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 **Diane M. D’Arcy**, for a Special Use Permit for a Home Occupation (Dog Grooming) on premises locally known as 208 Ransom Road, 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**

August 24, 2017

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

WHEREAS, the Town Board of the Town of Lancaster, after review and consideration deems it in the public interest to request a speed study be performed by the Erie County Department of Public Works/Highways on Bowen Road (a county road) between Broadway and William Street, relative to the potential reduction of the speed limit in that area, and

WHEREAS, the Erie County Department of Public Works/Highways also requires form TE9a to be completed and signed by the Town Clerk of the Town of Lancaster.

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

1. That the Town Board of the Town of Lancaster hereby memorializes and requests that the Erie County Department of Public Works/Highways perform a speed study for a potential speed reduction on Bowen Road (a county road) between Broadway and William Street in the Town of Lancaster.
2. That the Town Clerk be and is hereby authorized and directed to execute the TE9a form and furnish it along with a certified copy of this resolution to the Deputy Commissioner - Highways, Erie County DPW, 95 Franklin Street, Room 1400, Buffalo, NY 14202 with the request for said speed study.

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

August 21, 2017

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

WHEREAS, Simoncelli Electric, Inc., 3740 California Road, Orchard Park, New York, 14127 has applied to the Town Board of the Town of Lancaster for a permit to construct a Public Improvement upon real property in the Town of Lancaster within Hidden Pines Subdivision Phase II, and

WHEREAS, the Town Engineer has certified on the following permit application that he has reviewed the improvement plan and permit application for the installation of the public improvement requested, and that it conforms to the Ordinances of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No.774 of Simoncelli Electric, Inc., 3740 California Road, Orchard Park, New York 14127, for the installation of:

P.I.P. No. 774 (Street Lights)	Hidden Pines Subdivision Phase II, installation of six (6) street lights, 3 each on Branch Way and Silent Meadow Lane.
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be and is hereby approved and the installation of the improvement requested be and is hereby authorized.

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

August 21, 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 proposed ALDI Food Store expansion of the East and West sides of its existing building from approximately 15,816 s.f. to approximately 18,168 s.f., located at 4931 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 SEQRA regulations at their meeting on August 7, 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 expansion of the existing ALDI Food Store from ± 15,816 square feet to ± 18,168 square feet with building expansions on west and east sides of the building, 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

August 21, 2017

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: August 21, 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 ALDI Food Store expansion of the East and West sides of its existing building from approximately 15,816 s.f. to approximately 18,168 s.f. 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: Aldi Expansion

Location of Action: 4931 Transit Road, Depew, New York 14043, Erie County.

SEQR Status: Unlisted

Description of Action: the expansion of the existing ALDI Food Store from \pm 15,816 square feet to \pm 18,168 square feet with building expansions on west and east sides of the building.

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 COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Town Board is considering the construction of a +/- 7,200 s.f. stoned-storage yard by Inness , Inc., located at 140 Pavement 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 August 7, 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 proposed construction of a 7,200 ± square foot stoned storage yard adjacent to an existing parking lot on 140 Pavement Road in the Town of Lancaster, New York. Stormwater runoff from the area will discharge into a swale running along the western perimeter and discharge into an existing ditch located onsite south of the existing building and new stone area, 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

August 21, 2017

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: August 21, 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 +/- 7,200 s.f. stoned-storage yard by Inness, Inc., located at 140 Pavement 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: Inness Storage Yard

Location of Action: 140 Pavement Road, Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted

Description of Action: the proposed construction of a 7,200 ± square foot stoned storage yard adjacent to an existing parking lot on 140 Pavement Road in the Town of Lancaster, New York. Stormwater runoff from the area will discharge into a swale running along the western perimeter and discharge into an existing ditch located onsite south of the existing building and new stone 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. 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 COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, 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, 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, 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 August 20, 2019.
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 ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

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

WHEREAS, Lewis Kibling of **ALDI, Inc.**, has submitted a site plan prepared by APD Engineering and Architecture, dated May 3, 2017, and received June 6, 2017 along with an Exterior Elevations drawing dated June 3, 2016 and received June 15, 2017 for the proposed expansion of the East and West sides of its existing building from approximately 15,816 s.f. to approximately 18,168 s.f., on a 3.23 acre parcel located at 4931 Transit Road (SBL No. 115.03-1-34.121), in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their July 19, 2017 meeting, and

