

## Town Board Minutes

October 1, 2018

Meeting No. 30

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 1<sup>st</sup> day of October 2018 at 7:00 P.M. and there were

**PRESENT:** ADAM DICKMAN, 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  
MICHELLE BARBARO, PARK CREW CHIEF  
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.  
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

### **EXECUTIVE SESSION:**

AT 7:55 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing a particular personnel matter.

At 8:20 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

### **PERSONS ADDRESSING TOWN BOARD:**

**Doherty, Mark**, spoke to the Town Board on the following matter:

- Comments regarding bridge and guard rails installed on Seneca Place.

**Schlager, Georgia**, spoke to the Town Board on the following matter:

- Comments regarding the 2019 Budget.

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

- Comments regarding low water pressure and water main breaks.

**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 September 17, 2018 and the Regular Meeting of the Town Board held September 17, 2018 be and are hereby approved.

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

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

October 1, 2018

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, 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. 54099 to Claim No. 54231 Inclusive

Total amount hereby authorized to be paid: \$1,122,404.93

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

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

October 1, 2018

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER DICKMAN, 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
28900		Richard Niewczyk	43 Chestnut Corner	Er. Fence	
28901		Nicholas Warren	41 Newberry Ln	Er. Fence	
28902		The KAZ Company	475 Schwartz Rd	Er. Porch Cover	
28903		Mark Valentino	22 Chestnut Corner	Er. Shed	
28904		Solcius, LLC	42 Lake Forest Pky E	Inst. Solar Panels	
28905		TNT Custom Decks/Remodeling	71 Brunck Rd	Er. Deck	
28906		David Neighborhoods, Inc.	4 Weathersfield Ln	Er. Dwlg.-Sin.	
28907		Marc Musialowski	20 Apple Blossom Blvd	Re-Roof	
28908		Michael Zimmer	45 Via Donato E	Er. Garage	
28909		Frayne Brothers Inc.	128 St Marys St	Re-Roof	(V/L)
28910		Colley's Pools Sales Inc.	43 Chestnut Corner	Er. Pool-In Grnd	
28911		D Allen & Son Contracting Inc.	72 Tomahawk Trl	Re-Roof	
28912		Tri-Town Construction Inc.	31 Chicory Ln	Re-Roof	
28913		Joseph & Krysten Boccio	6 Arrow Trl	Er. Fence	
28914		Sturdi Built Shed LLC	16 Jonquille Ct	Er. Shed	
28915		Keith McCoy	170 Central Ave	Er. Porch	(V/L)
28916		Cortese Brothers Construction	33 Middlebury Ln	Er. Res. Add.	
28917		Crist Construction	3 Crabapple Ln	Er. Porch Cover	
28918		Z Man Home Improvement	88 Kennedy Ct	Re-Roof	
28919		Bengert Boring & Excavating	37 St John St	Dem. Rear Struc.	(V/L)
28920		Buccilli Construction	41 Hinchey Ave	Re-Roof	(V/L)
28921		Richard Sears	24 Wilkshire Pl	Dumpster - Temp.	(V/L)
28922		Michael Trzepacz	310 Iroquois Ave	Re-Roof	
28923		Matthew Hoffman	105 Bowen Ave	Er. Shed	(V/L)
28924		James Wowzynski	122 Albert Dr	Er. Porch	(V/L)
28925		The Vinyl Outlet Inc.	36 Wainwright Ct	Er. Deck	
28926		Schuster Construction LLC	33 Grant St	Er. Porch Cover	(V/L)
28927		Sitzmans Appliance Center	29 Plumb Creek Trl	Inst. Generator	
28928		Solcius, LLC	25 Woodgate Dr	Inst. Solar Panels	
28929		Armor Heating Co. Inc.	103S Irwinwood Rd	Inst. Generator	(V/L)
28930		Peter Johnson	715 Erie St	Er. Shed	
28931		iStar Bowling Centers I LP	4913 Transit Rd	Re-Roof	
28932		Robert Warrington	199 Westwood Rd	Er. Shed	
28933		Mark & Trisha Nowak	188 Erie St	Er. Comm. Bldg.	(V/L)
28934		Ryan & Annelle Van Nortwick	22 Avian Way	Re-Roof	
28935		Leonard Manns	59 Avian Way	Re-Roof	
28936		Nicholas Capozzi	37 Markey Ave	Er. Shed	
28937		Bilt-Rite Concrete	135 Stony Rd	Er. Garage	
28938		House Crafters LLC	23 Hampton Ct	Er. Res. Alt.	
28939		Laurynthian Prop. Mgmt. LLC	8 Bradley Dr	Re-Roof	
28940		Ronald Kwiatek	89 Holland Ave	Er. Garage	(V/L)
28941		Siriani Service and Repair Co.	15 Brandel Ave	Er. Res. Alt.	(V/L)
28942		Ivan Eriez	66 Tranquility Trl	Er. Pool-In Grnd	
28943		Margaret Saia	994 Townline Rd	Er. Fence	
28944		House Crafters LLC	417 Schwartz Rd	Re-Roof	
28945		Jeffrey & Mary Ann Gramza	51 Hidden Trl	Er. Fence	
28946		Adco Properties	5849 Broadway	Er. Comm. Add./Alt.	
28947		Brian Britzzalero	264 Miller Ave	Er. Fence	
28948		Ferry Builders	473 Aurora St	Er. Comm. Bldg.	
28949		Summers and Sons Construction	8 Cherryfield Ln	Er. Deck	
28950		Summers and Sons Construction	10 Cherryfield Ln	Er. Deck	

28951	Buscaglia Decks	18 Wetherby Way	Er. Deck	
28952	Stephen Kanutsu	30 Hidden Meadow Cros	Er. Fence	
28953	Solcius, LLC	39 Pear Tree Ln	Inst. Solar Panels	
28954	Edward Pastorek	38 Nicholas Ln	Er. Shed	
28955	Summers and Sons Construction	3 Buckingham Ct	Er. Porch	
28956	Atlantic Garages	69 First Ave	Er. Garage	(V/L)
28957	Four Brothers Builders LLC	4 Candlestick Ct	Re-Roof	
28958	Cortese Broters Construction	4 Primrose Ln	Er. Deck	
28959	The Gutter People of WNY Inc.	6471 Broadway	Re-Roof	
28960	Forbes Homes, Inc.	26 Hidden Meadow Cros	Er. Dwlg.-Sin.	

