

Town Board Minutes

September 5, 2017

Meeting No. 27

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 5th day of September 2017 at 7:00 P.M. and there were

PRESENT: JOHN ABRAHAM, COUNCIL MEMBER
DAWN GACZEWSKI, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
JOHANNA COLEMAN, SUPERVISOR

ABSENT: MATTHEW WALTER, COUNCIL MEMBER

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
KEVIN LOFTUS, TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
GERALD GILL, CHIEF OF POLICE
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

PERSONS ADDRESSING TOWN BOARD:

Nosbisch, Paul, Jr., spoke to the Town Board on the following matter:

- Questions concerning Dog Control officers and the licensing of dogs.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 1 Special Use Permit – 208

Ransom Road

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the public hearing was opened.

At 7:16 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Special Use Permit Diane M. D’Arcy 208 Ransom Road Home Occupation – Dog Grooming matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Diane D’Arcy, Petitioner	Proponent

ON MOTION BY COUNCIL MEMBER GACZEWSKI, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was closed at 7:21 P.M.

Decision on this matter was reserved.

September 5, 2017

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 2 Local Law – Six Month Moratorium Rezoning.

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the public hearing was opened.

At 7:21 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Local Law – Six Month Moratorium on Applications for Rezoning matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Lee Chowaniec	Proponent
Paul Nosbisch, Jr.	Questions
Raymond Unger	Questions

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was closed at 7:35 P.M.

Decision on this matter was reserved.

September 5, 2017

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, 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
27289		CDS Enterprises of Erie Inc.	43 Rue Madeleine Way	Re-Roof	
27291		James Kazmierczak	21 School St	Er. Fence	(V/L)
27292		Gary Crisalli	4975 Transit Rd	Er. Comm. Add./Alt.	
27293		Joe Christ	30 Beatrix Cir	Er. Porch Cover	
27294		John & Roseanne Healy	2 Fox Hunt Rd	Inst. Generator	
27295		WDS Renovations Inc.	35N Aurora St	Re-Roof	(V/L)
27296		Superior Decks & Gazebos Inc.	22 Greenmeadow Dr	Er. Deck	
27297		Ferry Builders	174 Nichter Rd	Er. Dwlg.-Sin.	
27298		Anderson Water Systems, Inc.	70 Briarwood Dr	Inst. Generator	(V/L)
27299		Scott & Diane Chamberlain, Jr	36 Worthington Ln	Er. Shed	
27300		Nicole Budzich	429 Aurora St	Er. Deck	
27301		Raymond Bzibziak	1 Candlestick Ct	Re-Roof	
27302		Matthew Librock	5 Ashwood Ct	Re-Roof	
27303		Emily Was	55 Norris Ave	Re-Roof	(V/L)
27304		Kazrok Development LLC	5358 William St	Er. Dwlg.-Sin.	
27305		David & Diane Baehre	5755 Genesee St	Er. Garage	
27306		Dave & Jeanne Larotonda	53 Pleasant View Dr	Er. Fence	
27307		Mark J. Lawniczak	61 Heritage Dr	Er. Shed	
27308		David & Aimee Izydorczak	369 Erie St	Er. Fence	
27309		Majestic Pools Inc.	32 Deerpath Dr	Er. Pool-In Grnd	
27310		3 G Construction Inc. of WNY	3 Fox Hunt Rd	Er. Deck	
27311		Aaron Connacher	28 Newberry Ln	Er. Porch Cover	
27312		Babula Construction Inc.	5487 Broadway	Re-Roof	(V/L)
27313		Roland Brown	1101 Penora St	Er. Shed	
27314		James Stanley	176 Cemetery Rd	Er. Pool-Abv Grnd	
27315		George Parillo	34 Spruceland Ter	Er. Shed	
27316		Christian Wesolowski	8 St Anthony St	Er. Fence	
27317		Jacob & Stephanie Massaker	41 Summerfield Dr	Er. Shed	
27318		R A Haitz Co. Inc.	18 Avian Way	Re-Roof	
27319		Dan Block	33 Pear Tree Ln	Er. Fence	
27320		Lemanski Construction	121 Michael's Walk	Re-Roof	
27321		Jason & Ashley Ciesielski	4 Robins Nest Ct	Er. Shed	
27322		Sebastiano Construction	33 Sterling Pl	Er. Porch Cover	
27323		Schuster Construction LLC	108 Norris Ave	Re-Roof	(V/L)
27324		Donald & Lynn Ulatowski	18 Ann Marie Dr	Re-Roof	
27325		Matthew J. Bruso	14 Americo Ct	Er. Shed	
27326		Crown Castle International Cor	63 Penora St	Cell Tower Co-location	
27327		D Allen & Son Contracting Inc.	35 St Marys St	Re-Roof	(V/L)
27328		Michael J Sieber	156 Wendel St	Er. Fence	
27329		Buffalo Roofing Co. LLC	21 Ashwood Ct	Re-Roof	
27330		Buffalo Roofing Co. LLC	1 Old Mill Run	Re-Roof	
27331		Andre & Linda Kmidowski	6421 Genesee St	Er. Deck	
27332		William Miskey	1 Idlebrook Ct	Er. Fence	
27333		Designer Pools	24 Sterling Pl	Er. Pool-In Grnd	
27334		A&B Heritage, Inc.	30 Brunswick Rd	Er. Sign – Wall	(V/L)
27335		Marrano/Marc Equity Corp.	26 Cherryfield Ln	Er. Dwlg.-Sin.	
27336		Marranco/Marc Equity Corp.	15 Crabapple Ln	Er. Dwlg.-Sin.	
27337		Karen D. Smiech	20 Lake Forest Pky W	Er. Fence	
27338		Erie Construction Mid-West Inc	4E Garfield St	Re-Roof	(V/L)
27339		NEC Transit William LLC	4979 Transit Rd	Er. Sign - Temp	
27340		Michael & Peggy Strauss	29 Cedar Brook Dr	Er. Dock	
27341		Tri-Town Construction Inc.	27 Ashwood Ct	Re-Roof	

