

Town Board Minutes

November 20, 2017

Meeting No. 35

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 20th day of November 2017 at 7:00 P.M. and there were

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

ABSENT: NONE

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
KEVIN LOFTUS, TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
GERALD GILL, CHIEF OF POLICE
MICHELLE BARBARO, PARK CREW CHIEF
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.

* COUNCIL MEMBER WALTER LEFT THE MEETING AT 7:27 P.M.

PERSONS ADDRESSING TOWN BOARD:

Banks, Jim, spoke to the Town Board on the following matter:

- Thanked the Town Board for a great place to live.

Burton, Joe, spoke to the Town Board on the following matters:

- Questions pertaining to the wetlands on the proposed park located on Lake Avenue, south of William Street.
- Asked about a traffic study for a new park on Lake Avenue south of William Street.

Kazmierczak, Tom, spoke to the Town Board on the following matters:

- Asked about replacing the flooring at the Public Safety Building.
- Questions regarding surplus equipment.
- Concerns about heavy traffic on William Street.

Kraska, Julie, spoke to the Town Board on the following matter:

- Questions regarding the need for widening William Street.

Maddock, Frank, spoke to the Town Board on the following matter:

- Congratulated Coach Rupp on a great Legends football season.

Meyers, Jackie, spoke to the Town Board on the following matter:

- Concerns regarding flooding on Aurora Street.

Schlager, Georgia, spoke to the Town Board on the following matters:

- Asked about the schedule for the next meeting regarding the Comprehensive Master Plan.
- Questioned monetary contribution of Clover Management towards the street lights in the Prairie Landing Subdivision.

Sojka, Greg, spoke to the Town Board on the following matter:

- Asked about the cost of conducting a town wide reassessment.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 1 Special Use Permit 7-Eleven
4949 Transit Road

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

At 7:15 P.M., the Town Board held a Public Hearing to hear all
interested persons upon a Special Use Permit 7-Eleven, 4949 Transit Road 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**

NONE

ON MOTION BY COUNCIL MEMBER WALTER, SECONDED BY COUNCIL
MEMBER ABRAHAM AND CARRIED, the public hearing was closed at 7:17 P.M.

Decision on this matter was reserved.

November 20, 2017

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 2 V & T Ordinance Hidden
Meadow Subdivision

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

At 7:17 P.M., the Town Board held a Public Hearing to hear all
interested persons upon a V & T Ordinance Hidden Meadow Subdivision Parking, Standing,
Stopping 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**

NONE

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL
MEMBER ABRAHAM AND CARRIED, the public hearing was closed at 7:20 P.M.

Decision on this matter was reserved.

November 20, 2017

PRESENTATION OF PREFILED RESOLUTIONS:

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 November 6, 2017 and the Regular Meeting of the Town Board held November 6, 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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

November 20, 2017

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, 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. 50483 to Claim No. 50644 Inclusive

Total amount hereby authorized to be paid: \$580,991.51

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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