**BE IT FURTHER**

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

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

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

October 1, 2018

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

**WHEREAS**, the Twin District Fire Company by letter dated September 11,  
2018, has requested the addition of one (1) 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 Twin District Fire Company the following  
individual:

**ADDITION:**

Frank Lewalski  
Lancaster, New York

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

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

October 1, 2018

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

**WHEREAS**, the Supervisor of the Town of Lancaster has recommended to the Town Board that Wednesday, October 31, 2018 between the hours of 6:00 P.M. and 8:30 P.M. be set for the observance of Halloween “Trick or Treat” within the Town of Lancaster.

**WHEREAS**, the Supervisor of the Town of Lancaster has consulted with the Mayors of the Villages of Lancaster and Depew who have indicated their approval of the aforementioned date and time of Halloween “Trick or Treat”.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster, hereby declares Wednesday, October 31, 2018, between the hours of 6:00 P.M. and 8:30 P.M., as the official period during which Halloween “Trick or Treat” activities may be observed within the Town of Lancaster.

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

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

October 1, 2018

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

**WHEREAS**, by resolution adopted on July 2, 2018, the Town Board approved a Special Use Permit Application for Delta Sonic Carwash Systems, Inc. to operate a car wash with gas pumps, interior detailing and both indoor and outdoor vacuums on premises located at 4817 Transit Road, and

**WHEREAS**, condition No. 1 listed on the Special Use Permit Approval, required that the Building Permit be issued within ninety (90) days of the Special Use Permit's approval, and

**WHEREAS**, Delta Sonic Carwash Systems, Inc., has requested that the Town Board grant a ninety (90) day **extension** to the Building Permit Issuance Condition in order for the construction plans to be completed for the project site located at 4817 Transit Road in the Town of Lancaster, and

**WHEREAS**, the Town Board has given due review and consideration to the request for the extension;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby grants Delta Sonic Carwash Systems, Inc. a ninety (90) day extension to the Building Permit Issuance Condition (condition No. 1) of the previously approved Special Use Permit for project site located at 4817 Transit Road 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 DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	WAS ABSENT	
SUPERVISOR COLEMAN	VOTED	YES

October 1, 2018

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

**WHEREAS**, Jean Karn, Dog Control Officer for the Town of Lancaster Dog Control Department, by letter dated September 19, 2018 has recommended the appointment of the following individual to the following part-time permanent position.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individual is hereby appointed to the following part-time permanent position in the Town of Lancaster Dog Control Department, working not more than nineteen and three-quarter hours per week, and that this being a part-time position, provides 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>
Samantha A. Burton Cheektowaga, NY	Dog Control Officer	\$13.00	October 1, 2018

**BE IT FURTHER,**

**RESOLVED**, that this individual shall be compensated for any scheduled work shift for the actual number of hours worked but shall be compensated for any unscheduled call-in for the greater of four hours or the actual number of hours worked.

**BE IT FURTHER,**

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

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

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

October 1, 2018

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

**WHEREAS**, the Town Board is considering Thomann Asphalt Paving Corp.'s proposed construction of a single-story 4,500 S.F. shop addition with paved surface entrance/exit driveway and office renovations to their existing facility located at 56 Gunnville Road (SBL No. 83.00-4-3.12) in the Town of Lancaster, and

**WHEREAS**, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this restoration project pursuant to SEQR regulations at their meeting on September 17, 2018 and recommended that a Negative Declaration be issued, and

**WHEREAS**, the Town Board has duly considered the plans for the addition and renovation, 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 is described as the construction of a single-story 4,500 S.F. shop addition with paved surface driveway and office renovations to the existing Thomann Asphalt Paving Corp. facility located at 56 Gunnville Road (SBL No. 83.00-4-3.12) will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein..
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

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

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

October 1, 2018

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

**Town of Lancaster Town Board**

**Dated: October 1, 2018**

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

The Town Board of the Town of Lancaster has reviewed the Thomann Asphalt Paving Corp.'s proposed construction of a single-story 4,500 S.F. shop addition with paved surface entrance/exit driveway and office renovations to their existing facility located at 56 Gunnville Road, (SBL No. 83.00-4-3.12). 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:** Thomann Asphalt Shop Addition & Office Renovation

**Location of Action:** 56 Gunnville Road, (SBL No. 83.00-4-3.12), Lancaster, New York 14086, Erie County.

**SEQR Status:** Unlisted

**Description of Action:** The proposed one-story 4500 sq.ft. shop addition and office renovations on a developed +4.23 acre parcel. Development includes paved surface driveway entrance/exit from addition.

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

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

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

**For Further Information:**

Contact Person: Kevin E. Loftus, Town Attorney

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

Telephone Number: (716) 684-3342

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER 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 2018 entitled “**Town of Lancaster Rezone Application Moratorium**”, of the Code of the Town of Lancaster, was introduced to the Town Board of the Town of Lancaster by Supervisor Coleman on the 4<sup>th</sup> day of September, 2018, and

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

**WHEREAS**, the Town Board called for, noticed, and held a public hearing on the proposed Local Law on September 17, 2018, 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 2018 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 DICKMAN	VOTED YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER WALTER	WAS ABSENT
SUPERVISOR COLEMAN	VOTED YES

October 1, 2018

**LEGAL NOTICE  
NOTICE OF ADOPTION  
LOCAL LAW NO. 5 OF THE YEAR 2018  
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 October 1, 2018 Local Law No. 5 of the Year 2018, which amends the Town of Lancaster Code, by which Establishes a One-Year Moratorium on Applications for Rezoning within the Town of Lancaster, which is on file for review in the Town Hall and on the Town of Lancaster's website, <http://www.lancasterny.gov>.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

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

October 4, 2018

**Town of Lancaster  
Local Law No. 5 of 2018**

**A Local Law to Establish a One-Year Moratorium on Applications for Rezoning.**

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

**Section 1: Purpose and Intent**

The Town of Lancaster is in the process of revising and updating its (Zoning Code), following the completion of the comprehensive planning process. The Zoning Code regulates land use within the Town. The primary purpose of this moratorium is to temporarily stop the processing of rezoning applications which could potentially conflict or frustrate the ultimate conclusions and recommendations which will be set forth in the updated Zoning Code. As rezonings are required to be in accordance with the comprehensive plan and processed according to the Town Code, it is important to have the Town Zoning Code review completed before any such application is evaluated.