27342	Michael Lotz	1123 Ransom Rd	Inst. Generator	
27343	Trocaire College	6681 Transit Rd	Er. Sign	
27344	H Young's Home Improvement	27 Westwood Rd	Re-Roof	
27345	Young Development Inc.	5828 Broadway	Er. Res. Apartment	
27346	Stephen King	31 Sterling Pl	Er. Shed	
27347	National Contractors LLC	4931 Transit Rd	Er. Comm. Add./Alt.	
27348	Gerald Lewis DBA	562 Pavement Rd	Re-Roof	
27349	Pauly Construction Inc.	49 Parkdale Dr	Er. Res. Alt.	
27350	Pauly Construction Inc.	49 Parkdale Dr	Er. Res. Alt.	
27351	Ester Muller	0 Wyandotte St	Re-Roof	(V/L)
27352	William Murphy, Jr.	59 Pleasant View Dr	Er. Garage	
27353	James Mallare, Jr.	109 Aurora St	Er. Fence	(V/L)
27354	David & Michelle Rice	13 Fox Trace	Er. Shed	
27355	Rachel Witkowski	333 Stony Rd	Er. Deck	
27356	Ashley Breier	62 Holland Ave	Er. Deck	(V/L)
27357	Steven & Elizabeth Weydig	25 Sawgrass Ln	Er. Fence	
27358	David Homes	26 Weathersfield Ln	Er. Dwlg.-Sin.	
27359	David Homes	23 Weathersfield Ln	Er. Dwlg.-Sin.	
27360	KCM Enterprises Inc.	1821 Como Park Blvd	Er. Sign – Pole	(V/L)

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

BE IT FURTHER

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

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

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER WALTER	WAS ABSENT
SUPERVISOR COLEMAN	VOTED YES

September 5, 2017

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

WHEREAS, the Town Board is considering the proposed Rolite Manufacturing, Inc.'s 80'-0" x 179'-8" addition to the back of its existing building, located at 10 Wendling Court 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 21, 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 80' x 179'8" addition to the back of the existing building. The addition will be used for manufacturing and does not change the hazard level from the current F-2 low hazard, 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 YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER WALTER	WAS ABSENT
SUPERVISOR COLEMAN	VOTED YES

September 5, 2017

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: September 5, 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 Rolite Manufacturing, Inc.'s 80'-0" x 179'-8" addition to the back of its existing building. 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: Rolite Manufacturing Building Addition

Location of Action: 10 Wendling Court, Lancaster, New York 14043, Erie County.

SEQR Status: Unlisted

Description of Action: The proposed 80' x 179'8" addition to the back of the existing building. The addition will be used for manufacturing and does not change the hazard level from the current F-2 low hazard.

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 RUFFINO, TO WIT:

WHEREAS, the Town Board is considering a proposed 2017 Local Law regulating Solar Energy Facilities which would amend Chapter 50, Zoning, by creating Article VII-B, Sections 50-41.13- 50-41.18 “Solar Energy Facilities” to the Town Code of the Town of Lancaster, and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this Town-wide Local Law project pursuant to SEQR regulations at their meeting on August 21, 2017 and recommended that a Negative Declaration be issued, and

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

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

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

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

1. This project described as a Local Law that regulates the construction and maintenance of solar energy facilities within the Town. It specifies the zoning districts where such uses are permitted and the level of administrative review required for different types and sizes of systems.
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 YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER WALTER	WAS ABSENT
SUPERVISOR COLEMAN	VOTED YES

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 2017 Local Law regulating Solar Energy Facilities which would amend Chapter 50, Zoning, by creating Article VII-B, Sections 50-41.13- 50-41.18 “Solar Energy Facilities” to the Town Code. 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: Local Law Regulating Solar Energy Facilities

Location of Action: Town-wide applicability, Lancaster, New York 14086, Erie County.

SEQR Status: Type I Action.

