

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 Regular Meeting of the Town Board held March 4, 2019 be and are hereby approved.

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

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

March 18, 2019

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. 56054 to Claim No. 56216 Inclusive

Total amount hereby authorized to be paid: \$2,628,883.45

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

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

March 18, 2019

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
 BY SUPERVISOR COLEMAN, 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
29291		Anderson Water Systems, Inc.	31 Plumb Creek Trl	Inst. Generator	
29292		Fences by Precision LLC	193 Nathan's Trl	Er. Fence	
29293		PWR	0 Transit Rd	Cell Tower -Alteration	
29294		Anna Niedermeier	130 Belmont Ave	Er. Fence	
29295		Jeremy Kidder	699 Ransom Rd	Er. Fence	
29296		RP Oakhill Building Company	5949 Broadway	Er. Comm. Add./Alt.	
29297		Zenner & Ritter Co. Inc.	11 St Davids Rd	Inst. Generator	
29298		Brownstone Homes	4 Blackstone Ct	Er. Dwlg.-Sin.	
29299		Paul Picciano	24 Michael Anthony Ln	Er. Res. Add.	
29300		Kim Smith	22 Hillside Pky	Er. Fence	
29301		Vastola Heating & Cooling LLC	396 Townline Rd	Inst. Generator	
29303		Marrano/Marc Equity Corp.	62 Grambo Dr	Er. Patio Home	
29304		Marrano/Marc Equity Corp.	5 Saybrook Dr	Er. Patio Home	
29305		Marrano/Marc Equity Corp.	78 Avian Way	Er. Dwlg.-Sin.	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

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

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

March 18, 2019

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

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning, Article VIII-Administration and Enforcement, Section 46 pursuant to Chapter 50, Section 20(B) of the Code of the Town of Lancaster, upon the application of **Thomas and Patricia Manko**, for a Special Use Permit for **Manko's Truck and Auto Repair**, to conduct automotive repair services on premises located at 4885 Transit Road, in the Town of Lancaster, New York, and the Board issued such Special Use Permit on March 2, 2015, this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, **Thomas Manko** has requested that the Town Board renew the Special Use Permit for an additional two (2) year period, and

WHEREAS, the Code Enforcement Officer has recommended the approval of this Special Use Permit in his letter dated January 24, 2019;

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

1. That pursuant to Chapter 50-Zoning, Section 20(B)(1), entitled "Commercial and Motor Service District (CMS)", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit Renewal to **Thomas Manko**, owner of **Manko's Truck and Auto Repair**, to conduct an automotive service and repair business on premises located at 4885 Transit Road in the Town of Lancaster, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning March 2, 2019 and ending March 1, 2021, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Article VIII, Section 46, of the Code of the Town of Lancaster, and to any additional conditions listed herein, as long as the applicant continues to engage in an automotive service and repair business on the premises namely:

- A. Must comply with Town Code Noise Ordinance.
- B. Two (2) tire racks will be allowed on the exterior of the property for display during business hours only.
- C. No unregistered, inoperable or dismantled vehicles will be allowed on the exterior of the property.
- D. No vehicle parts will be allowed to be stored outside of the building.
- E. No work or business is to be performed outside of the building.
- F. All equipment and supplies of the business must be kept inside of the building.
- G. No vehicles will be allowed to be displayed "For Sale" on the property.
- H. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal is considered upon the property owner submitting an application to the Town Clerk, on or before March 1, 2021.
- I. Applicant to provide a copy of the business' New York State Tax/Federal Employer Identification Number and, where required, a copy of a valid State License issued by the appropriate regulatory agency for the service being provided.
- J. This Special Use Permit terminates when the applicant no longer owns the business.