**Section 2: Legislative Findings**

Professionals are currently engaged by the Town to assist with the development of a revised and updated Town Zoning Code. The updated Zoning Code should be completed for review and consideration by Fall 2019. The potential exists for land use development through the use of rezoning which could conflict with the Town's intention to implement zoning regulations that are consistent with the recommendations set forth in the comprehensive plan. This Local Law will provide a temporary Moratorium on rezoning while the Zoning Code is under review to allow the Town to complete the process.

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

**Section 3: Moratorium Imposed**

Effective immediately and continuing for a period of one (1) year, following the date on which this Local Law is filed with the Secretary of State, the Town Board and Planning Board of the Town of Lancaster and all other Town agencies and personnel shall not accept, process, review, or consider any applications for rezoning within the Town limits.

Notwithstanding the provisions of Section 3, Paragraph 1 immediately above, this Local Law shall not apply to any property within the Moratorium area for which a complete application for rezoning has been properly filed with the Town of Lancaster prior to the effective date of Local Law No 6 of 2017.

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

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

**Section 4: Term**

This Moratorium shall be in effect for a period of one (1) year from its effective date. As noted above, this term may be extended for a cumulative period of up to an additional six (6) months, if necessary, by resolution of the Town Board.

**Section 5: Variance**

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

**Section 6: Effect on Other Laws**

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

**Section 7: Severability**

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

**Section 8: Effective Date**

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

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

**WHEREAS**, Perry Petrillo, on behalf of **Walmart** (Store No. 5027-215) has submitted a site plan prepared by Perry M. Petrillo Architects, PC, dated June 21, 2018, and received June 25, 2018 for the proposed restriping of existing eight (8) parking spaces thereby reducing the number of spaces to six (6), each of which are 12'-0" wide and construction of a new canopy over restriped parking spaces, located at 4975 Transit Road (SBL No. 115.03-1-16.21), 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 18, 2018 meeting, and

**WHEREAS**, the Town, acting as lead agency has completed an environmental review for the rezone on September 4, 2018, in conformance with SEQR (State Environmental Quality Review) regulations and on September 17, 2018 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 Perry Petrillo, on behalf of **Walmart** (Store No. 5027-215) and prepared by Perry M. Petrillo Architects, PC, dated June 21, 2018, and received June 25, 2018 for the restriping of existing eight (8) parking spaces thereby reducing the number of spaces to six (6), each of which are 12'-0" wide and construction of a new canopy over restriped parking spaces, located at 4975 Transit Road (SBL No. 115.03-1-16.21) with the following condition:

- That a driveway access easement be granted to 5007 Transit Road as per Chapter 45, Article VI Nonconforming and Preexisting Access, subsections 29-32. Copy of said easement and proof of its filing with Erie County to be provided to 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 DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	WAS ABSENT	
SUPERVISOR COLEMAN	VOTED	YES

October 1, 2018

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

**WHEREAS**, Jeremy A. Colby, and Anthony J. Cervi, Town Justices of the  
Town of Lancaster, by letter dated September 14, 2018, has recommended the appointment of  
the following individual to the following part-time permanent position.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the following individual is hereby appointed to the  
following part-time permanent position in the Town Justice Department, working not more  
than nineteen and three-quarter hours per week, and that this being a part-time position,  
provides 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>
Rachel Dennis Lancaster, NY	Clerk	\$16.47	September 17, 2018- November 30, 2018

**BE IT FURTHER,**

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

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

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

October 1, 2018

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

**WHEREAS**, Bell Atlantic Mobile Systems, Inc., d/b/a Verizon Wireless (the "Applicant") has submitted an application for a special use permit for a Telecommunications Tower Co-location to be placed on the current tower located at 5393 William Street (William-Bowen BUF-653), which will be identified as William Street, Project No. 20141095866 Location Code 304454, in the Town of Lancaster; and

**WHEREAS**, the Zoning Code of the Town of Lancaster requires that the Town Board conduct a public hearing before the issuance of a Communication Tower Special Use permit for a use as proposed;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that pursuant to Chapter 50-Zoning, Article VII(A), §41.8, entitled "Communication Towers, Procedure" of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for a Telecommunications Tower Co-location to be placed on the current tower located at 5393 William Street (William-Bowen – BUF 653 which will be identified as William Street, Project No. 20141095866 Location Code 304454, in the Town of Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 15<sup>th</sup> day of October, 2018, at 7:15 o'clock P.M., Local Time, and that Notice of the time and place of such Hearing be published in the official newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

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

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

October 1, 2018

**TOWN OF LANCASTER**  
**NOTICE OF PUBLIC HEARING ON APPLICATION FOR SPECIAL USE PERMIT**  
**APPROVAL FOR A TELECOMMUNICATIONS TOWER CO-LOCATION**  
**5393 WILLIAM STREET (WILLIAM-BOWEN BUF-653), LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the authority set forth in Chapter 50-Zoning, Article VII(A), §41.8, entitled "Communication Towers, Procedure" of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 1<sup>ST</sup> day of October, 2018 the said Town Board will hold a Public Hearing on the 15<sup>th</sup> day of October, 2018, at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly approving a special use permit application for Telecommunications Tower Co-location by Bell Atlantic Mobile Systems, Inc., d/b/a Verizon Wireless on the current tower located at 5393 William Street (William-Bowen-BUF 653). Copies of the proposed application can be reviewed at Town Hall. All interested persons will be given the opportunity to be heard.