Description of Action: A Local a Local Law that regulates the construction and maintenance of solar energy facilities within the Town. It specifies the zoning districts where such uses are permitted and the level of administrative review required for different types and sizes of systems.

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

1. **Impact on land - No impact.**
2. **Impact on Geological Features – No impact.**
3. **Impacts on Surface Water – No impact.**
4. **Impact on Groundwater – No impact.**
5. **Impact on Flooding – No impact.**
6. **Impact on Air – No impact.**
7. **Impact on Plants and Animals – No impact.**

8. **Impact on Agricultural Resources – Small impact.**
 - The proposed action may sever, cross or otherwise limit access to agricultural land.
9. **Impact on Aesthetic Resources – No impact.**
10. **Impact on Historic and Archeological Resources – No impact.**
11. **Impact on Open Space and Recreation – No impact.**
12. **Impact on Critical Environmental Areas – N/A**
 - The Town of Lancaster has not established a Critical Environmental Area (CEA).
13. **Impact on Transportation – No impact.**
14. **Impact on Energy – No impact.**
 - It is noted that this action will allow for responsible growth of solar energy.
15. **Impact on Noise, Odor and Light – No impact.**
16. **Impact on Human Health – No impact.**
17. **Consistency with Community Plans – No impact.**
18. **Consistency with Community Character – No impact.**

For Further Information:

Contact Person: Kevin E. Loftus, Town Attorney

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

Telephone Number: (716) 684-3342

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

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster Town Code provide for the adoption and enactment of local laws, and

WHEREAS, a proposed Local Law of the Year 2017 entitled “**Solar Energy Facilities**”, of the Code of the Town of Lancaster, was introduced to the Town Board of the Town of Lancaster by Council Member Abraham on the 3rd day of July, 2017, and

WHEREAS, the Town, acting as lead agency has completed an environmental review on August 21, 2017 in conformance with SEQR (State Environmental Quality Review) regulations and on September 5, 2017 a Negative Declaration was issued, and

WHEREAS, the Town Board called for, noticed, and held a public hearing on the proposed Local Law on July 17, 2017 where all interested parties were allowed to address the proposed Local Law;

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. 5 of 2017 is hereby adopted.
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 YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER WALTER	WAS ABSENT
SUPERVISOR COLEMAN	VOTED YES

September 5, 2017

**LEGAL NOTICE
NOTICE OF ADOPTION
LOCAL LAW NO. 5 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 September 5, 2017 Local Law No. 5 of the Year 2017, which amends the Town of Lancaster Code, by enacting ARTICLE VII-B of Chapter 50-Zoning, Sections 50-41.13-50-41, entitled “Solar Energy Facilities” within the Code of the Town of Lancaster. Said Local Law 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**

September 7, 2017

**Town of Lancaster
Local Law No.5 of 2017**

**A Local Law to Regulate Solar Energy Facilities in the
Town of Lancaster, New York**

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

SECTION 1: Chapter 50 of the Town Code of the Town of Lancaster is amended to add the following Article VII-B:

Article VII-B Solar Energy Facilities

50-41.13 Purpose: This Article aims to promote the accommodation of solar energy systems and equipment and the provision for adequate sunlight and convenience of access necessary therefore, and to balance the potential impact on neighbors when solar collectors may be installed near their property while preserving the rights of property owners to install solar energy systems without excess regulation. In particular, this legislation is intended to apply to free-standing, ground-mounted or roof-mounted solar energy system installations based upon certain placement. This legislation is not intended to override agricultural exemptions that are currently in place.

50-41.14 Definitions

ALTERNATIVE ENERGY SYSTEMS: Structures, equipment, devices or construction techniques used for the production of heat, light, cooling, electricity or other forms of energy on site and may be attached to or separate from the principal structure.

BUILDING-INTEGRATED PHOTOVOLTAIC (BIPV): The incorporation of photovoltaic (PV) material into a building's envelope. Technologies include PV shingles or tiles, PV laminates, and PV glass. Examples of placement include vertical facades, semi-transparent skylights, awnings, fixed awnings, and roofs.

COLLECTIVE SOLAR: Installations of Solar Energy Systems that are owned collectively through a homeowners' association, "adopt-a-solar-panel" programs, or other similar arrangements.

GLARE: A continuous source of excessive brightness, relative to diffused lighting. This is not a direct reflection of the sun, but rather a reflection of the bright sky around the sun. Glare is significantly less intense than glint.

GLINT: A momentary flash of light that may be produced as a direct reflection of the sun on a solar collection system.

GROUND-MOUNTED SYSTEM: A solar energy system that is anchored to the ground and attached to a pole or similar mounting system, detached from any other structure.

MAJOR SOLAR COLLECTION SYSTEM or SOLAR FARM: An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy for transfer to the public electric grid in order to sell electricity to or receive a credit from a public utility entity, but also may be for on-site use. Solar farm facilities consist of one or more freestanding GROUND-MOUNTED or ROOF-MOUNTED solar collector devices.