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

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

March 18, 2019

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 bids for one (1) new and unused **2019 Ford F250 4 x 4 Crew Cab, 6 ¾ Foot Box Pick-up with Additional Options, plow from traded vehicle to be transferred to new truck** for the use by the Highway Department, and

WHEREAS, two bids were received, opened and reviewed on February 28, 2019, and

WHEREAS, by letter dated March 1, 2019, Highway Superintendent Daniel Amatura, has recommended awarding the bid for one (1) new and unused **2019 Ford F250 4 x 4 Crew Cab, 6 ¾ Foot Box Pick-up with Additional Options, plow from traded vehicle to be transferred to new truck** to DeLacy Ford, being the lowest responsible bidder in the amount of \$34,702.24, and

WHEREAS, the Highway Department will receive a trade-in allowance for one 2013 Chevrolet Silverado 2500 4 x 4 Extended Cab Short Bed Truck (VIN# 1GC2KVC9DZ133074 w/approx. 63,000 mi.) in the amount of \$13,000.00 which will bring the total expenditure for the **2019 Ford F250 4 x 4 Crew Cab, 6 ¾ Foot Box Pick-up with Additional Options, plow from traded vehicle to be transferred to new truck**, to \$21,702.24;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster, upon the recommendation of Daniel Amatura, Highway Superintendent, hereby awards the bid for one (1) new and unused **2019 Ford F250 4 x 4 Crew Cab, 6 ¾ Foot Box Pick-up with Additional Options, plow from traded vehicle to be transferred to new truck**, for a total amount not to exceed \$21,702.24, which includes a Trade-in Allowance for a 2013 Chevrolet Silverado 2500 4 x 4 Extended Cab Short Bed Truck (VIN# 1GC2KVC9DZ133074 w/approx. 63,000 mi) in the amount of \$13,000.00, to DeLacy Ford, 3061 Transit Road, Elma, New York 14059, for use by the Highway Department as it conforms to the specifications on file in the office of the Town Clerk, and which will be paid for with funds available from the Town's 2019 Highway Equipment, Passenger Vehicles Budget Line Item 13-5110-0220.

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

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

March 18, 2019

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

WHEREAS, by letter dated February 24, 2019, Tim Ritchie of Boy Scout Troop 290 has offered to build and donate four (4) wooden benches similar in construction to the one in the photograph he submitted with his letter, which will be placed along the Town of Lancaster's Heritage Trail Bike Path as part of his Eagle Scout project, and

WHEREAS, by letter dated March 5, 2019, Park Crew Chief, Michelle Barbaro has requested that the Town accept the donation of the 4 wooden benches from Tim Ritchie, valued at not more than approximately \$300.00 to be installed by the Town's Parks, Recreation & Forestry Department, along the Town of Lancaster's Heritage Trail Bike Path, and

WHEREAS, after due consideration, the Town Board of the Town of Lancaster has determined that it can make use of such a donation and that it is the interest of the community to accept this generous gift.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby accepts the offer of Tim Ritchie to build and donate four (4) wooden benches, as represented in the photograph he submitted with his letter dated February 24, 2019 as part of his Eagle Scout Project, for placement by the Town of Lancaster's Parks Recreation & Forestry Department along the Town's Heritage Trail Bike Path.

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

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

March 18, 2019

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

WHEREAS, the Town Board is considering a multifamily development submitted by Chris Woods for the proposed construction of a two 4-unit and one 5-unit apartment buildings to include onsite utility improvements on a +/- 1.34 acre parcel located at 5153 Transit Road (SBL No. 115.05-2-6) in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Planning Board has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on January 2, 2019 and recommended that a Conditioned Negative Declaration be issued, and

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

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

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

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

1. This project is described as the construction of two 4-unit and one 5-unit apartment buildings to include onsite utility improvements on a +/- 1.34 acre parcel which is located at 5153 Transit Road (SBL No. 115.05-2-6) will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein..
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

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

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

March 18, 2019

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: March 18, 2019

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

The Town Board of the Town of Lancaster has reviewed the proposed construction of two 4-unit and one 5-unit apartment buildings to include onsite utility improvements on a +/- 1.34 acre parcel located at 5153 Transit Road (SBL No. 115.05-2-6) submitted by Chris Woods. 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: Theo's Place Apartments - #1810 Multifamily Development

Location of Action: 5153 Transit Road (SBL No. 115.05-2-6), Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted

Description of Action: A new development project will consist of the construction of two 4-unit and one 5-unit apartment buildings. Construction will also include onsite utility improvements and Stormwater management.