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

**TOWN BOARD OF THE**  
**TOWN OF LANCASTER**

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

October 4, 2018

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

**WHEREAS**, Michelle Barbaro, Park Crew Chief, has notified the Town Board of the need to have new clay brick batters'/catchers' boxes installed on the eight (8) softball diamonds at Walden Pond Park within the Town of Lancaster, and

**WHEREAS**, the Park Crew Chief, obtained two written Requests for Proposals for the installation of clay brick batters'/catchers' boxes on the eight (8) softball diamonds pursuant to §104 of General Municipal Law and in accordance with the Town of Lancaster's Procurement Policy, and

**WHEREAS**, by letter dated September 11, 2018, the Park Crew Chief, requested that the Town of Lancaster contract with Rich's Sports Fields, Inc., to have new clay brick batters'/catchers' boxes installed on the eight (8) softball diamonds at Walden Pond Park, at a cost of \$18,300.00 per their quote dated September 10, 2018, and

**WHEREAS**, funding for the new clay brick batters'/catchers' boxes installed on the eight (8) softball diamonds at Walden Pond Park is to be paid for with funds from the Town's Recreation Filing Fees Fund, Budget Line Item 37-7000-0200.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby accepts the proposal from Rich's Sports Fields, Inc., 110 Pavement Road, Lancaster, NY 14086, to install new clay brick batters'/catchers' boxes on the eight (8) softball diamonds at Walden Pond Park, in accordance with their quote dated September 10, 2018 in an amount not to exceed \$18,300.00 and to be paid for from the Town's Recreation Filing Fees Fund, Budget Line Item 37-7000-0200.

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

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

October 1, 2018

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

**WHEREAS, Jason Bennett, AIA** of Ashwood Architecture, PC, on behalf of Parker Hannifin Corporation, has prepared and submitted a site plan, dated May 14, 2018 and received May 18, 2018 for the proposed construction of a 3,000 sq. ft. pre-engineered metal building addition to their existing facility located at 4087 Walden Avenue (SBL No. 105.00-2-6), in the Town of Lancaster, and

**WHEREAS,** the site plan for this project was submitted to the Planning Board and was approved at their June 6, 2018 meeting, and

**WHEREAS,** the Town, acting as Lead Agency under the State Environmental Quality Review Act (“SEQRA”) has identified the relevant areas of environmental concern and determined this action to be a Type II action under SEQR.

**NOW, THEREFORE,**

**BE IT RESOLVED,** that the Town Board of the Town of Lancaster hereby approves the site plan prepared and submitted by **Jason Bennett, AIA** of Ashwood Architecture, PC, on behalf of Parker Hannifin Corporation, dated May 14, 2018 and received May 18, 2018 for the proposed construction of a 3,000 sq. ft. pre-engineered metal building addition to their existing facility located at 4087 Walden Avenue (SBL No. 105.00-2-6), in the Town of Lancaster with the following condition:

- Contractor to provide an “As-built” survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.

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

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

October 1, 2018

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

**WHEREAS,** John Trojanowsky, Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated September 25, 2018, has requested authorization to attend the Association of New York State Youth Bureaus 2018 Annual Youth Development Training Conference to be held at the Doubletree by Hilton Tarrytown, in Tarrytown, New York, from October 23-25, 2018.

**NOW, THEREFORE,**

**BE IT RESOLVED,** that John Trojanowsky of the Town of Lancaster Youth Bureau is hereby authorized to attend the Association of New York State Youth Bureaus 2018 Annual Youth Development Training Conference to be held at the Doubletree by Hilton, in Tarrytown, New York, from October 23-25, 2018.

**BE IT FURTHER,**

**RESOLVED,** that the total cost of attendance at the above mentioned training course is hereby authorized in an amount not-to-exceed \$450.00 for actual and necessary expenses, including the cost of registration, lodging, travel and meal expenses, on the specified dates of training, and

**BE IT FURTHER,**

**RESOLVED,** that all requests for reimbursement must be presented in the form of original, itemized receipts for actual and necessary expenses upon submission of proper documentation to the Accounting Department of 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 DICKMAN	VOTED YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER WALTER	WAS ABSENT
SUPERVISOR COLEMAN	VOTED YES

October 1, 2018

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

**WHEREAS**, the Town Board, on behalf of all the Special Districts and Special Improvement Districts, upon which the cost of maintenance is required by law to be apportioned and assessed in proportion to the amount of the benefits conferred, has duly prepared detailed estimates in writing of the anticipated revenues and expenditures for such districts to determine the amount of money required to meet the expense of maintaining same, and

**WHEREAS**, the Town Board has assessed the amount of said estimates on several lots against which the expense of the improvement was charged in proportion to the amount of benefit conferred, and

**WHEREAS**, Assessment Rolls were duly prepared according to law and said assessment rolls were duly filed in the Office of the Town Clerk.

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That a Public Hearing is hereby called and shall be held on the 15th day of October, 2018, at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, at which time and place this Town Board will meet to consider the aforementioned Special Districts Budget for the Year 2019, and to hear all persons interested in the subject matter thereof, and concerning the same, and

2. That a Legal Notice of said Public Hearing be published in the Lancaster Bee on October 4, 2018, which Notice shall be in the form attached hereto and made a part hereof and which date of publication is not less than ten (10) nor more than twenty (20) days prior to the public hearing.

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

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

October 1, 2018

**LEGAL NOTICE  
TOWN OF LANCASTER  
NOTICE OF PUBLIC HEARING  
UPON THE 2019 SPECIAL DISTRICTS BUDGET**

**NOTICE IS HEREBY GIVEN**, that the Town Board of the Town of Lancaster, New York, has completed its estimates and assessment roll relating to Special Districts, spreading costs on a benefit basis, and has filed same with the Town Clerk for the following districts for the year 2019:

Consolidated Water District  
Consolidated Lighting District Number 1  
Fire Protection District  
Refuse and Garbage District

and,

**FURTHER NOTICE IS GIVEN**, that a Public Hearing on such estimates and Assessment Roll will be held on October 15, 2018 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, at which time and place the Town Board will meet to hear and consider any persons interested in the subject matter thereof.