MINOR OR ACCESSORY SOLAR COLLECTION SYSTEM: A solar photovoltaic cell, panel, array, solar hot air or water collector device, which relies upon solar radiation as an energy source for collection, inversion, storage, and distribution of solar energy for

electricity generation or transfer of stored heat, secondary to the use of the premises for other lawful purposes. Minor solar collection systems may consist of BUILDING-INTEGRATED PHOTOVOLTAICS, GROUND-MOUNTED, or ROOF-MOUNTED solar collector devices.

ROOF-MOUNTED SYSTEM: A solar panel system located on the roof of any legally permitted building or structure for the purpose of producing electricity for onsite or offsite consumption.

SOLAR ACCESS: Space that is open to the sun and clear of overhangs or shade. Structures constructed on private property will not infringe on the rights of adjacent properties.

SOLAR ENERGY EQUIPMENT: Any other accessory structures and buildings, including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities.

SOLAR ENERGY EQUIPMENT/SYSTEMS: Energy storage devices, material, hardware, or electrical equipment and conduit associated with the production of electrical energy.

SOLAR PANEL: A device capable of collecting and converting solar energy into electrical energy.

50-41.15 Applicability

- A. The requirements of this section shall apply to all solar energy systems installed or modified after the effective date of this ordinance, excluding general maintenance and repair.
- B. Solar energy system installations for which a valid building permit has been issued or, if no building permit is presently required, for which installation has commenced before the effective date of this local law shall not be required to meet the requirements herein.
- C. All solar energy systems shall be designed, erected, and installed in accordance with all applicable codes, regulations and industry standards as referenced in the New York State Uniform Fire Prevention and Building Code and the Town Code.
- D. Nothing contained in this Article shall be construed to prohibit “Collective Solar” installations or the sale of excess power through a “net billing” or “net metering” arrangement in accordance with New York State Public Service Law § 66-j or similar New York State or federal law or regulation.
- E. All solar energy systems shall be designed, erected, and installed so as to prevent undue glint and glare from falling on adjoining properties or creating traffic safety issues.

50-41.16 Solar Collectors and Installations for Minor Systems

- A. Roof-mounted systems are permitted as accessory uses in all zoning districts, subject to the following requirements:
 - (1) The distance between the roof and highest edge of the system shall be in accordance with the New York State Uniform Fire Prevention and Building Code.
 - (2) Rooftop and building-mounted solar collectors shall not obstruct solar access to adjacent properties.

- (3) A building permit shall be required for installation of all roof and building mounted solar collectors.
- B. Ground-mounted and freestanding solar collectors are permitted as accessory structures in all business and industrial districts, subject to the following requirements:
- (1) The location of the solar collectors meets all applicable setback requirements of the zone in which they are located.
 - (2) The height of the solar collectors and any mounts shall not exceed the height restrictions of the zone when oriented at maximum tilt.
 - (3) The solar collectors are located in a side or rear yard. If the side or rear yard is visible from adjacent properties and roads, there shall be a landscape buffer installed.
 - (4) Ground-mounted and freestanding solar collectors shall not obstruct solar access to adjacent properties.
 - (5) A building permit shall be required for installation of all ground-mounted and freestanding solar collectors.

Ground-mounted and freestanding solar collectors are NOT permitted in residential districts.

- C. Building-integrated photovoltaic systems, as defined by this Ordinance, are not considered an accessory use and are not subject to the requirements of this Ordinance, but are subject to all other applicable building, electrical, and safety codes.
- D. All solar collector installations must be performed in accordance with applicable electrical and building codes, the manufacturer's installation instructions, and industry standards, and prior to operation the electrical connections must be inspected by Code Enforcement Officer or by an appropriate electrical inspection person or agency, as determined by the Town. In addition, any connection to the public utility grid must be inspected by the appropriate public utility.
- E. When solar storage batteries are included as part of the solar collector system, they must be placed in a secure container or enclosure meeting the requirements of the New York State Uniform Fire Prevention and Building Code when in use and when no longer used shall be disposed of in accordance with the laws and regulations of Erie County and other applicable laws and regulations.

50-41.17 Major Solar Systems

- A. **Major Solar Systems** are permitted through the issuance of a special use permit and site plan review in accordance with this Chapter in the Light Industrial (LI), General Industrial (GI) and Sand, Gravel and Aggregates (SGA) Districts. The minimum lot size required is one acre in the Light Industrial (LI) District, one acre in the General Industrial (GI) District, and five acres in the Sand Gravel, and Aggregates (SGA) District. In addition, Major Solar Systems must meet the criteria set forth below.
- B. A **Major Solar System** may be permitted in the Light Industrial (LI), General Industrial (GI), and Sand, Gravel, and Aggregates (SGA) Districts when authorized by site plan review and a special use permit from the Town Board subject to the following terms and conditions.
 - (1) The total coverage on a lot, including freestanding solar panels, shall not exceed 80%.
 - (2) Height and setback restrictions.