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

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? **No impact.**
2. Will the proposed action result in a change in the use or intensity of use of land?
Small impact.
 - **Currently 1 unit will become 13 units.**
3. Will the proposed action impair the character or quality of the existing community?
No impact.
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? **The Town of Lancaster has not established a Critical Environmental Area (CEA).**
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? **No impact.**
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? **No impact.**

7. Will the proposed action impact existing:
- a. public/private water supplies? **Yes, small.**
 - 1) **Water use changing from one unit to 13 units.**
 - 2) **Buildings need to have sprinklers.**
 - b. public/private wastewater treatment utilities? **Small impact.**
 - **Sign off required on capacity.**
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? **Small impact.**
- 1) **Removal of trees across the east side requires a revision to the landscape plan which replaces those trees with native species.**
 - 2) **Landscape mitigation on east side with native species**
 - 3) **State Historic Preservation Office (SHPO) approval letter issued on 10/15/18.**
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna)? **Small impact.**
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No impact.**
11. Will the proposed action create a hazard to environmental resources or human health? **No impact.**

For Further Information:

Contact Person: Kevin E. Loftus, Town Attorney

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

Telephone Number: (716) 684-3342

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

WHEREAS Clyde A. Mays, Jr., has submitted a site plan prepared by Carmina Wood Morris, DPC with drawings A100 to A102 dated February 22, 2017, drawing A200 dated September 11, 2018, Topographic Survey dated November 26, 2018 and drawings C-001, C-100, C-200, C-300, L-100 & LP-100 dated January 15, 2019, for the proposed construction of a 11,880 S.F. building for Mays Tree Service Equipment Storage to include a 10' concrete slab/sidewalk and 50' wide new asphalt pavement, located at 73 Cemetery Road, in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their October 17, 2018 meeting, and

WHEREAS, a SEQR Review of this project was held and a negative declaration was issued on December 3, 2018;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Clyde A. Mays, Jr., and prepared by Carmina Wood Morris, DPC with drawings A100 to A102 dated February 22, 2017, drawing A200 dated September 11, 2018, Topographic Survey dated November 26, 2018 and drawings C-001, C-100, C-200, C-300, L-100 & LP-100 dated January 15, 2019, for the proposed construction of an 11,880 G.S.F. addition to the existing Mays Tree Service facility, to include a 10' concrete slab/sidewalk and 50' wide new asphalt pavement, located at 73 Cemetery Road, in the Town of Lancaster with the following conditions:

1. Property owner to return two (2) executed originals of the Stormwater Control Facility Maintenance Agreement to the Town Attorney's Office. This Agreement shall be binding on all subsequent landowners and shall be filed in the office of the County Clerk as a deed restriction on the property prior to issuance of Certificate of Occupancy.
2. The two buildings and individual units are to be clearly identified on the site.
3. An inventory listing of tenants and occupancy classifications to be submitted to the Building Department to provide each tenant a Fire Safety Operational Permit.
4. Private Improvement Permits are required for Storm Sewer and Detention Basin.

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

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

March 18, 2019

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

WHEREAS, the Town of Lancaster has been awarded a grant to have the roof replaced at the Highway Department which necessitated having pre-renovation asbestos inspection and testing done in order to confirm there is no asbestos present at the site, and

WHEREAS, Edward Shiller, Town Engineer, obtained a proposal from Sienna Environmental Technologies, in the amount of \$1,940.00, in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, by memo dated March 6, 2019, the Town Engineer has recommended that the Town of Lancaster award the proposal to have pre-renovation asbestos inspection and testing done at the Town of Lancaster's Highway Department to Sienna Environmental Technologies, for an amount of \$1,940.00 per their proposal dated March 5, 2019.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of Town of Lancaster hereby authorizes the Supervisor to execute the proposal to have pre-renovation asbestos inspection and testing done in anticipation of the roof replacement project at the Town of Lancaster's Highway Department located at 525 Pavement Road, to Sienna Environmental Technologies, 350 Elmwood Avenue, Buffalo, New York 14222, in accordance with their proposal dated March 5, 2019 for an amount not to exceed \$1,940.00 which will be paid for with funds from the Town's 2019 Buildings Budget, Line Item 01-1620-411.