**BY ORDER OF THE TOWN BOARD OF THE  
TOWN OF LANCASTER**

BY: DIANE TERRANOVA, Town Clerk

October 4, 2018

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

**WHEREAS**, Johanna M. Coleman, Budget Officer of the Town of Lancaster,  
on September 28, 2018, duly filed the Tentative Budget of said Town for the fiscal year  
beginning January 1, 2019, with the Town Clerk of said Town.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the said Tentative Budget, without modifications, is hereby  
approved and shall become the Preliminary Budget of the Town of Lancaster for the fiscal  
year beginning January 1, 2019, and

**BE IT FURTHER**

**RESOLVED**, that said Preliminary Budget shall be made available by the  
Town Clerk to the public for inspection during the regular business hours of the Office of the  
Town Clerk, and

**BE IT FURTHER**

**RESOLVED**, that a Public Hearing on the Preliminary Budget of the Town of  
Lancaster for the year 2019, be held by this Town Board at the Town Hall, 21 Central  
Avenue, Lancaster, New York on the 15th day of October 2018, at 7:15 o'clock P.M., Local  
Time, and

**BE IT FURTHER**

**RESOLVED**, that a Legal Notice of said Public Hearing upon the 2019  
Preliminary Budget, as required by Section 108 of the Town Law of the State of New York,  
be published in the Lancaster Bee, on October 4, 2018 which Notice shall be in the form  
attached hereto and made a part hereof and which date of publication is not less than five (5)  
days prior to the public hearing.

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

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

October 1, 2018

**LEGAL NOTICE  
TOWN OF LANCASTER  
NOTICE OF PUBLIC HEARING  
ON THE 2019 PRELIMINARY BUDGET**

**NOTICE IS HEREBY GIVEN**, that the Preliminary Budget of the Town of Lancaster, for the fiscal year beginning January 1, 2019, has been filed in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, where it is available for inspection by any interested persons during office hours.

**FURTHER NOTICE IS GIVEN**, that a Public Hearing on the Preliminary Budget of the Town of Lancaster for the year 2019, be held by this Town Board at the Town Hall, 21 Central Avenue, Lancaster, New York on the 15th day of October 2018, at 7:15 o'clock P.M., Local Time, and at such hearing, any person may be heard in favor of or against the Preliminary Budget as compiled, or for or against any item or items therein contained.

Pursuant to Section 108 of the Town Law, the proposed annual salaries of the following Town Officers are specified as follows:

Supervisor - as Supervisor	\$71,098
- as Budget Officer	5,000
Total	\$76,098
Council Member	\$19,741
Town Justice	\$44,448
Town Justice	\$44,448
Town Clerk - as Town Clerk	\$75,499
- as Records Management Officer	\$6,935
- as Registrar of Vital Statistics	\$3,060
- as Clerk to Zoning Board of Appeals	\$3,598
Total	\$89,092
Superintendent of Highways	
- as Superintendent of Highways	\$74,058
- as Parks/Rec Oversight	\$5,202
- as Drainage Coordinator - P.T.	\$5,783
Total	\$85,043

BY ORDER OF THE TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: DIANE M. TERRANOVA, Town Clerk

October 4, 2018

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

**WHEREAS**, Edward Schiller, PE, the Town's Engineer, has requested that the Town authorize expending funds to clear and restore the Lake Forest Stormwater Detention Pond in the Town of Lancaster, and

**WHEREAS**, the Town Engineer solicited three quotes for the clearing and restoring of the Stormwater Detention Pond in accordance with the Town of Lancaster's Procurement Policy, and

**WHEREAS**, by memo dated August 29, 2018, the Town Engineer has recommended that the contract be awarded to Wolf's Nursery, Inc., 6083 Fisk Road, Lockport, New York 14094, being the sole respondent in conformance with the specifications on file.

**NOW THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby awards the contract for the clearing and restoring of the Lake Forest Stormwater Detention Pond to **Wolf's Nursery, Inc., 6083 Fisk Road, Lockport, New York 14094** in accordance with their quote identified as 06168D-D9 in the amount not to exceed \$5,800.00 and to be paid for with funds from the Town's 2018 Drainage Budget, Line Item 01-8540-0411.

**BE IT FURTHER**

**RESOLVED**, that the 2018 adopted budget for the Town of Lancaster be and hereby is amended to increase appropriations in the Drainage budget to fund the above project as follows:

GENERAL FUND – TOWNWIDE	Increase
A599 Appropriated Fund Balance	\$5,800.00
A960 Appropriations	\$5,800.00
A8540.411 Drainage – Work by outside contractors	\$5,800.00

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

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

October 1, 2018

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

**WHEREAS**, the Town of Lancaster’s Buildings and Grounds Department is requesting to purchase three (3) Custom Shelter Design 8 x 8 double sided polyethylene coated benches to be installed by Town employees near the Town of Lancaster’s Senior Center’s Pickle Ball area, and.

**WHEREAS**, the Town obtained a quote from Superior Recreational Products, in the amount of \$9,891.00, in accordance with the Town of Lancaster’s Procurement Policy, and

**WHEREAS**, by letter dated September 11, 2018 Michelle Barbaro, Park Crew Chief, has recommended that the Town of Lancaster authorize the purchase of three (3) Custom Shelter Design 8 x 8 double sided polyethylene coated benches from Superior Recreational Products, in the amount of \$9,891.00 per their quote dated September 11, 2018 (QUO0160889), and

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the purchase of three (3) Custom Shelter Design 8 x 8 double sided polyethylene coated benches from Superior Recreational Products, 1050 Columbia Drive, Carrollton, GA 30117, in accordance with their quote dated September 11, 2018 (QUO0160889) for an amount not to exceed \$9,891.00 which will be paid for with funds from the Town’s 2018 Programs for the Aging Budget Line Item 01-7610-0260, and

**BE IT FURTHER**

**RESOLVED**, that the 2018 adopted budget for the Town of Lancaster be and hereby is amended to increase appropriations in the Programs for the Aging budget to fund the above purchase as follows:

GENERAL FUND – TOWNWIDE	Increase
A599 Appropriated Fund Balance	\$9,891
A960 Appropriations	\$9,891
A7610.260 Programs for the Aging – Other Capital Outlay	\$9,891

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

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

October 1, 2018

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

**WHEREAS**, Michelle Barbaro, Park Crew Chief of the Parks Recreation & Forestry Department has requested that ceramic tiling be installed at the Town of Lancaster's Meadow Lea Park's Pool House, and

**WHEREAS**, on June 18, 2018 the Town Board authorized the purchase of tiling from Custom Carpet Centers through a NYS Contract for a tiling project at the Town of Lancaster's Keysa Park's Pool House, and