WHEREAS, the Town, acting as lead agency has completed an environmental review for the project on August 7, 2017, in conformance with SEQR (State Environmental Quality Review) regulations and on August 21, 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 Lewis Kibling of **ALDI, Inc.**, and prepared by APD Engineering and Architecture, dated May 3, 2017, and received June 6, 2017 along with an Exterior Elevations drawing dated June 3, 2016 and received June 15, 2017 for the proposed expansion of the East and West sides of its existing building from approximately 15,816 s.f. to approximately 18,168 s.f., on a 3.23 acre parcel located at 4931 Transit Road (SBL No. 115.03-1-34.121) 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 ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

August 21, 2017

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

WHEREAS, Jessica Boudreau on behalf of Tim Liffiton of **Inness, Inc.**, has submitted a site plan prepared by Greenman-Pedersen, Inc., dated June 2017, and received June 6, 2017 for the proposed construction of a +/- 7,200s.f. stoned storage yard on a 5.78 acre parcel located at 140 Pavement Road (SBL No. 105.00-5-24), in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their July 19, 2017 meeting, and

WHEREAS, the Town, acting as lead agency has completed an environmental review for the project on August 7, 2017, in conformance with SEQR (State Environmental Quality Review) regulations and on August 21, 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 Jessica Boudreau on behalf of Tim Liffiton of **Inness, Inc.**, and prepared by Greenman-Pedersen, Inc., dated June 2017, and received June 6, 2017 for the proposed construction of a +/- 7,200 s.f. stoned storage yard on a 5.78 acre parcel located at 140 Pavement Road (SBL No. 105.00-5-24) 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 ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

August 21, 2017

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

WHEREAS, the Town of Lancaster received a rezone and site plan application from Young Development, Inc., proposing to rezone 00 Broadway (SBL No. 116.00-1-5.131) and construct 39 detached single family patio homes on a ± 8.58 acre parcel (the “Action”); and

WHEREAS, the Town Board of the Town of Lancaster (the “Town Board”) must comply with SEQRA and its implementing regulations at 6 N.Y.C.R.R. Part 617 in the review of the Action; and

WHEREAS, the Town Board is an involved agency pursuant to SEQRA; and

WHEREAS, the Town Board has determined that the Action is a “Type I” action under SEQRA, requiring a coordinated review; and

WHEREAS, the Town Board intends to serve as the Lead Agency for the coordinated SEQRA review of the Action; and

NOW, THEREFORE,

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

1. The Action is hereby determined to be a Type I action under SEQRA.
2. The Town Board hereby declares its intent to act as Lead Agency, pursuant to SEQRA, for the purpose of conducting the environmental review of the Action.
3. The Town Board hereby directs the Town Attorney to send the Notice of Intent to Act as Lead Agency to the other involved/interested agencies, pursuant to SEQRA.
4. This Resolution shall be effective immediately.

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

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

August 21, 2017

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

WHEREAS, Article 16 of the New York Town Law and Section 10 of the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster Town Code provides for the adoption and enactment of local laws, and

WHEREAS, the Attorney for the Town has prepared a proposed Local Law to Establish a Six-Month Moratorium on all Applications for Rezoning, and

WHEREAS, the Town Board has reviewed and modified the proposed Local Law and the Town of Lancaster believes it is in the public interest to consider enacting a Local Law of the year 2017 which reads as follows:
A LOCAL LAW OF THE YEAR 2017 which shall be known and may be cited as the “**Town of Lancaster Rezone Application Moratorium**”. The proposed Local Law shall be applicable within the confines of the municipal boundaries of the Town of Lancaster.

Section 1: Purpose and Intent

The Town of Lancaster is in the process of revising and updating its comprehensive plan. The comprehensive plan establishes a policy guide for land use within the Town and makes recommendations regarding growth, development, and preservation in the respective communities. The primary purpose of this law is to temporarily stop the processing of rezoning applications which could potentially conflict or frustrate the ultimate conclusions and recommendations which will be set forth in the updated comprehensive plan. As rezonings are required to be in accordance with the comprehensive plan, it is important to have the comprehensive plan review complete before any such application is evaluated.