- i. The maximum height for freestanding solar panels located on the ground or attached to a framework located on the ground shall not exceed 20 feet in height above the ground.
- ii. The minimum setback from property lines shall be 25 feet, unless adjacent to residential property.
- iii. A landscaped buffers of trees, shrubs or bushes shall be provided around all equipment and solar collectors to provide screening from adjacent residential properties and roads.

(3) Design standards.

- i. Removal of trees and other existing vegetation should be minimized or offset with planting elsewhere on the property.
- ii. Removal of any prime agricultural soil from the subject parcel is prohibited.
- iii. Proposed major solar systems shall not negatively impact the viability of prime agricultural soils on-site.
- iv. Roadways within the site shall not be constructed of impervious materials and shall be designed to minimize the extent of roadways constructed and soil compaction.
- v. All on-site utility and transmission lines shall, to the extent feasible, be placed underground.
- vi. Solar collectors and other facilities shall be designed and located in order to minimize reflective glare and/or glint toward any inhabited buildings on adjacent properties and roads.
- vii. All mechanical equipment, including any structure for batteries or storage cells, shall be enclosed by a minimum six-foot-high fence with a self-locking gate and provided with landscape screening.
- viii. Major systems or solar farms shall not obstruct solar access to adjacent properties.

(4) Signs.

- i. A sign not to exceed eight square feet shall be displayed on or near the main access point and shall list the facility name, owner and phone number.
- ii. A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations not to exceed four square feet.

- C. A piece of equipment which meets the definition of oil-filled operational equipment set forth in 40 CFR part 112.2 (e.g. transformers, capacitors and electrical switches) shall comply with the secondary containment procedures of that regulation.

50-41.18 Special Use Permit Requirements

- A. In addition to the other special use permit requirements of this Code, the following shall be provided to the Town
- (1) Verification of utility notification. Any foreseeable infrastructure upgrades shall be documented and submitted. Off-grid systems are exempt from this requirement.
 - (2) Name, address, and contact information of the applicant, property owner(s), and agent submitting the project.
 - (3) If the property of the proposed project is to be leased, legal consent between all parties, specifying the use(s) of the land for the duration of the project, including easements and other agreements, shall be submitted.
 - (4) Site Plan: Site plan approval is required.
 - (5) Blueprints signed by a Professional Engineer or Registered Architect of the solar installation showing the layout of the system.
 - (6) Property Operation and Maintenance Plan: A property operation and maintenance plan is required, describing continuing photovoltaic maintenance and property upkeep, such as mowing, trimming, etc.
 - (7) Decommissioning Plan: To ensure the proper removal of Large-Scale Solar Energy Systems, a Decommissioning Plan shall be submitted as part of the application. Compliance with this plan shall be made a condition of the issuance of a special use permit under this section. The Decommissioning Plan must specify that after the Large-Scale Solar Energy System can no longer be used, it shall be removed by the applicant or any subsequent owner. The plan shall demonstrate how the removal of all infrastructure and the remediation of soil and vegetation shall be conducted to return the parcel to its original state prior to construction. The plan shall also include an expected timeline for execution. A cost estimate detailing the projected cost of executing the Decommissioning Plan shall be prepared by a Professional Engineer or Contractor. Cost estimations shall take into account inflation. Removal of Large-Scale Solar Energy Systems must be completed in accordance to the Decommissioning Plan. If the Large-Scale Solar Energy System is not decommissioned after being considered abandoned, the municipality may remove the system and restore the property and impose a lien on the property to cover these costs to the municipality.

SECTION 2: SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Lancaster hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 3: REPEAL

All ordinances, local laws, and parts thereof inconsistent with this Local Law are hereby repealed. In addition, **Local Law No. 1 of 2017** establishing a moratorium on solar energy systems is hereby repealed.

SECTION 4: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

PREFILED RESOLUTION NO. 5 MEETING 9/5/17

Ruffino/_____ Authorize Contract On-Site Employee Testing Re: Police Department
Drug Testing [Drug Testing]

At the request of Council Member Ruffino, this resolution was withdrawn for further study.

September 5, 2017

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

WHEREAS, H. Christopher Streng, on behalf of Rolite Manufacturing, Inc., has submitted a site plan prepared by Lydon Acrchitctural, dated July 2017 along with a Building Elevations drawing and Floor plan prepared by Kulback's, dated May 2017 and all received by the Town July 16, 2017 for the proposed 80'-0" x 179'-8" addition to the back of its existing building, located at 10 Wendling Court (SBL No. 105.00-1-21.2), 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 21, 2017, in conformance with SEQR (State Environmental Quality Review) regulations and on September 5, 2017 a Negative Declaration was issued.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Christopher Streng, on behalf of Rolite Manufacturing, Inc., and prepared by Lydon Architectural, dated July 2017 along with Building Elevations drawing and Floor plan prepared by Kulback's and dated May 2017, all received by the Town on July 16, 2017 for the proposed 80'-0" x 179'-8" addition to the back of its existing building, on a +/- 3.67 acre parcel located at 10 Wendling Court (SBL No. 105.00-1-21.2) 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	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	WAS ABSENT	
SUPERVISOR COLEMAN	VOTED	YES