**WHEREAS**, there is sufficient tiling remaining to complete the work needed at the Meadow Lea Park Pool House, and

**WHEREAS**, by letter dated September 24, 2018, Michelle Barbaro, has recommended that the Town of Lancaster have the remaining tiling installed at Meadow Lea Park's Pool House by Custom Carpet Centers at a cost not to exceed \$7,680.00 per their proposal dated September 13, 2018, and

**WHEREAS**, funding for the repairs is available from the Town's 2018 Recreation Filing Fund, Budget Line Item # 37-7000-400.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby accepts and authorizes the Supervisor of the Town of Lancaster to execute the proposal to have the remaining tiling from the Keysa Park Pool House project installed at Meadow Lea Park's Pool House by Custom Carpet Centers, S2847 Southwestern Boulevard, Orchard Park, New York 14127, in accordance with their proposal dated September 13, 2018 for an amount not to exceed \$7,680.00 and to be paid for with funds from the Town's 2018 Recreation Filing Fund, Budget Line Item # 37-7000-400

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

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

October 1, 2018

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

**WHEREAS**, Town of Lancaster's Department of Parks, Recreation and Forestry Crew Chief, Michelle Barbaro, by letter dated September 19, 2018 has requested to purchase **one (1) new and unused 2018 Morbark Beaver M12R Brush Chipper** for use by the Parks, Recreation and Forestry Department, and

**WHEREAS**, the chipper is available from the New York State Contract No. PC67648, Group 40625, and Award No. 22792, through authorized State Contractor Morbark, LLC, in the amount of \$49,985.35 which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

**WHEREAS**, the Parks Department will receive a trade-in allowance for their Salsco Chipper (serial#81311 w/2,752 hrs.) in the amount of \$9,500.00 which will bring the total expenditure for the new chipper to \$40,485.35, and

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of **one (1) new and unused 2018 Morbark Beaver M12R Brush Chipper** under New York State Contract No. PC67648, Group 40625, and Award No. 22792 from authorized New York State Contractor Morbark, LLC, 8507 S. Winn Road, Winn, Michigan 48896, as proposed by Park Crew Chief, Michelle Barbaro for an amount not to exceed \$40,485.35, per their quote dated September 18, 2018, which includes a trade-in allowance of \$9,500.00 and which will be paid for with funds from the 2018 Forestry and Community Beautification, Equipment Budget Line Item 01-8510-0225.

**BE IT FURTHER**

**RESOLVED**, that the 2018 adopted budget for the Town of Lancaster be and hereby is amended to increase appropriations in the Forestry and Community Beautification budget to fund the above purchase as follows:

GENERAL FUND – TOWNWIDE	Increase
A599 Appropriated Fund Balance	\$40,485
A960 Appropriations	\$40,485
A8510.225 Forestry/Comm Beautification– Trucks & Related Equip.	\$40,485

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

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

October 1, 2018

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

**WHEREAS**, Town of Lancaster Police Patrol Captain, Marco Laurienzo has requested the purchase of one (1) new 2019 Chevrolet Tahoe 4WD Police vehicle, for the use within the Police Department, and

**WHEREAS**, the above-referenced vehicle is available from the Delaware, Chenango, Madison, Otsego (DCMO) BOCES Cooperative Purchasing, Vehicle Bid No. 2018-132; through authorized vehicle dealer Joe Basil Chevrolet, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

**WHEREAS**, Captain Laurienzo, by letter dated September 20, 2018, has recommended the purchase of the 2019 Chevrolet Tahoe 4WD, in accordance with said specifications, be made from authorized vehicle vender, Joe Basil Chevrolet, 5111 Transit Road, Depew, New York 14043 in the amount of \$35,750.10, and

**WHEREAS**, the Police Department will receive trade-in allowances for their 2010 Ford Expedition (VIN# 1FMJU1G55AEB62481 w/51,000 mi.) in the amount of \$8,000.00 and their 2008 Ford Fusion (VIN# 3FAHP07168R259610 W/54,100 mi.) in the amount of \$2,500.00, which will bring the total expenditure for the **2019 Chevrolet Tahoe 4WD**, to \$25,250.10, and

**WHEREAS**, the Town Board deems it in the public interest to approve the purchase of said vehicle;

**NOW, THEREFORE,**

**BE IT RESOLVED**, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of one (1) new and unused **2019 Chevrolet Tahoe 4WD** under Delaware, Chenango, Madison, Otsego (DCMO) BOCES Cooperative Purchasing, Vehicle Bid No. 2018-132; through authorized vehicle vendor Joe Basil Chevrolet, 5111 Transit Road, Depew, New York 14043 as proposed by the Town of Lancaster Patrol Captain, Marco Laurienzo, per their quote dated September 13, 2018 (Customer 815250), which includes trade-in allowances of \$10,500.00 and which will be paid for with funds from the 2018 Police Asset Forfeiture Fund, Budget Line Item 031-3120-220.

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

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

October 1, 2018

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

**WHEREAS**, by letter dated September 25, 2018, Michelle Barbaro, Town of Lancaster's Park Crew Chief, has requested that the Town Board authorize an invitation to bid for the rehabilitation of the pitched portions of the roof systems at Keysa Park's Pool House and Meadow Lea Park's Building within the Town of Lancaster, and

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

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby invites public bids for the rehabilitation of the pitched portions of the roof systems at Keysa Park's Pool House and Meadow Lea Park's Building, said bids are to be in conformance with the plans and specifications which are available at the office of Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086, bid submissions are to be received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on October 10, 2018 and opened thereafter.

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

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

October 1, 2018

**NOTICE TO BIDDERS**

FOR THE

**TOWN OF LANCASTER  
KEYSA PARK POOL HOUSE & MEADOW LEA PARK BUILDING  
ROOF REHABILITATION**

Sealed bids for the rehabilitation of the pitched roof systems at Keysa Park's Pool House and Meadow Lea Park's Building will be received by the Town Clerk at her office in the Town Hall, 21 Central Avenue, Lancaster, New York on or before 10:00 A.M. local time on October 10, 2018, at which time they will be publicly opened and read aloud.

Contract Documents may be examined at the office of the Town Clerk and at the office of the ENGINEER, Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 between the hours of 9:00 A.M. and 4:00 P.M., except Saturdays, Sundays and Holidays.