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

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

March 18, 2019

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

WHEREAS, Acting Chief of Police, William J. Karn, Jr., of the Town of Lancaster, by letter dated March 6, 2019, has recommended the appointment of Police Lieutenant Ronald Rozler to the position of Detective Lieutenant to fill a vacancy created by the recent retirement of James Robinson, Sr.

NOW, THEREFORE,

BE IT RESOLVED, that Police Lieutenant Ronald Rozler, of Lancaster New York, be and is hereby appointed to the position of Detective Lieutenant in the Town of Lancaster Police Department, effective March 11, 2019, subject to the applicable provisions of the current Cayuga Club Police Benevolent Association Collective Bargaining Agreement.

BE IT FURTHER,

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

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

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

March 18, 2019

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

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letter dated March 8, 2019, has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

NOW, THEREFORE,

BE IT RESOLVED, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Highway 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>
Matthew Ciezki Lancaster, NY	Laborer	\$12.00	June 17, 2019
Alexander Damiani Lancaster, NY	Laborer	\$12.00	May 13, 2019
Brady O'Brien Lancaster, NY	Laborer	\$12.00	May 28, 2019
Frank Propis Lancaster, NY	Laborer	\$12.00	May 27, 2019
Griffen O'Brien Lancaster, NY	Laborer	\$13.00	May 20, 2019
Joseph Zagarrio Lancaster, NY	Laborer	\$13.00	May 20, 2019

BE IT FURTHER,

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

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

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

March 18, 2019

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

WHEREAS, the Twin District Volunteer Fire Department, Inc., by letter dated March 11, 2019, 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 confirms the additions to the membership of the Twin District Volunteer Fire Department the following individuals:

ADDITIONS:

Mike McCombs
Depew, New York

Eddie Kowalczyk
Lancaster, New York

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

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

March 18, 2019

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

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Section 17(F) of the Code of the Town of Lancaster, upon the application of **Robert S. Sugg, Jr.**, for a Special Use Permit for **B & S ENTERPRISES**, to operate an automotive repair shop on premises located at 505 Erie Street, Building A, in the Town of Lancaster, New York, and the Board issued such Special Use Permit on April 4, 2011, this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, **Robert S. Sugg, Jr.**, has requested that the Town Board renew the Special Use Permit for an additional two (2) year period, and

WHEREAS, the Code Enforcement Officer has recommended approval of this Special Use Permit in his letter dated March 7, 2019;

NOW THEREFORE,
BE IT RESOLVED, as follows:

1. That pursuant to Chapter 50-Zoning, Section 20 (B) (1), entitled "Commercial and Motor Service District (CMS)", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant renewal of the Special Use Permit to **Robert S. Sugg, Jr.**, owner of **B & S ENTERPRISES**, to operate an automotive repair business on premises located at 505 Erie Street, Building A, in the Town of Lancaster, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning April 4, 2019 and ending April 3, 2021, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Article VIII, Section 46, of the Code of the Town of Lancaster, and to any additional conditions listed herein, as long as the applicant continues to engage in an automotive service and repair business on the premises namely:

- A. Bay doors on east side of building cannot be open more than seven (7) feet except when bringing vehicles in or out of the business.
- B. Security cameras will be positioned away from the backyard of the residence to the east of the business.
- C. Business must operate within all confines of the Town of Lancaster's noise ordinance.
- D. Permit must be renewed every two (2) years at no additional cost to the applicant. Renewal request is considered upon the property owner submitting an application to the Town Clerk, on or before April 3, 2021.
- E. Applicant to provide a copy of the business' New York State Tax/Federal Employer Identification Number and, where required, a copy of a valid State License issued by the appropriate regulatory agency for the service being provided.
- F. This Special Use Permit terminates when the applicant no longer owns the business.