November 20, 2017

File: Rclaims

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
27613		James & Szuba Dobmeier	217 Pleasant View Dr	Er. Fence	
27630		Buffalo Tournament Club Inc.	6432 Genesee St	Er. Comm. Add.	
27631		Gerald Lewis DBA	89 Steinfeldt Rd	Re-Roof	
27632		Richardson Const. Group LLC	70 Avian Way	Er. Res. Add.	
27633		Brad Davidzik	70 Avian Way	Er. Porch	
27634		Vastola Heating & Cooling LLC	4 Chestnut Corner	Inst. Generator	
27635		A OK! Property Mgmt. LLC	2 Running Brook Dr	Er. Res. Alt.	
27636		Paul Blatner	22 Carlisle St	Inst. Generator	
27637		Schuster Construction LLC	24 Riemers Ave	Er. Res. Add.	
27638		Schuster Construction LLC	72 First Ave	Re-Roof	(V/L)
27639		Schuster Construction LLC	656 Harris Hill Rd	Re-Roof	
27640		Freedom Solar LLC	62 Village View	Inst. Solar Panels	
27641		Sitzmans Appliance Center	1347 Ransom Rd	Inst. Generator	
27642		Turkmasters Contacting LLC	220 Central Ave	Re-Roof	(V/L)
27643		Superior Decks & Gazebos Inc.	65 Cowing St	Er. Deck	(V/L)
27644		Michael Schiappa	1142 Penora St	Er. Shed	
27645		Ronald & Judy Liberto	46 Stutzman Rd	Er. Res. Add.	
27646		Michael J. Ziolo	33 Hinchey Ave	Re-Roof	(V/L)
27647		Domenic Cortese	1 Kent Pl	Er. Porch	
27648		Domenic Cortese	8 Sugarbush Ln	Er. Porch	
27649		Seibold Construction Inc.	68 Christen Ct	Re-Roof	(V/L)
27650		JHT Construction Inc.	1 Impala Pky	Re-Roof	
27651		Charles Kohorst	5486 Broadway	Re-Roof	(V/L)
27652		Vincent A. Ballistrea	384 Seneca Pl	Er. Garage	
27653		Switala's Berner Construction	20 Sterling Pl	Re-Roof	
27654		Solcius, LLC	5 Broadmoor Ct	Inst. Solar Panels	
27655		Solcius, LLC	6 Broadmoor Ct	Inst. Solar Panels	
27656		Colley's Pool Sales Inc.	23 Hidden Meadow Crossing	Er. Fence	
27657		Colley's Pool Sales Inc.	23 Hidden Meadow Crossing	Er. Pool-In Grnd	
27658		Colley's Pool Sales Inc.	26 Pinetree Dr	Er. Fence	
27659		Colley's Pool Sales, Inc.	26 Pinetree Dr	Er. Pool-In Grnd	
27660		Evertt & Jack Bromwich	5631 Broadway	Re-Roof	(V/L)
27661		Buffalo Roof Appeal LLC	5 Buckingham Ct	Re-Roof	
27662		The Vinyl Outlet Inc.	32 Park Blvd	Er. Fence	(V/L)
27663		All General Builders	11 Rose St	Er. Res. Alt./Add.	
27664		Thomas & Mary Beth Aquiline	26 Ashwood Ct	Er. Fence	
27665		KC Custom Remodeling Co.	39 Northwood Dr	Er. Res. Alt.	
27666		David & Bonita Brown	118 Fourth Ave	Er. Shed	(V/L)
27667		Christopher Werner	18 Candlestick Ct	Inst. Generator	
27668		Richard & Antoinette Wlosinski	26 Pheasant Run Ln	Inst. Generator	
27669		AVA Roofing & Siding Inc.	11 Avian Way	Re-Roof	
27670		Just Barns Inc.	1097 Ransom Rd	Re-Roof	
27671		Zenner & Ritter Co. Inc.	143 Schlemmer Rd	Inst. Generator	

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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

November 20, 2017

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

WHEREAS, the Town Board of the Town of Lancaster has held a public hearing on the 6th day of November, 2017, pursuant to Chapter 50-Zoning, Section 20 (B)(1)(k) as required under §50-46 of the Code of the Town Lancaster, upon the application of Anthony J. Daniele, of **Royal Car Wash** for a Special Use Permit to operate an express exterior car wash on premises located at 6645 Transit Road, in the Town of Lancaster, Erie County, New York, and

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

NOW, THEREFORE, BE IT

RESOLVED, that to Chapter 50-Zoning, Section 20 (B)(1)(k), entitled “Commercial Motor Service District (CMS)” of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to Anthony J. Daniele, of **Royal Car Wash**, to operate an express exterior car wash on premises located at 6645 Transit Road, in the Town of Lancaster, New York, upon the conditions as set forth in the Zoning Ordinance and the following conditions:

1. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal request is considered upon the property owner submitting an application to the Town Clerk, on or before November 20, 2019.
2. Applicant will authorize representatives from the Building Inspector’s Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.
3. Applicant will obtain and provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided.

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

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

November 20, 2017

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

WHEREAS, the Town of Lancaster received a site plan application from Up State Tower Co. LLC/Buffalo Lake Erie Wireless Systems proposing to construct a 125' telecommunication facility and associated telecommunication equipment located at 255 Peppermint Road (SBL No. 95.00-4-14) on an ± .11 acre parcel (the "Action"); and

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

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

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

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

NOW, THEREFORE,

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

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

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

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

November 20, 2017

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

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated November 6, 2017, has requested the addition of a member to the roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Town Line Volunteer Fire Department the following individual:

ADDITION:

Samantha M. Ode
Buffalo, New York

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

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

November 20, 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 modifications to a site plan previously approved on June 19, 2017 to create a Mexican Restaurant by Taco Cocina Transit, LLC d/b/a Deep South Taco, located at 6727 Transit Road in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on November 6, 2017 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the site modifications 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 Municipal Review Committee; and

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

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

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

1. This project described as the approval for modifications of previously approved site plan in order to expand upon new restaurant operation will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

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

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

November 20, 2017

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: November 20, 2017

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

The Town of Lancaster Town Board (the "Town Board"), has reviewed the proposed modifications to a site plan previously approved on June 19, 2017 to create a Mexican Restaurant by Taco Cocina Transit, LLC d/b/a Deep South Taco on +/- 1.8 acres, located at 6727 Transit Road. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

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

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

SEQR Status: Unlisted Action.

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

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

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

9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).
10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.
11. The proposed action will not create a hazard to environmental resources or human health.

For Further Information:

Contact Person: Kevin E. Loftus, Town Attorney

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

Telephone Number: (716) 684-3342

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

WHEREAS, Daniel Amatura, Lancaster Highway Superintendent has requested that the Town Board approve expending funds to purchase a 30' x 30' fabric building enclosure to be used as a secondary salt storage barn; and

WHEREAS, Wm. Schutt Associates solicited four (4) price quotes and received two (2) responses for furnishing the materials required for the construction of the secondary salt storage barn in accordance with the Town of Lancaster's Procurement Policy; and

WHEREAS, by letter dated November 9, 2017, the Highway Superintendent has recommended that the Town of Lancaster award the contract for the purchase of a 30' x 30' fabric building enclosure to Big Top Manufacturing, being the lowest responsible quote in the amount of \$17,150.00; and

WHEREAS, the purchase of the fabric building enclosure will be paid for with funds available in the 2017 Highway Snow Removal Chemical Budget (Line Item 13-5142-0435).

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby awards the contract to purchase a 30' x 30' fabric building enclosure to be used as a secondary salt storage barn to Big Top Manufacturing, 3255 N U.S. 19, Perry, FL 32347, in accordance with their quote dated October 30, 2017 for an amount not to exceed \$17,150.00 which will be paid for with funds available in Highway Snow Removal Chemical Budget (Line Item 13-5142-0435).

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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

November 20, 2017

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

WHEREAS, a Public Hearing was held on November 6, 2017 for the purpose of amending Chapter 46 -Vehicle and Traffic Ordinance of the Code of the Town of Lancaster and persons for and against such amendment have had an opportunity to be heard,

WHEREAS, a Notice of said Public Hearing was duly published and posted

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on November 20, 2017;
3. That a Certified Copy thereof be published in the Lancaster Bee on November 23, 2017;
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board:
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

November 20, 2017

**LEGAL NOTICE
 NOTICE OF ADOPTION
 AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
 TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

CHAPTER 46

ARTICLE VIII -Stop Intersections; Non-Intersection Stops; Yield intersections

46-8.1 Stop Intersections designated, is hereby amended by adding thereto the following:

Hidden Meadows Subdivision

STREET NAME	INTERSECTING STREET	SIGN LOCATION
Partridge Walk	Hidden Meadow Crossing	N.W. Corner

November 23, 2017

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

THIS IS TO CERTIFY that I, **DIANE M. TERRANOVA**, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 20th day of November, 2017 and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 20th day of November, 2017.

 Diane M. Terranova, Town Clerk

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

WHEREAS, the Town Board is considering the restoration of the Lancaster Historical Society Building located at 40 Clark Street in the Town of Lancaster, and

WHEREAS, as an involved agency, the Dormitory Authority of the State of New York's Proposed Action would consist of its authorization of the expenditure of approximately \$100,000 of the proceeds of the SAM program bond issuance for the Proposed Project, and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this restoration project pursuant to SEQRA regulations at their meeting on October 16, 2017 and recommended that a Negative Declaration be issued, and

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

WHEREAS, the Town Board has identified the relevant areas of environmental concern, 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 1" 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 complete restoration of the interior and exterior of the existing Lancaster Historical Society Building in conformance with the requirements of restoration of a registered historical building with a total site disturbance of .63 acres, 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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

November 20, 2017

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: November 20, 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 restoration of the Lancaster Historical Building located at 40 Clark Street. 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: Restoration of the Lancaster Historical Society Building

Location of Action: 40 Clark Street, Lancaster, New York 14086, Erie County.