Section 2: Legislative Findings

Professional planners are currently engaged by the Town to assist with the development of a comprehensive plan. The updated comprehensive plan should be completed for review and consideration in March 2018. The potential exists for land use development through the use of rezoning which could conflict with the Town’s intention to implement zoning regulations that are consistent with the recommendations set forth in the comprehensive plan. This Local Law will provide a temporary Moratorium on rezoning while the comprehensive plan is under review to allow the Town to complete the process.

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

The Planning Board has unanimously recommended to the Town Board that a Moratorium on all rezone applications be instituted for a period of six (6) months, which will extend through March 2018, at which time the new comprehensive plan will be complete.

Section 3: Moratorium Imposed

Effective immediately and continuing for a period of six (6) months following the date on which this Local Law is filed with the Secretary of State, the Town Board and Planning Board of the Town of Lancaster and all other Town agencies and personnel shall not accept, process, review, or consider any applications for rezoning within the Town limits.

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

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

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

Section 4: Term

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

Section 5: Variance

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

Section 6: Effect on Other Laws

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

Section 7: Severability

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

Section 8: Effective Date

This Local Law shall take effect immediately upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

WHEREAS, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required on the proposed Local Law;

NOW, THEREFORE,

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

1. A public hearing for the proposed Local Law is hereby set for the 5TH day of September, 2017 at 7:15 o'clock P.M.
2. The Town Clerk is directed to provide notice of the public hearing as required by law.
3. This resolution is effective immediately.

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

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

August 21, 2017

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to Article 16 of the New York Town Law and Section 10 of the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster Town Code and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted August 21, 2017, the said Town Board will hold a Public Hearing on the 5th day of September, 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 for the purposes of considering and possibly adopting a Local Law of the year 2017 which Establishes a Six-Month Moratorium on Applications for Rezoning within the Town of Lancaster. Copies of the proposed Local Law of the year 2017 are available at the office of the Town Clerk for inspection at Town Hall at its address listed above, between the hours of 9:00 A.M. and 4:00 P.M.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

August 24, 2017

Town of Lancaster
Local Law No. ___ of 2017

A Local Law to Establishing a Six-Month Moratorium on Applications for rezoning.

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

Section 1: Purpose and Intent

The Town of Lancaster is in the process of revising and updating its comprehensive plan. The comprehensive plan establishes a policy guide for land use within the Town and makes recommendations regarding growth, development, and preservation in the respective communities. The primary purpose of this law is to temporarily stop the processing of rezoning applications which could potentially conflict or frustrate the ultimate conclusions and recommendations which will be set forth in the updated comprehensive plan. As rezonings are required to be in accordance with the comprehensive plan, it is important to have the comprehensive plan review complete before any such application is evaluated.

Section 2: Legislative Findings

Professional planners are currently engaged by the Town to assist with the development of a comprehensive plan. The updated comprehensive plan should be completed for review and consideration in March 2018. The potential exists for land use development through the use of rezoning which could conflict with the Town's intention to implement zoning regulations that are consistent with the recommendations set forth in the comprehensive plan. This Local Law will provide a temporary Moratorium on rezoning while the comprehensive plan is under review to allow the Town to complete the process.

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

The Planning Board has unanimously recommended to the Town Board that a Moratorium on all rezone applications be instituted for a period of six (6) months, which will extend through March 2018, at which time the new comprehensive plan will be complete.

Section 3: Moratorium Imposed

Effective immediately and continuing for a period of six (6) months following the date on which this Local Law is filed with the Secretary of State, the Town Board and Planning Board of the Town of Lancaster and all other Town agencies and personnel shall not accept, process, review, or consider any applications for rezoning within the Town limits.

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

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

The Town Board may, by resolution, terminate this Moratorium prior to its expiration or alternatively, extend the Moratorium for an additional six (6) months, as the Town Board,

in its sole discretion, deems necessary to allow the adoption of the comprehensive plan and preparation and adoption of legislation to be completed.