September 5, 2017

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

WHEREAS, Christopher Wood on behalf of **Buffalo Suburban Church**, has submitted an amended site plan prepared by Carmina Wood Morris, DPC, dated August 23, 2016, with a revision date of June 14, 2017 and received July 13, 2017 for the proposed site plan modifications which include additional paving of the eastern driveway to add handicapped parking and expand the vestibule for the church located at 5580 Genesee Street, 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 determined this is a Type II action under SEQR (State Environmental Quality Review) regulations.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves and accepts the amended site plan submitted by Christopher Wood on behalf of **Buffalo Suburban Church**, and prepared by Carmina Wood Morris, DPC, dated August 23, 2016, with a revision date of June 14, 2017 and received July 13, 2017 for the proposed site plan modifications which includes additional paving of the eastern driveway to add handicapped parking and expand the vestibule for the church located at 5580 Genesee Street.

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	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	WAS ABSENT	
SUPERVISOR COLEMAN	VOTED	YES

September 5, 2017

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

WHEREAS, the Town of Lancaster desires to receive proposals from energy supply companies (“ESCOs”) to provide electricity and natural gas for Town-owned facilities, and

WHEREAS, in order to potentially provide a cost savings to the Town, the Town Board of the Town of Lancaster has decided to issue a Request for Proposals (RFP) to solicit responses from energy supply companies (ESCOs).

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby requests proposals from ESCOs to provide cost efficient electricity and natural gas services to Town-owned facilities, a complete RFP will be available on September 21, 2017 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 October 18, 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 YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER WALTER	WAS ABSENT
SUPERVISOR COLEMAN	VOTED YES

September 5, 2017

**TOWN OF LANCASTER
NOTICE TO PERFORMANCE COMPANIES**

**GENERAL INFORMATION AND REQUEST FOR PROPOSALS FOR
AN ENERGY SUPPLY COMPANY TO PROVIDE ELECTRICITY AND
NATURAL FUEL TO TOWN-OWNED FACILITIES**

The Town of Lancaster (the TOWN) is issuing this Request for Proposals (RFP) for the selection of an energy supply company (ESCO) to provide electricity and natural gas for Town-owned facilities. 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 on September 21, 2017.

ESCO's that are interested in being considered must submit a Proposal in response to this RFP on or before Wednesday, October 18, 2017, 2:30 PM.

A successful ESCO if selected 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**

Energy Supply Company to provide Electricity and Natural Gas for
Town-owned Facilities

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 GACZEWSKI, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster acknowledges that they administer good government, transparency and the best practices, and

WHEREAS, the Town Board of the Town of Lancaster recognizes that the minutes are the official written documents which memorialize the discussions and events at various boards' meetings, and

WHEREAS, it would be extremely valuable to the Town's constituents and the general public to have the ability to listen to the dialogue of previous meetings if persons were unable to attend a meeting, and

WHEREAS, on July 17, 2017 the Town Board of the Town of Lancaster adopted a resolution mandating that all meetings of the Town Board, Planning Board and Zoning Board of Appeals shall be audio recorded, and

WHEREAS, on August 7, 2017 the Town Board of the Town of Lancaster adopted a resolution mandating that all SEQR Meetings and Work Sessions be audio recorded, and

WHEREAS, Council Member Ronald Ruffino has obtained two proposals for the installation, materials, programming and owner training of a digital recorder in the Town of Lancaster's Town Hall Board Room and is recommending Fire Safety Systems, Inc. to do the work at a cost of \$1,170.00 per their quote dated August 25, 2017.

NOW THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster, hereby approves the proposal of Fire Safety Systems, Inc., for the installation, materials, programming and owner training of a digital recorder in the Town of Lancaster's Town Hall Board Room.

BE IT FURTHER

RESOLVED, that the cost of this equipment shall not exceed \$1,170.00 per their proposal dated August 25, 2017 and the expense shall be recorded in budgetary account A1680.260 – Central Data Processing, Other Capital Outlay.

BE IT FURTHER

RESOLVED, that the following amendment to the 2017 adopted budget be and hereby is approved:

TOWNWIDE GENERAL FUND	
Increase A599 Appropriated Fund Balance	\$1,170.00
Increase A960 Appropriations	\$1,170.00
Increase A1680.260 Central Data Processing, Other Capital Outlay	\$1,170.00

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	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	WAS ABSENT	
SUPERVISOR COLEMAN	VOTED	YES

September 5, 2017

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

WHEREAS, Up State Tower Co., LLC and Blue Wireless have submitted a site plan prepared by Carpenter Consulting Group, dated July 15, 2016 with a revision date of February 6, 2017 and received March 20, 2017 for the proposed construction and operation of a new wireless telecommunications facility to be known as “William-Bowen BUF-653” located at 5393 William Street (116.19-1-1), in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their January 4, 2017 meeting, and

WHEREAS, the Town, acting as lead agency had previously completed an environmental review for the project on June 5, 2017, in conformance with SEQR (State Environmental Quality Review) regulations and on June 19, 2017 a Negative Declaration was issued, which is hereby confirmed.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Carpenter Consulting Group, dated July 15, 2016 with a revision date of February 6, 2017 and received March 20, 2017 for the proposed construction and operation of a new wireless telecommunications facility by **Up State Tower Co., LLC and Blue Wireless** to be known as “William-Bowen BUF-653” located at 5393 William Street (116.19-1-1) in the Town of Lancaster with the following condition:

- Provide documentation from the Federal Aviation Administration (F.A.A) that a light is not required at the top of the tower.