SEQR Status: Type I

Description of Action: the complete restoration of the interior and exterior of the existing Lancaster Historical Society Building in conformance with the requirements of restoration of a registered historical building.

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

1. **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 – No impact.**
9. **Impact on Aesthetic Resources – No impact.**

10. **Impact on Historic and Archeological Resources – Small Impact.**
 - It is noted that in the opinion of the New York State Office of Parks, Recreation and Historic Preservation that the project will have No Adverse Impact on the building, on the following condition: The storm windows will have a factory applied finish that matches the color of the windows.
11. **Impact on Open Space and Recreation – No impact.**
12. **Impact on Critical Environmental Areas – N/A**
 - The Town of Lancaster has not established a Critical Environmental Area (CEA).
13. **Impact on Transportation – No impact.**
14. **Impact on Energy – No impact.**
15. **Impact on Noise, Odor and Light – No impact.**
16. **Impact on Human Health – No impact.**
 - It is noted that if lead paint is discovered proper measures will be taken to limit exposure.
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 SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, on March 21, 2011 the Town Board of the Town of Lancaster approved a 21 single family home subdivision final plat known as Prairie Landing, and

WHEREAS, the Town and Clover Construction Management, Inc., disagree on which entity is responsible for the installation of street lighting in the Prairie Landing Subdivision, and

WHEREAS, in order to avoid unnecessary litigation costs, the entities have resolved to completely settle and resolve all claims and disputes that exist between them, and

WHEREAS, the Town Board hereby determined to settle this claim in the form of the proposed settlement agreement and determines that the terms thereof are just, reasonable and to the interest of the Town.

NOW THEREFORE,
BE IT RESOLVED, the Town Board of the Town of Lancaster (a) hereby approves the settlement agreement between the Town of Lancaster and Clover Construction Management, Inc., pursuant to its terms and conditions and (b) hereby authorizes the Town Supervisor, to execute said agreement on behalf of the Town.

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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

November 20, 2017

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

WHEREAS, via letter to the town board dated October 31, 2017, the Highway Superintendent has requested additional funds be added to the 2017 Drainage budget to cover unanticipated expenses resulting from flooding from the heavy rainfall this year.

NOW, THEREFORE,
BE IT RESOLVED, that the following amendment to the 2017 adopted budget be and hereby is approved to provide additional funds in the Drainage budget due to unanticipated expenses in 2017:

Increase A599 Appropriated Fund Balance	\$62,000
Increase A960 Budget Appropriations	\$62,000
Increase A8540.0101 Drainage – Wages, Hourly	\$62,000

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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

November 20, 2017

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

WHEREAS, the Town of Lancaster and Clover Construction Management, Inc., have entered into a settlement agreement for the installation of street lighting in the Prairie Landing Subdivision, and

WHEREAS, Wm. Schutt Associates solicited a quote for the purchase and installation of four (4) street lights within the Prairie Landing Subdivision in accordance with the Town of Lancaster's Procurement Policy; and

WHEREAS, Wm. Schutt Associates has recommended that the Town of Lancaster award the contract for the installation of four (4) street lights to Simoncelli Electric, Inc., in the amount of \$9,975.00 per their quote dated November 1, 2017; and

WHEREAS, the purchase and installation of the Prairie Landing street lighting will be paid for with funds available in the 2017 Capital Outlay-Street Lighting Budget (Line Item 40-5182-0260) with the Town receiving partial reimbursement from Clover Construction Management, Inc.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby awards the contract to purchase and install four (4) street lights within the Prairie Landing Subdivision to Simoncelli Electric, Inc., 3740 California Road, Orchard Park, NY 14127, in accordance with their quote dated November 1, 2017 for an amount not to exceed \$9,975.00 which will be paid for with funds available in 2017 Capital Outlay-Street Lighting Budget (Line Item 40-5182-0260) with partial reimbursement for the cost coming from Clover Construction Management, Inc.

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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

November 20, 2017

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

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute the agreement, as presented, between the Town of Lancaster and the Lancaster Industrial Development Agency which provides for payment of \$30,000 for 2017 from the Lancaster Industrial Development Agency to the Town of Lancaster for administrative services and overhead support provided by the Town to the Lancaster Industrial Development Agency.