Section 4: Term

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

Section 5: Variance

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

Section 6: Effect on Other Laws

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

Section 7: Severability

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

Section 8: Effective Date

This Local Law shall take effect immediately upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

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

WHEREAS, the Town Board of the Town of Lancaster (“Town Board”) has considered and evaluated a proposed Local Law which allows a Tax Levy Limit Override for fiscal year 2018 established in General Municipal Law § 3-c; and

WHEREAS, the Town Board called for, noticed, and held a public hearing on the proposed Local Law on August 7, 2017, where all interested parties were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law or any part thereof, and

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

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

NOW, THEREFORE,

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

1. The attached Local Law No. 4 of 2017 is hereby adopted which allows a Tax Levy Limit Override for fiscal year 2018 established in General Municipal Law § 3-c.
2. The Local Law shall be effective upon its filing with the Secretary of State pursuant to the Municipal Home Rule Law.

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

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

August 21, 2017

**LEGAL NOTICE
NOTICE OF ADOPTION
LOCAL LAW NO. 4 OF THE YEAR 2017
TOWN OF LANCASTER**

PLEASE TAKE NOTICE that there has been adopted by the Town Board of the Town of Lancaster, Erie County, New York, on August 21, 2017 Local Law No. 4 of the Year 2017, allowing a Tax Levy Limit Override for fiscal year 2018, which is on file for review in the Town Hall and on the Town of Lancaster's website, <http://www.lancasterny.gov>.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

August 24, 2017

Town of Lancaster
Local Law No. 4 of 2017

A local law to override the tax levy limit established in General Municipal Law Sec 3-c

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

Section 1. Legislative Intent

It is the intent of this local law to allow the Town of Lancaster to adopt a budget for the fiscal year commencing January 1, 2018 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law Sec. 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of the General Municipal Law Sec 3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adopt of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Lancaster, County of Erie is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2018 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Sec 3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person , individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

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

WHEREAS, the Assessor of the Town of Lancaster has recommended to the Town Board the reappointment of Jerome Imiola as a member of the Town of Lancaster Assessment Review Board.

NOW, THEREFORE, BE IT

RESOLVED, that Jerome Imiola, Lancaster, New York be and is hereby appointed a member of the Town of Lancaster Assessment Review Board for the term of October 1, 2017 through September 30, 2022.

BE IT FURTHER,

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

BE IT FURTHER,

RESOLVED, that according to Section 523 of the Real Property Tax Law, the Clerk shall notify the Erie County Director of Real Property Services within twenty (20) days of this appointment.

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

August 21, 2017

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

WHEREAS, the 2017 Summer dates of operation for the Keysa Town Park Pool, located at Brady Ave. & Vandenburg Ave. in the Town of Lancaster are scheduled to run from June 24, 2017 to August 19, 2017, and

WHEREAS, the Town received requests from residents using the pool to extend the closing date from August 19 to August 25, 2017, and

WHEREAS, the Town Board of the Town of Lancaster has considered the request and deems in the public interest to grant the extension of the pool closing to August 25, 2017.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Parks, Recreation and Forestry Department to extend the closing date of Keysa Town Park Pool, located at Brady Ave. & Vandenburg Ave., from August 19th to August 25th, for the 2017 summer schedule.

BE IT FURTHER

RESOLVED, that the following budget transfer between line items in the 2017 adopted budget be and hereby is approved to allow the Keysa Park Pool to remain open for six additional days

Transfer from: A1620.0103 Buildings – Wages, Part time cleaners	\$4,500
Transfer to: A7180.0103 Pool – Wages, Lifeguards	\$4,500

The question of 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

August 21, 2017

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

WHEREAS, the Town of Lancaster has determined there is a need to increase the energy efficiency of exterior street lighting within the Town of Lancaster, and

WHEREAS, in order to enhance the Town's exterior street light energy efficiency, the Town Board of the Town of Lancaster wishes to issue a Request for Proposals (RFPs) to solicit responses from energy services companies (ESCOs) to implement a Guaranteed Energy Savings Contract for the Town's Street Lighting Performance Services Project.

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby requests proposals from energy service companies (ESCOs) to implement a Guaranteed Energy Savings Contract for the Town's Street Lighting Performance Services Project, a complete RFP is available at the Town of Lancaster's Office of the Town Clerk, 21 Central Avenue, Lancaster, New York 14086; all proposals for consideration must be submitted to the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 2:30 P.M. Local Time on September 20, 2017.