Contract Documents may be obtained at the office of the ENGINEER.

Proposals shall be made and received upon the following conditions:

Each proposal must be accompanied by the deposit of a certified check, payable to the Town of Lancaster, for a sum equal to five percent (5%) of the total amount of the Bid, or a bond with sufficient sureties in a penal sum equal to five percent (5%) of such total bid amount, conditioned that if the proposal is accepted, that he will execute within fifteen (15) days from the date of the acceptance of the proposal, a suitable security bond in the amount of the Contract, conditioned for the faithful and prompt performance and completion of the Work specified in the Contract.

All bid deposits except that of the successful bidder will be returned.

Upon acceptance of his Bid, if the successful bidder fails to enter into a Contract pursuant to the requirements of the Contract Documents, or fails to give the further security prescribed in this Notice, with the same time limited therein, then the check deposited as aforesaid and the monies standing to the credit of the same, shall be forfeited to the Town as liquidated damages, or the payment of the bond enforced for the benefit of the Town. The Town of Lancaster reserves the right to waive informalities in or to reject any and all bids.

Consulting Engineers:  
William Schutt & Associates, P.C.  
37 Central Avenue  
Lancaster, NY 14086-2143  
(716) 683-5961  
Date: October 4, 2018

By the Order of the Town Board of  
Lancaster, Erie County, New York

Diane Terranova  
Town Clerk

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

**WHEREAS**, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter September 24, 2018 has requested the creation of the position of Director of Recreation II, and has recommended the appointment of Robert Giroux to this position, who is currently a Laborer in the Parks & Recreation Department, and

**WHEREAS**, Robert Giroux is eligible for appointment to this position pursuant to the standards and procedures as set forth in the Civil Service Law.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) for authorization by the County of Erie Department of Personnel to create one (1) new position of Director of Recreation II, full-time.

**BE IT FURTHER,**

**RESOLVED**, that Robert Giroux be and is hereby appointed to the position of Director of Recreation II to the Parks & Recreation Department, full-time provisional, at the pay rate of \$27.61 per hour, effective October 2, 2018, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of law and shall be governed by the same terms and conditions as apply to other non-represented, full-time provisional Town employees; and

**BE IT FURTHER,**

**RESOLVED**, that the Town Board hereby approves, as presented, the Memorandum of Agreement between the Town, Mr. Giroux and the CSEA White Collar Unit regarding Mr. Giroux’s leave of absence from his current position of Laborer; and

**BE IT FURTHER,**

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

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

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

October 1, 2018

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

**WHEREAS**, Daniel Amatura, Highway Superintendent for the Town of Lancaster, by letter dated September 20, 2018, has recommended the appointment of Meghan Murray to the position of Clerk Typist in the Town of Lancaster Highway Department, and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Meghan Murray of Lancaster, New York, be and is hereby appointed to the position of Clerk Typist, full-time contingent permanent, in the Town of Lancaster Highway Department, contingent upon approval by Erie County Department of Personnel, effective October 1, 2018, and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA White Collar Union and all applicable provisions of law, and

**BE IT FURTHER,**

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

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

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

October 1, 2018

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

**WHEREAS**, the Town Board previously duly advertised for bids for the rehabilitation of the roof systems at the Parks and Recreation Department Building, Office of Emergency Management and Keysa Town Park Utility Room within the Town of Lancaster, and

**WHEREAS**, one bid was received, opened and reviewed on September 20, 2018, and

**WHEREAS**, by letter dated September 24, 2018 Parks Crew Chief, Michelle Barbaro, has requested that the Town Board reject the bid due to pricing being beyond budget limits, and

**WHEREAS**, the Town Board, after due review and consideration has determined to execute its right reserved in the bid documents, to reject all bids received for the rehabilitation of the roof systems at the Parks and Recreation Department Building, Office of Emergency Management and Keysa Town Park Utility Room within the Town of Lancaster.

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby rejects all bids received for the rehabilitation of the roof systems at the Parks and Recreation Department Building, Office of Emergency Management and Keysa Town Park Utility Room, pursuant to the rights reserved to the Town in the bid documents and directs the Clerk to so advise the bidders and return any bid bond posted in accordance with the bid specifications.

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

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

October 1, 2018

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

**WHEREAS**, by letter dated September 24, 2018, Michelle Barbaro, Town of Lancaster's Department of Park Crew Chief, has requested that the Town Board re-authorize an invitation to bid for the rehabilitation of the roof systems at the Parks and Recreation Department Building, Office of Emergency Management and Keysa Town Park Pool Utility Room within the Town of Lancaster, and

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

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby invites public bids for the rehabilitation of the roof systems at the Parks and Recreation Department Building, Office of Emergency Management and Keysa Town Park Pool Utility Room, said bids are to be in conformance with the plans and specifications which are available at the office of Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086, bid submissions are to be received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on October 10, 2018 and opened thereafter.

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

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

October 1, 2018

**NOTICE TO BIDDERS**

FOR THE

**TOWN OF LANCASTER  
PARKS & RECREATION, OFFICE OF EMERGENCY MANAGEMENT  
AND KEYSA POOL UTILITY ROOM ROOF REHABILITATION**

Sealed bids for the rehabilitation of the roof systems at Parks & Recreation, Office of Emergency Management, and Keysa Pool Utility Room will be received by the Town Clerk at her office in the Town Hall, 21 Central Avenue, Lancaster, New York on or before 10:00 A.M. local time on October 10, 2018, at which time they will be publicly opened and read aloud.

**Bidders may Bid on one, two, or all three roofs or any combination thereof. The Town reserves the right to award each roof separately or together.**

Contract Documents may be examined at the office of the Town Clerk and at the office of the ENGINEER, Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 between the hours of 9:00 A.M. and 4:00 P.M., except Saturdays, Sundays and Holidays.

Contract Documents may be obtained at the office of the ENGINEER.

Proposals shall be made and received upon the following conditions:

Each proposal must be accompanied by the deposit of a certified check, payable to the Town of Lancaster, for a sum equal to five percent (5%) of the total amount of the Bid, or a bond with sufficient sureties in a penal sum equal to five percent (5%) of such total bid amount, conditioned that if the proposal is accepted, that he will execute within fifteen (15) days from the date of the acceptance of the proposal, a suitable security bond in the amount of the Contract, conditioned for the faithful and prompt performance and completion of the Work specified in the Contract.