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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

November 20, 2017

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

WHEREAS, the developer has requested the Town Board of the Town of Lancaster accept work completed under Street Lighting Public Improvement within the Hidden Pines Subdivision, Phase II, within the Town of Lancaster, and

WHEREAS, the Town Engineer has inspected the improvement and has recommended the approval thereof, and

WHEREAS, the Town Attorney, by letter to the Town Clerk dated November 13, 2017, has reported his favorable review for the acceptance of this public improvement.

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Street Lighting Public Improvement within the Hidden Pines Subdivision, Phase II, be and is hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 774 - Street Lights

and,

BE IT FURTHER

RESOLVED, that a copy of this resolution be directed by the Town Clerk to the New York State Electric & Gas Corporation with a request to energize the street lights herein.

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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

November 20, 2017

File: RPIP (P4)

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

WHEREAS, the Lancaster Highway Superintendent requested that Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC (“Wendel”) provide professional services to review the Simme Road location to determine if a guide rail is warranted and to prepare the design of it, and

WHEREAS, by letter dated November 2, 2017, Daniel Amatura, Highway Superintendent has recommended that the Town of Lancaster authorize Wendel to perform the requested professional services for an amount not to exceed \$2,750.00 per their proposal dated October 9, 2017, in accordance with the Town of Lancaster’s Procurement Policy; and

WHEREAS, the justification and design for the installation of the guide rails will be paid for with funds available in the 2017 Highway Drainage, Professional Services, Budget (Line Item 01-8540-0410).

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby awards the contract for the professional services to justify and design the installation of guide rails on both sides of Simme Road in the Town of Lancaster to Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC, 6375 Essjay Road, Suite 200, Williamsville, New York 14221, in accordance with their proposal dated October 9, 2017 for an amount not to exceed \$2,750.00 which will be paid for with funds available in the 2017 Highway Drainage, Professional Services, Budget (Line Item 01-8540-0410).

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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

November 20, 2017

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

WHEREAS, Police Patrol Captain, Marco Laurienzo is requesting to purchase and install flooring at the Town of Lancaster's Public Safety Building located at 525 Pavement Road, and

WHEREAS, the flooring is available through New York State's Floor Coverings Contract No. PC67778, Group No. 20600, Award No. PGB 23063-GR, through authorized contractor Shaw Industries, Inc. and designated NYS Dealer Custom Carpet Center, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, Police Patrol Captain, Marco Laurienzo, by letter dated November 14, 2017, has recommended the purchase and installation of the flooring be made from Custom Carpet Centers, 2847 Southwestern Boulevard, Orchard Park, New York 14127, in the amount of \$54,749.26 per their estimate dated October 11, 2017, and

WHEREAS, funding for the purchase and installation of flooring within the Public Safety Building is available from the Capital Project #174, Reconstruction of Police Building of February 1, 2010.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby accepts and authorizes the Supervisor to execute the estimate for the purchase and installation of flooring for the new Public Safety Building, from Custom Carpet Centers, 2847 Southwestern Boulevard, Orchard Park, New York 14127 in accordance with their estimate dated October 11, 2017, for an amount not to exceed \$54,749.26 to be paid with funds available in the Capital Project #174, Reconstruction of Police Building of February 1, 2010.

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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

November 20, 2017

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 November 14, 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>
Michael Marrano (rehire) Lancaster, NY	Recreation Attendant	\$12.00	November 4, 2017
Allyson Yelich (new hire) Lancaster, NY	Lifeguard	\$13.00	November 20, 2017
Kristina Doetterl (rehire) Lancaster, NY	Lifeguard	\$13.00	November 20, 2017
Madeline Wnuk (rehire) Lancaster, NY	Lifeguard	\$13.00	November 20, 2017
Braden Kwasniewski (rehire) Lancaster, NY	Lifeguard	\$13.00	October 23, 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

November 20, 2017

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

WHEREAS, Michelle Barbaro, Park Crew Chief of the Town of Lancaster's Parks Recreation & Forestry Department, has requested that the purchase of a Z-Spray Junior 36 – 16HP Vanguard, 24 Gallon Spray System for use by the Parks Department, and

WHEREAS, the Park Crew Chief, solicited two (2) quotes for the purchase of a Z-Spray Junior system in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, by letter dated November 13, 2017, Michelle Barbaro has recommended that the Town of Lancaster purchase the Z-Spray Junior 36 – 16HP Vanguard, 24 Gallon Spray System from Site One Landscape Supply, 2479 Walden Avenue, Suite 100, Cheektowaga, New York in the amount of \$9,675.00 per their quote dated August 30, 2017, and

WHEREAS, funding for the purchase of the Z-Spray Junior 36 – 16HP Vanguard, 24 Gallon Spray System is available from the 2017 Park's Contractual Expenses Budget (Line Item 01-7110-0424).