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

August 21, 2017

**TOWN OF LANCASTER
NOTICE TO PERFORMANCE COMPANIES**

**GENERAL INFORMATION AND REQUEST FOR PROPOSALS FOR
A STREET LIGHTING ENERGY EFFICIENCY IMPROVEMENT PROJECT**

The Town of Lancaster (the TOWN) is issuing this Request for Proposals (RFP) for the selection of an energy services company (ESCO) to implement a Guaranteed Energy Savings Contract to increase the energy efficiency of exterior street lighting. The proposals shall consist of qualifications, experience, financial proposal and staffing plan.

A copy of the complete RFP will be available for pick up at the Town of Lancaster Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, NY 14086.

ESCO's that are interested in being considered must submit a Proposal in response to this RFP on or before Wednesday, September 20, 2017, 2:30 PM.

The successful ESCO will be determined solely from the Proposals. However, the TOWN reserves the right to interview all of the candidates if it so chooses.

An original and eight copies of the proposal are required. To prevent opening by unauthorized individuals, your submittal should be identified on the envelope as follows:

**PROPOSAL ENCLOSED
TIMED MATERIAL**
Street Lighting Performance Services Project

The proposal shall be addressed to:

Diane Terranova
Town of Lancaster Town Clerk
21 Central Avenue
Lancaster, New York 14086

The TOWN reserves the right to amend the RFP based on questions and issues raised during the conduct of this solicitation.

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

WHEREAS, the State University of New York College at Buffalo (“SUNY Buffalo State”) desires to have an Affiliation Agreement with the Town of Lancaster for the purpose of allowing college interns to participate in the Mentoring Program through the Town of Lancaster Youth Bureau, and

WHEREAS, the college interns would provide support and encouragement to children under the supervision of trained mentors at no cost to the Town of Lancaster, and

WHEREAS, it would be in the public’s interest for the Supervisor to enter into an Affiliation Agreement between the Town of Lancaster and SUNY Buffalo State, Bachelor of Social Work Program, allowing the involvement of college interns to participate in the Mentoring Program within the Lancaster community under the Supervision of the Town’s Youth Bureau.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster, hereby authorizes the Supervisor of the Town of Lancaster to enter into an Affiliation Agreement with SUNY Buffalo State, Bachelor of Social Work Program, in the form approved by the Town Attorney, allowing college interns to participate in the Mentoring Program through the Town’s Youth Bureau for the period of August 21, 2017 through August 21, 2022.

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

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

August 21, 2017

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

WHEREAS, in July 2011, in recognition of the growing problem of distressed, vacant, abandoned, and tax-delinquent properties, New York State passed the Land Bank Act, as Article 16 of the New York State Not-For-Profit Corporation Law, which authorizes any Foreclosing Governmental Unit (FGU) to create a land bank to strategically acquire, improve, assemble, and sell these properties; and

WHEREAS, under this law, the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) was formed in May 2012 via an intermunicipal agreement among the county's four FGUs: Erie County and the cities of Buffalo, Lackawanna, and Tonawanda; and

WHEREAS, county-wide banks have been proven to be highly successful in Michigan, Ohio, and other regions experiencing growing numbers of problem properties by supporting municipal and regional revitalization efforts by strategically acquiring, improving, assembling, and selling these properties; and

WHEREAS, BENLIC (the land bank) seeks to work collectively with the cities, towns, and villages within Erie County to address the growing problem of distressed, vacant, abandoned, and tax-delinquent properties; and

WHEREAS, the Town of Lancaster, County of Erie, State of New York, has recognized the need to address the growing issues of distressed, vacant, abandoned, and tax-delinquent properties and is desirous of partnering with BENLIC to address this problem; and

WHEREAS, the Town Board has identified three properties in the Town of Lancaster that it wishes BENLIC to acquire into the land bank,

NOW THEREFORE

BE IT RESOLVED, that the Town of Lancaster hereby requests that BENLIC acquire the following properties:

1. 39 Rose Street, Town of Lancaster, County of Erie, State of New York
(S.B.L #105.17-4-5)
2. 5827 Broadway Street, Town of Lancaster, County of Erie, State of New York
(S.B.L. #116.31-1-3)
3. 3 Home Road, Bowmansville (Town of Lancaster), County of Erie, State of New York
(S.B.L. #93.06-2-49)

BE IT FURTHER

RESOLVED, that the Town Board hereby directs the Town's Code Enforcement Officer to complete the required Request for Foreclosure Acquisition Applications for each property listed above and submit same to BENLIC; and

BE IT FURTHER

RESOLVED, that the Town of Lancaster agrees to reimburse Erie County or their agents, for the actual costs associated with foreclosure of these properties, which is estimated to be approximately \$1,400 per property, as such costs are incurred; and

BE IT FURTHER

RESOLVED, that the Town of Lancaster agrees to maintain each property selected by the BENLIC during the time in which BENLIC holds title to the property including but not limited to grass cutting, snow removal and removal of motor vehicles upon BENLIC property, by use of whatever means the Town deems appropriate; and

BE IT FURTHER

RESOLVED, in the event that after a period of one year from the date of BENLIC acquisition, BENLIC is unable to dispose of vacant lots which do not contain structures and which are identified herein, BENLIC retains the option to transfer to the Town of Lancaster, and the Town of Lancaster agrees to accept a transfer of title, of all non-disposed vacant lots which do not contain structures, by quitclaim deed; and

BE IT FURTHER

RESOLVED, that certified copies of this resolution will be sent to the Executive Director of the Buffalo Erie Niagara Land Improvement Corporation; the Commissioner of the Erie County Department of Environment and Planning; the Director of the City of Buffalo's Office of Strategic Planning; and the Mayors of the cities of Lackawanna and Tonawanda.

The question of the adoption of the foregoing resolution was duly put to 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

August 21, 2017

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

WHEREAS, the Town of Lancaster is proposing to complete the restoration of the interior and exterior existing Lancaster Historical Society Building located at 40 Clark Street (SBL No. 104.82-2-1.1) on a ± .63 acre parcel (the “Action”); and

WHEREAS, the Town Board of the Town of Lancaster (the “Town Board”) must comply with SEQRA and its implementing regulations at 6 N.Y.C.R.R. Part 617 in the review of the Action; and

WHEREAS, the Town Board is an involved agency pursuant to SEQRA; and

WHEREAS, the Town Board has determined that the Action is a “Type I” action under SEQRA, requiring a coordinated review; and

WHEREAS, the Town Board intends to serve as the Lead Agency for the coordinated SEQRA review of the Action; and

NOW, THEREFORE,

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

1. The Action is hereby determined to be a Type I action under SEQRA.
2. The Town Board hereby declares its intent to act as Lead Agency, pursuant to SEQRA, for the purpose of conducting the environmental review of the Action.
3. The Town Board hereby directs the Town Attorney to send the Notice of Intent to Act as Lead Agency to the other involved/interested agencies, pursuant to SEQRA.
4. This Resolution shall be effective immediately.

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

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

August 21, 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 recognizes that we do not have a policy in place when the need arises to consult outside counsel, and

WHEREAS, the Town Board of the Town of Lancaster acknowledges that, as a means of promoting cost efficiencies, controlling spending, and keeping the Town Board informed, a process should be implemented in regards to use of outside counsel, and

WHEREAS, the Town Board of the Town of Lancaster has determined that having information provided to them regarding the use of outside counsel legal services will be a benefit to them when they perform their duties.

NOW, THEREFORE, BE IT

RESOLVED, that effective immediately, the Town Board of the Town of Lancaster hereby enacts the following process in regards to the use of outside counsel:

1. The Town Attorney, or designee, is to be contacted initially regarding any matters that may be of a legal nature.
2. The Town Attorney, or designee, will then determine if it is in the Town's best interest to contact outside counsel.
3. Authorization from the Town Attorney, or designee, must be obtained prior to any council member, department head, employee, or representative contacting outside counsel on behalf of Town matters.
4. The Town Board shall be notified within 24 hours by means of electronic mail when outside counsel is being authorized to work on a particular matter and said notification shall include the nature of the issue as well as the attorney and/or firm being consulted.

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

August 21, 2017