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

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

March 18, 2019

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

WHEREAS, through the Walmart Foundation Community Grant \$250 to \$5,000 in grant monies is available to assist public safety measures by supporting training programs or purchasing equipment, and

WHEREAS, by letter dated March 6, 2019, Acting Chief of Police, William Karn, Jr. has requested authorization to pursue this grant funding to either help cover the cost of a drone aircraft or to attend training related to drone operation, and

WHEREAS, the Town Board deems use of these funds to be in the public's interest;

NOW, THEREFORE,
BE IT RESOLVED, that the Acting Town of Lancaster's Chief of Police be authorized and directed to complete the necessary application, forms, etc. to be submitted online to the Walmart Foundation Community Grant, for the 2019 grant cycle beginning February 15, 2019 and terminating December 31, 2019 for the purpose of securing this grant, and

BE IT FURTHER,
RESOLVED, that the Supervisor and other appropriate Town officials be and hereby are authorized and directed to execute all documents pertaining to the application and to the acquisition of said funding.

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

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

March 18, 2019

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

WHEREAS, the Town of Lancaster previously solicited Requests for Qualifications (R.F.Q.) from qualified architectural and/or engineering firms interested in being selected for inclusion on the Town's Pre-Qualification List for the provision of professional supplemental engineering services in order to minimize individual project-based R.F.Q. solicitations, and

WHEREAS, the Town has reviewed the responses received and based on that review has established specific categories and identified the firms which the Town wishes to place on its pre-qualified list for services identified;

NOW THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby selects the following firms to provide services in the designated categories that the Town will consider for the provision of professional supplemental engineering services to the Town, and authorizes and directs the Supervisor to provide a letter to each such firm affirming their selection in substantially the form presented:

<u>Highway & Bridge</u>	<u>Facilities</u>	<u>Traffic</u>	<u>Environmental</u>
DiDonato Associates	Nussbaumer & Clarke	DiDonato Associates	Watts
Nussbaumer & Clarke	Wendel	Kheops	Fontanese Folts Aubrecht
Wendel	Flynn Battaglia	Fisher	Ernst Architects
CHA	Watts	Barton & Loguidice	C & S Companies
C&S Companies	Kideney Architects		Kheops

, and

BE IT FURTHER,

RESOLVED, that this list shall supersede any and all previous lists and shall expire on March 31, 2022, and

BE IT FURTHER,

RESOLVED, that should the Town identify a specific project, the pre-qualified firms for that category of work will be required to submit a proposal/contract for consideration to the Town to further define, among other things, the scope of work, the fees, insurance and liability coverages and other conditions for such services that will apply, and

BE IT FURTHER,

RESOLVED, that all such proposals shall comply with the Town of Lancaster's adopted Procurement Policy.

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

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

March 18, 2019

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

WHEREAS, Michelle Barbaro, Park Crew Chief of the Town of Lancaster, by letter dated March 11, 2019 has requested authorization to solicit bids for the purchase of one (1) new and unused **2019 Ford F-250 XL 4x4 Super Cab Short Bed Pickup with Plow** for the use by the Department of Parks, Recreation & Forestry, and

WHEREAS, the Parks Department will be considering a trade-in allowance for a 2012 Ford F-250 4x4 Super Cab Short Bed Pick-up with Plow (VIN# 1FT7X2B66CEA41716 w/approx. 76,000 mi.) to offset the cost, and

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

NOW, THEREFORE,
BE IT RESOLVED, as follows:

1. That all Sealed Bids for the purpose of purchasing One (1) new and unused **2019 Ford F-250 XL 4x4 Super Cab Short Bed Pickup with Plow** for the use of the Parks Department, shall be received in the Office the Town Clerk by April 4, 2019, at 10:00 A.M. Local Time and opened thereafter in the Council Chamber of the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York in accordance with specifications on file in the Town Clerk's Office, and
2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

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

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

March 18, 2019

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

NOTICE IS HEREBY GIVEN, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in her office located at 21 Central Avenue, Lancaster, New York, up to **10:00 A.M.**, Local Time, on the **4th day of April, 2019**, for the purpose of providing to the Town of Lancaster One (1) new and **2019 Ford F-250 XL 4x4 Super Cab Short Bed Pickup with Plow**, for use by the Parks, Recreation & Forestry Department, in accordance with specifications on file in the Town Clerk's Office.

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

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

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

March 21, 2019

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

WHEREAS, Michelle Barbaro, Park Crew Chief of the Town of Lancaster, by letter dated March 11, 2019 has requested authorization to solicit bids for the purchase of one (1) new and unused **2019 Ford F-350 XL 4x4 Crew Cab 8 Foot Bed Pickup with Plow** for the use by the Department of Parks, Recreation & Forestry, and

WHEREAS, the Parks Department will be considering a trade-in allowance for a 2014 Ford F-250 4x4 Regular Cab 8 foot Box Pick-up with Plow (VIN# 1FTBF2B62EEB28190 w/approx. 50,000 mi.) to offset the cost, and

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

NOW, THEREFORE,
BE IT RESOLVED, as follows:

1. That all Sealed Bids for the purpose of purchasing One (1) new and unused **2019 Ford F-350 XL 4x4 Crew Cab 8 Foot Bed Pickup with Plow** for the use of the Parks Department, shall be received in the Office the Town Clerk by April 4, 2019, at 10:00 A.M. Local Time and opened thereafter in the Council Chamber of the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York in accordance with specifications on file in the Town Clerk's Office, and
3. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

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

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

March 18, 2019

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

NOTICE IS HEREBY GIVEN, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in her office located at 21 Central Avenue, Lancaster, New York, up to **10:00 A.M.**, Local Time, on the **4th day of April, 2019**, for the purpose of providing to the Town of Lancaster One (1) new and unused **2019 Ford F-350 XL 4x4 Crew Cab 8 Foot Bed Pickup with Plow**, for use by the Parks, Recreation & Forestry Department, in accordance with specifications on file in the Town Clerk's Office.

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

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

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

March 21, 2019

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

WHEREAS, the Town of Lancaster is committed to maintaining a workplace free from unlawful harassment, including sexual harassment, and

WHEREAS, unlawful harassment, including sexual harassment, is strictly prohibited under various New York State and Federal laws, and

WHEREAS, a policy is necessary for the effective implementation of requirements under New York State and Federal laws prohibiting unlawful harassment, including sexual harassment, and

WHEREAS, the Town has reviewed its existing Non-Harassment, Discrimination and Retaliation Policy and wishes to update and strengthen it by replacing it with a new policy,

NOW THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby adopts the Town of Lancaster Harassment Prevention Policy as presented, and

BE IT FURTHER,

RESOLVED, that the Non-harassment, Discrimination and Retaliation Policy adopted by the Town Board of the Town of Lancaster on January 7, 2013 be and is hereby rescinded and replaced with the Harassment Prevention Policy adopted hereinabove.

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

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

March 18, 2019

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

WHEREAS, the Town Board has previously duly advertised for bids for **two (2) new and unused 2019 Gravely Pro-Turn 460 Mowers**, for use by the Parks, Recreation and Forestry Department, and

WHEREAS, four (4) bids were received, opened and reviewed on March 7, 2019, and

WHEREAS, by letter dated March 11, 2019, Park Crew Chief, Michelle Barbaro, has recommended awarding the bid for the **two (2) new and unused 2019 Gravely Pro-Turn 460 Mowers**, to Wegman Motor Works, Inc., being a responsible offeror on the basis of “best value” as defined in §163 of the New York State Finance Law in the amount of \$22,300.00, and