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the purchase of the Z-Spray Junior 36 – 16HP Vanguard, 24 Gallon Spray System from Site One Landscape Supply, 2479 Walden Avenue, Suite 100, Cheektowaga, New York 14225, in accordance with their quote dated August 30, 2017 in the amount not to exceed \$9,675.00 and to be paid for with funds available from the 2017 Park's Contractual Expenses Budget (Line Item 01-7110-0424).

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

November 20, 2017

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

WHEREAS, the Town of Lancaster's Senior Center is requesting to purchase an additional Octane Xr6000 Xride Vertical Elliptical Machine for use by the senior citizen residents within the Town of Lancaster, and

WHEREAS, the Town obtained an estimate from G & G Fitness, in the amount of \$3,999.95, in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, by letter dated November 3, 2017 Marybeth Gianni, Recreation Attendant, has recommended that the Town of Lancaster authorize the purchase of one Octane Xr6000 Xride Vertical Elliptical Machine from G & G Fitness, in the amount of \$3,999.95 per their quote dated October 5, 2017, and

WHEREAS, funding for the purchase of the Vertical Elliptical Machine is available from the Programs for the Aging Budget (Line Item 01-7610-210).

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the purchase of one Octane Xr6000 Xride Vertical Elliptical Machine from G & G Fitness, 7350 Transit Road, Williamsville, NY 14221, in accordance with their quote dated October 5, 2017 in the amount not to exceed \$3,999.95 and to be paid for with funds available from the Programs for the Aging Budget (Line Item 01-7610-210).

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

November 20, 2017

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

WHEREAS, Michelle Barbaro, Park Crew Chief of the Town of Lancaster's Parks Recreation & Forestry Department, has requested that to purchase an Owner's Kit, a Discovery Playground Unit (PS16030) and a Level Up Playground Unit (PS16021) to replace the current non-ADA compliant playground equipment within Walden Pond Park in the Town of Lancaster, and

WHEREAS, the Town has received the necessary permission from the National Park Service to replace the playground equipment within the same footprint of the Park, and

WHEREAS, both playground units are available through New York State's Park & Recreation Equipment (Statewide) Contract No. PC67834, Group No.30211, Award No. PGB 23067-RA RM, through authorized State Contractor MRC Inc., which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, by letter dated November 13, 2017, Michelle Barbaro recommended the Owner's Kit, a Discovery Playground Unit (PS16030) and a Level Up Playground Unit (PS16021) for Walden Pond Park be purchased from MRC Inc., at a cost of \$38,632.67 per their quote dated November 13, 2017 (#136554), and

WHEREAS, funding for the purchase of the Owner's Kit, a Discovery Playground Unit (PS16030), and a Level Up Playground Unit (PS16021) for Walden Pond Park is available from the Town's Recreation Filing Fees.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby accepts and authorizes the Supervisor to execute the quote for the purchase an Owner's Kit, a Discovery Playground Unit (PS16030), and a Level Up Playground Unit (PS16021) to replace the current playground units within Walden Pond Park, from MRC Inc., P.O. Box 106, Spring Lake, NJ 07762, in accordance with their quote dated November 13, 2017 in an amount not to exceed \$38,632.67 and to be paid for with funds available from the Town's Recreation Filing Fees.

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

November 20, 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's Department of Parks, Recreation & Forestry's Park Crew Chief, Michelle Barbaro, by letter dated November 14, 2017 has advised the Town Board that the Parks, Recreation & Forestry Department no longer has use for nine (9) weed trimmers and has requested that the Town Board deem these items to be surplus equipment, and

WHEREAS, the Park Crew Chief would like to dispose of these trimmers and strip them for parts as the Parks Department no longer has use for them, and

WHEREAS, the Town Board has given due consideration to the request of the Park Crew Chief and deems it in the public interest to declare the beforementioned nine (9) weed trimmers to be surplus equipment and permit them to be stripped for parts;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby declares the beforementioned nine (9) weed trimmers to be surplus equipment and authorizes the Park Crew Chief of the Parks, Recreation and Forestry Department, Michelle Barbaro, to dispose of these trimmers by stripping them for parts as the Parks Department no longer has use for them.