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	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	WAS ABSENT	
SUPERVISOR COLEMAN	VOTED	YES

September 5, 2017

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

WHEREAS, on June 19, 2017, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Article VII (A), §41.8, entitled "Communication Towers, Procedure" of Town Code of the Town of Lancaster, upon the application of Up State Tower Co., LLC, and Blue Wireless (Site No. BUF-653) for a Special Use Permit for the construction of a 160' self-support tower telecommunications facility tower, William-Bowen BUF-653, (the "Tower") to be located on premises located at 5393 William Street (SBL No. 116.19-1-1) in the Town of Lancaster, New York, and

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

WHEREAS, the Town, acting as lead agency had previously completed an environmental review for the project on June 5, 2017, in conformance with SEQR (State Environmental Quality Review) regulations and on June 19, 2017 a Negative Declaration was issued, which is hereby confirmed.

**NOW, THEREFORE, BE IT
RESOLVED,**

That pursuant to Chapter 50-Zoning, Article VII (A), of the Town Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Up State Tower Co., LLC, and Blue Wireless (Site No. BUF-653)** for a Special Use Permit for the construction of a 160' self-support tower telecommunications facility tower, William-Bowen BUF-653, located on premises at 5393 William Street (SBL No. 116.19-1-1), Lancaster, New York, upon the terms and conditions as set forth in the Special Use Permits Zoning Ordinance with the following condition:

- A copy of the FCC License.

**BE IT FURHTER
RESOLVED,**

That pursuant to Chapter 50-Zoning, Article VII (A), §41.10 of the Town Code of the Town of Lancaster, the Town hereby waives the setback requirements set forth in Chapter 50-Zoning, Article VII (A), §41.6 (E)(4) with respect to the Tower.

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	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	WAS ABSENT	
SUPERVISOR COLEMAN	VOTED	YES

September 5, 2017

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

WHEREAS, by resolution adopted on March 6, 2017, the Town Board of the Town of Lancaster authorized the Department of Parks, Recreation and Forestry to purchase one (1) New and unused 2017 Ford F-150 Supercrew 4 x2 Pickup Truck and one (1) New and unused 2017 Ford F-150 XL Regular Cab 4 x 2 Pickup Truck from the 2017 authorized Chautauqua County Bid Contractor, Van Bortel Ford, and

WHEREAS, due to an administrative error the purchase was listed as being paid from the Town's 2017 Recreation Filing Fees Fund, which was incorrect, it should have been paid from the 2017 Parks, Equipment, Trucks and Related Equipment Budget Line Item 01-7110-225.

WHEREAS, the Town Board of the Town of Lancaster has determined that the March 6, 2017 resolution should be amended.

NOW, THEREFORE, BE IT

RESOLVED, that the resolution adopted March 6, 2017 authorizing the Department of Parks, Recreation and Forestry to purchase one (1) New and unused 2017 Ford F-150 Supercrew 4 x2 Pickup Truck and one (1) New and unused 2017 Ford F-150 XL Regular Cab 4 x 2 Pickup Truck from the 2017 authorized Chautauqua County Bid Contractor, Van Bortel Ford with payment coming from the Town's Recreation Filing Fees Fund be and is hereby amended to indicate the correct payment source as the 2017 Parks, Equipment, Trucks and Related Equipment Budget Line Item 01-7110-225.

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	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	WAS ABSENT	
SUPERVISOR COLEMAN	VOTED	YES

September 5, 2017

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

RESOLVED, that the minutes of the Joint Meeting of the Town Board and the Planning Board held August 21, 2017 and the Regular Meeting of the Town Board held August 21, 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	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	WAS ABSENT	
SUPERVISOR COLEMAN	VOTED	YES

September 5, 2017

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, 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. 49701 to Claim No. 49836 Inclusive

Total amount hereby authorized to be paid: \$848,339.97

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

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	WAS ABSENT	
SUPERVISOR COLEMAN	VOTED	YES

September 5, 2017

File: Rclaims

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

WHEREAS, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated August 24, 2017, has recommended the appointment of the following individual(s) to the following part-time permanent position(s).