WHEREAS, the Parks Department will receive trade-in allowances for one (1) Wright mower (Serial No. 28557 w/approx. 1,723 hrs) and Two (2) Scag mowers (Serial No. H8600546 w/approx. 700 hrs. and Serial No. H8300218 W/approx. 800 hrs.) for a total amount of \$4,675.00 which will bring the total expenditure for the **two (2) new and unused 2019 Gravely Pro-Turn 460 Mowers** to \$17,625.00;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster, upon the recommendation of Michelle Barbaro, Parks Crew Chief, hereby awards the bid for **two (2) new and unused 2019 Gravely Pro-Turn 460 Mowers**, which includes a Trade-in Allowances for one (1) Wright mower (Serial No. 28557 w/approx. 1,723 hrs) and Two (2) Scag mowers (Serial No. H8600546 w/approx. 700 hrs. and Serial No. H8300218 W/approx. 800 hrs.) for a total amount of \$4,675.00, to Wegman Motor Works, Inc., 1500 Kenmore Ave., Buffalo, New York, for use by the Parks, Recreation and Forestry Department as it conforms to the specifications on file in the office of the Town Clerk, for a total amount not to exceed \$17,625.00 and which will be paid from the Town’s 2019 Parks Equipment, Trucks & Related Equipment Budget, Line item # 01-7110-0225.

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

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

March 18, 2019

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

WHEREAS, by resolution adopted on June 4, 2018 the Town Board of the Town of Lancaster authorized the Town Supervisor to execute an agreement between the Town of Lancaster and Lieutenant Anthony J. Marrano of the Lancaster Police Department which would have required Lieutenant Marrano to reimburse the Town for the past service cost that would have been imposed on the Town if Lieutenant Marrano received retirement system credit in relation to his previous employment with the New York State Department of Corrections, and

WHEREAS, by letter dated March 11, 2019 from Senator Patrick M. Gallivan and letter dated March 8, 2019 from Assemblywoman Monica Wallace, each have indicated that their respective Bills [S-8846 and A-11038] will not be reintroduced into this year's session thereby eliminating the ability for Lieutenant to receive past service credit in relation to his previous employment with the New York State Department of Corrections, and

WHEREAS, by letter dated March 5, 2019 Lieutenant Anthony J. Marrano withdrew his request for past service credit for employment with the New York State Department of Corrections, and

WHEREAS, the Chair of the Town of Lancaster's Personnel Committee has determined that the resolution adopted June 4, 2018, is no longer valid and should therefore be rescinded.

NOW, THEREFORE,

BE IT RESOLVED, that the resolution adopted by the Town Board on June 4, 2018, that authorized the Town Supervisor to execute an agreement between the Town of Lancaster and Lieutenant Anthony J. Marrano of the Lancaster Police Department which would have required Lieutenant Marrano to reimburse the Town for the past service cost that would have been imposed on the Town if Lieutenant Marrano received retirement system credit in relation to his previous employment with the New York State Department of Corrections is hereby rescinded, and

BE IT FURTHER,

RESOLVED, that the Town of Lancaster is hereby authorized to refund to Lieutenant Anthony J. Marrano those funds which are held in Escrow for the aforementioned purpose.

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

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

March 18, 2019

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

WHEREAS, a vacancy exists in the Town of Lancaster Police Department for the position of Police Chief due to the retirement of Gerald Gill, on March 1, 2019; and

WHEREAS, William J. Karn Jr. is eligible for appointment to this position pursuant to the standards and procedures as set forth in the Civil Service Law.

NOW THEREFORE,

BE IT RESOLVED, that William J. Karn Jr. is hereby appointed to the position of Police Chief in the Town of Lancaster Police Department effective March 1, 2019 contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to the applicable provisions of law and subject to the execution of the Employment Agreement between the Town of Lancaster and Mr. Karn, which is hereby approved as presented.

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

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

March 18, 2019