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

November 20, 2017

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

WHEREAS, the Highway Superintendent of the Town of Lancaster, in a letter dated November 13, 2017, has advised the Town Board that the Highway Department no longer has use for a 2011 Salsco Chipper (#110523001016936 w/1,506 hours) and a 2005 Bandit 250 Chipper (#S15135R20501 w/2,803 hours) and has requested that the Town Board deem these items to be surplus equipment, and

WHEREAS, the Highway Superintendent is seeking to donate the chippers to the Recreation and Forestry Department to include with their inventory as they will have use for these items, and

WHEREAS, the Town Board has given due consideration to the request of the Highway Superintendent and deems it in the public interest to declare the beforementioned items to be surplus property;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby declares the beforementioned 2011 Salsco Chipper (#110523001016936 w/1,506 hours) and a 2005 Bandit 250 Chipper (#S15135R20501 w/2,803 hours) to be surplus equipment and authorizes the Highway Superintendent to donate these items to the Recreation and Forestry Department to be included in that Department's inventory.

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

November 20, 2017

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

WHEREAS, the Town of Lancaster entered into an agreement on January 5, 2009 with JPMorgan Chase Bank, N.A. (the Bank) for providing payment processing services through its PAY CONNEXION Services, and

WHEREAS, this service offers payment options for use of credit cards, debit cards, electronic checks to citizens for the convenience for payment of transactions in the Town Clerk's office, and

WHEREAS, the Town Clerk has requested a proposal from Forte Payment Systems to provide the same services in conjunction with the Town's internet program provided by Business Automation Services, Inc., and

WHEREAS, the Town Clerk has requested that the Town terminate their contract with PAY CONNEXION Services and enter into a Payment Processing Agreement with Forte Payment; and

WHEREAS, the Town Attorney has reviewed the agreement and rendered his approval;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk and the Supervisor of the Town of Lancaster are hereby authorized to sign and execute all legal documents on behalf of the Town and that such signature is acknowledgment of the acceptance by this body of compliance with all terms and conditions of the agreement which shall cover a period of three (3) years and then automatically renew thereafter unless written notice by either party is given to terminate.

BE IT FURTHER RESOLVED, there shall be no reimbursement for any services or equipment provided until the required acceptable documents and insurance certificates are received by the Town.

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

November 20, 2017

COMMUNICATIONS & REPORTS

- 745. Town Clerk to Town Board –
Town Clerk Monthly Report for October 2017. Disposition = Received & Filed**
- 746. Town Clerk to Code Enforcement Officer –
Copy of letter requesting renewal of Special Use Permit for MJJ Property, LLC,
6140 Genesee St. Disposition = For Resolution**
- 747. Town Clerk to Code Enforcement Officer –
Copy of letter requesting renewal of Special Use Permit for Greg’s Tree Service,
1230 Townline Rd. Disposition = For Resolution**
- 748. Town Line Volunteer Fire Department to Town Clerk –
Change in roster. Disposition = Resolution 11/20/17**
- 749. Town Clerk to Town Board –
Copy of renewal application for a 2018 License to Conduct a Salvage Yard for
Ed Henning, Inc. Disposition = For Resolution**
- 750. Town Clerk to Code Enforcement Officer –
Copy of letter requesting renewal of Special Use Permit for 561/563 Pavement
Road. Disposition = For Resolution**
- 751. Patrick Farruggio to Town Board –
Letter requesting consideration to become a Bingo Inspector when there is an
opening. Disposition = For Consideration**
- 752. Town Clerk to Modern Disposal Services, Inc. –
Transmittal of decals and a copy of Exhibit “B” for a 2018 Solid Waste
Collection License to operate within the Town of Lancaster.
Disposition = Received & Filed**
- 753. Town Engineer to Town Board –
Recommend acceptance of Public Improvement Permit #774 for site lighting for
Hidden Pines Phase 2. Disposition = Resolution 11/20/17**
- 754. Sue Ann Barnes, Grantmakers Advantage, Inc. to Supervisor –
Notice of intent to terminate contract for grant consulting services with the Town
of Lancaster effective December 10, 2017. Disposition = Received & Filed**
- 755. Town Clerk to Code Enforcement Officer –
Copy of letter from David Goettel requesting renewal of the Special Use
Permit for Superior Pallets, Inc., 3981 Walden Avenue.
Disposition = For Resolution**
- 756. Highway Superintendent to Town Board –
Request for resolution authorizing the purchase of a salt barn from Big Top
Manufacturing, 3255 N U.S. 19, Perry, Florida.
Disposition = Resolution 11/20/17**
- 757. Charter Communications to Supervisor –
Information regarding updates affecting Charter subscribers.
Disposition = Received & Filed**
- 758. MaryBeth Gianni to Supervisor and Town Board –
Request for resolution to purchase an Octan Xr6000 Xride vertical elliptical
machine for the Senior Center from G&G Fitness, 7350 Transit Road,
Williamsville, NY. Disposition = Resolution 11/20/17**

759. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent and Building Inspector – Draft copy of minutes from November 1, 2017 Planning Board meeting. Disposition = Planning Committee
760. Planning Board to Town Board – Recommend approval of site plan extension for Buffalo Tournament Club Golf Course, 6432 Genesee St.; no conditions. Disposition = Planning Committee
761. Parks Crew Chief to Town Board – Request for resolution to purchase a Z-Spray Junior 36 – 16HP Vanguard, 24-Gallon Spray System from Site One, 2479 Walden Ave., Ste. 100, Cheektowaga, NY. Disposition = Resolution 11/20/17
762. Highway Superintendent to Town Board – Request for resolution approving one 2011 Salsco Chipper and one 2005 Bandit 250 Chipper to be deemed surplus equipment. Disposition = Resolution 11/20/17
763. Parks Crew Chief to Town Board – Request for resolution to deem 9 weed trimmers as surplus equipment. Disposition = Resolution 11/20/17
764. Parks Crew Chief to Town Board – Request for resolution to purchase an Owner’s Kit, a PS16030 Discovery Playground and a PS16021 Level Up Playground Unit for Walden Ponds from MRC, Inc., 2130 Rte. 35, Building B, Suite 222, Sea Girt, NJ. Disposition = Resolution 11/20/17
765. Town Clerk to Town Board – Copy of Special Use Permit Application for 43 Greenmeadow. Disposition = For Resolution
766. Patrol Captain Marco Laurienzo to Supervisor – Request for resolution to approve purchase and installation of flooring in the Public Safety Building. Disposition = Resolution 11/20/17
767. Town Clerk to Town Board – Copy of renewal application for a 2018 License to Conduct a Salvage Yard for Advantage Trucks.com, LLC. Disposition = For Resolution
768. Town Attorney to Town Board and Planning Board – SEQR response from Erie County Division of Sewerage Management regarding Summerfield Farms 8, South of William St., Proj. #3041. Disposition = Planning Committee
769. Town Attorney to Town Clerk – Transmittal of Maintenance Bonds for Street Lights Public Improvement within Hidden Pines, Phase 2 and request for resolution accepting P.I.P. No. 774 (Street Lights) for Hidden Pines Subdivision, Phase 2. Disposition = Resolution 11/20/17
770. Park Crew Chief to Supervisor and Town Board – Request for resolution appointing 5 individuals to the position of part-time permanent employees for the fall/winter 2017-2018 in the Parks, Recreation & Forestry Dept. Disposition = Resolution 11/20/17
771. Town Clerk to Code Enforcement Officer – Copy of letter from Anthony G. Milone requesting renewal of the Special Use Permit for PM Peppermint, 31 Peppermint Rd. Disposition = For Resolution
772. Richard Quinn Ed.D to Town Board – Request for re-appointment to the position of Member of the Zoning Board of Appeals for the Town of Lancaster and re-appointment to the position of Chairman of the Zoning Board of Appeals. Disposition = For Resolution

- 773. Town Engineer to Town Board –
Recommend acceptance of Public Improvement Permit #767 for pavement & curbs, Public Improvement Permit #768 for storm sewer, and Public Improvement Permit #769 for water line for Summerfield Farms Subdivision, Phase 6. Disposition = For Resolution**
- 774. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Dept. of Environment and Planning and Division of Sewerage Management regarding Palma Tool & Die – Amended Site Plan, 40 Ward Road, Proj. #3593. Disposition = Planning Committee**
- 775. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY
COUNCIL MEMBER RUFFINO AND CARRIED,** the meeting was adjourned in memory
of Eunice T. O'Brien at 8:17 P.M.

Signed _____

Diane M. Terranova, Town Clerk