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time permanent position(s) in the Parks, Recreation and Forestry Department, working not more than nineteen and three-quarter hours per week, 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 permanent employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Stefano Occhiuto Lancaster, NY	Laborer	\$12.00	September 5, 2017
Justin Rybacki Lancaster, NY	Laborer	\$12.00	September 5, 2017
Thomas Monin Lancaster, NY	Laborer	\$12.00	September 5, 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	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	WAS ABSENT	
SUPERVISOR COLEMAN	VOTED	YES

September 5, 2017

COMMUNICATIONS & REPORTS

566. Erie County Dept. of Public Works to Supervisor –
Notice of Highway restriction for Schwartz Road between Westwood Road and Broadway beginning August 25, 2017 until complete.
Disposition = Police Chief, Highway Superintendent, Town Clerk & Website
567. Erie County Legislator Ted Morton to Town of Springville Supervisor –
Recommendation – Dredging of Como Lake: Erie County Legislature Shared Services. Disposition = Received & Filed
568. Frank Maddock to Supervisor –
Thank you to the Town Board for their effort on behalf of the people of Lancaster, Depew and Erie County to restore Como Park Lake.
Disposition = Received & Filed
569. Erie County Dept. of Environment and Planning To Supervisor –
Information regarding Agricultural District Annual Enrollment Period.
Disposition = Received & Filed
570. Scott Phillips to Town Board –
Notice of retirement from the Town of Lancaster Highway Dept. effective August 31, 2017. Disposition = Received & Filed
571. Park Crew Chief to Supervisor and Town Board –
Request for resolution appointing three individuals to the position of part-time permanent employees in the Parks, Recreation & Forestry Dept. effective September 5, 2017. Disposition = Resolution 9/5/17
572. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent and Building Inspector –
Draft copy of minutes from August 16, 2017 Planning Board meeting.
Disposition = Planning Committee
573. Planning Board to Town Board –
Recommend approval of site plan review for Greenfield Health and Rehabilitation Center, 5949 Broadway, Proj. #1078.
Disposition = Planning Committee
574. Planning Board to Town Board –
Recommend approval of rezone for Single Family Patio Homes, 00 Broadway. Disposition = Planning Committee
575. Town Attorney to NYSDEC, Erie County DPW, Erie County Health Dept., Div. of Sewerage Management, NYSDOT, Erie County DEP, NYS Office of Parks, Rec., & Historic Preservation (SHPO) and Dormitory Authority of the State of New York (DASNY) –
Request for lead agency designation regarding Coordinated Review – Restoration of the Lancaster Historical Society Building, 40 Clark Street.
Disposition = Planning Committee
576. Executive Director Youth Bureau to Supervisor and Town Board –
Request for continued participation in the collaborative effort with the Lancaster Central School District providing a School and Community Support Program from August 31, 2017 through June 30, 2018.
Disposition = For Resolution
577. Executive Director Youth Bureau to Supervisor and Town Board –
Request for continued participation in the collaborative effort with the Lancaster Central School District providing a Program Coordinator for the Family Support Center from September 1, 2017 through June 30, 2018.
Disposition = For Resolution

- 578. Director of Bands, Lancaster High School to Supervisor –
Request for use of the Lion’s Picnic Shelter for the annual band picnic/party
on September 24, 2017. Disposition = Received & Filed**
- 579. Michael J. Valley, Ph.D to Members, Board of Education –
Lancaster Central School District approved resolution to accept partial payment
in any dollar amount for school tax payments. Disposition = Town Clerk**
- 580. Charter Communications to Supervisor –
Update of developments affecting Charter Communications subscribers.
Disposition = Received & Filed**
- 581. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**
- 582. Highway Superintendent to Town Board –
Request for resolution to allow Ryan Dzik to add benches at the Senior Center
and Youth Bureau complexes as part of an Eagle Scout Project.
Disposition = For Resolution**
- 583. Highway Superintendent to Town Board –
Request for resolution to purchase one new and unused 2018 CB10 Vibratory
Compactor from Southworth-Milton, Inc., 4610 East Saile Dr., Batavia, NY.
Disposition = For Resolution**
- 584. Highway Superintendent to Town Board –
Request for resolution to purchase two (2) new and unused 2018 Western
Star 4700SB Truck Cabs & Chassis from Fleet Maintenance, Inc.,
67 Ransier Dr., West Seneca, NY. Disposition = For Resolution**
- 585. Highway Superintendent to Town Board –
Request for resolution to purchase one new and unused 2018 ODB Model
SCL800SM25 from Excel Truck Group, 901 W. Hundred Rd., Chester, VA.
Disposition = For Resolution**
- 586. Highway Superintendent to Town Board –
Request for resolution to purchase one new and unused 2018 Freightliner M2-
106 Chassis with Galion Dump Body from Fleet Maintenance, Inc.,
67 Ransier Dr., West Seneca, NY. Disposition = For Resolution**
- 587. Dog Control Officer to Supervisor and Town Board –
Request for resolution to hire Elizabeth Bertozzi to the position of Dog
Control Officer, part-time effective September 11, 2017.
Disposition = For Resolution**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY
COUNCIL MEMBER GACZEWSKI AND CARRIED,** the meeting was adjourned in
memory of Mary J. Mundis and Doris R. Pepi at 7:40 P.M.

Signed _____

Diane M. Terranova, Town Clerk