All bid deposits except that of the successful bidder will be returned.

Upon acceptance of his Bid, if the successful bidder fails to enter into a Contract pursuant to the requirements of the Contract Documents, or fails to give the further security prescribed in this Notice, with the same time limited therein, then the check deposited as aforesaid and the monies standing to the credit of the same, shall be forfeited to the Town as liquidated damages, or the payment of the bond enforced for the benefit of the Town. The Town of Lancaster reserves the right to waive informalities in or to reject any and all bids.

Consulting Engineers:  
William Schutt & Associates, P.C.  
37 Central Avenue  
Lancaster, NY 14086-2143  
(716) 683-5961  
Date: October 4, 2018

By the Order of the Town Board of  
Lancaster, Erie County, New York

Diane Terranova  
Town Clerk

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

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

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Public Improvement Permit Application No. 795 of Simoncelli Electric, Inc., 3740 California Road, Orchard Park, New York 14127, for the installation of:

P.I.P. No. 795 (Street Lights)	Hidden Meadow Phase I Subdivision, installation of ten (10) LED street lights per Town standards.
-----------------------------------	--

be and is hereby approved and the installation of the improvement requested be and is hereby authorized.

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

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

October 1, 2018

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

**WHEREAS**, Michelle Barbaro, Park Crew Chief of the Parks Recreation & Forestry Department of the Town of Lancaster, has requested permission to purchase two (2) new and unused 2018 Gravely Pro-Turn 460 FXT1000 (Model # 992275) Lawn Mowers for use by the Parks Recreation & Forestry Department, and

**WHEREAS**, the Park Crew Chief, obtained three (3) price quotes for the purchase of two new Gravely Pro-Turn Lawn Mowers in accordance with the Town of Lancaster's Procurement Policy, and

**WHEREAS**, by letter dated September 18, 2018, Michelle Barbaro, has recommended that the Town of Lancaster purchase the two (2) 2018 Gravely Pro-Turn 460 FXT1000 (Model # 992275) Lawn Mowers from Wegman Motor Works, Inc., for a unit price of \$10,675.08 each, for a total expenditure of \$21,350.16, per their estimate (Work Order No. 181694) dated September 18, 2018, and

**WHEREAS**, the Parks Department will receive trade-in allowances for an Exmark EXM2006 (Serial # 613521 w/1,628 hrs), an Exmark Lazer Z 1018 (Serial #680934 w/1,215 hrs.) in the amount of \$1,450.00, and a Ferris 5 ft. 1017 (Serial #2015099960 w/608 hrs.) in the amount of \$3,225.00 for a total trade-in allowance of \$4,675.00 which will bring the total expenditure for the two new Gravely Mowers to \$16,675.16, and

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the purchase of two (2) new and unused 2018 Gravely Pro-Turn 460 FXT1000 (Model # 992275) Lawn Mowers from Wegman Motor Works, Inc., 1500 Kenmore Avenue, Buffalo, NY 14216 in accordance with their estimate (Work Order No. 181694) dated September 18, 2018, for a cost not to exceed \$16,675.16, which includes trade-in allowances of 4,675.00 and which will be paid for with funds from 2018 Parks Equipment Budget, Line Item 01-7110-0230 and

**BE IT FURTHER,**

**RESOLVED**, that the 2018 adopted budget for the Town of Lancaster be and hereby is amended to increase appropriations in the Parks budget to fund the above purchase as follows:

GENERAL FUND – TOWNWIDE	Increase
A599 Appropriated Fund Balance	\$16,675
A960 Appropriations	\$16,675
A7110.230 Parks – Other Motorized Equip.	\$16,675

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

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

October 1, 2018

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

**WHEREAS**, Town of Lancaster's Department of Parks, Recreation and Forestry Crew Chief, Michelle Barbaro, by letter dated September 21, 2018 has requested to purchase **one (1) new and unused 2018 T650 T4 Bobcat Compact Track Loader** for use by the Parks, Recreation and Forestry Department, and

**WHEREAS**, the loader is available from the New York State Contract No. PC67141, Group 40625, and Award No. 22792, through authorized State Contractor Clark Equipment Company d/b/a Bobcat Company, in the amount of \$53,055.70 which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

**WHEREAS**, the Parks Department will receive a trade-in allowance for their 2016 Bobcat T650 MO27 (ID#ALJG16799 w/400hrs.) in the amount of \$37,500.00 which will bring the total expenditure for the new Loader to \$15,555.70, and

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of **one (1) new and unused 2018 one (1) new and unused 2018 T650 T4 Bobcat Compact Track Loader** under New York State Contract No. PC67141, Group 40625, and Award No. 22792 from authorized New York State Contractor Clark Equipment Company d/b/a Bobcat Company, 250 East Beaton Drive, West Fargo, North Dakota 58078, as proposed by Park Crew Chief, Michelle Barbaro for an amount not to exceed \$15,555.70, per their quote dated September 20, 2018 (27836D028260), which includes a trade-in allowance of \$37,500.00 and which will be paid for with funds from the Town's 2018 Parks, Equipment Budget Line Item 01-7110-0230 and

**BE IT FURTHER,**

**RESOLVED**, that the 2018 adopted budget for the Town of Lancaster be and hereby is amended to increase appropriations in the Parks budget to fund the above purchase as follows:

GENERAL FUND – TOWNWIDE	Increase
A599 Appropriated Fund Balance	\$15,560
A960 Appropriations	\$15,560
A7110.230 Parks – Other Motorized Equip.	\$15,560

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

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

October 1, 2018

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

**WHEREAS**, Town of Lancaster's Department of Parks, Recreation and Forestry Crew Chief, Michelle Barbaro, by letter dated September 21, 2018 has requested to purchase **one (1) new and unused 2018 T650 T4 Bobcat Compact Track Loader with Telematics US 80' Low Profile Bucket and Bolt-on Cutting Edge** for use by the Parks, Recreation and Forestry Department, and

**WHEREAS**, the loader is available from the New York State Contract No. PC67141, Group 40625, and Award No. 22792, through authorized State Contractor Clark Equipment Company d/b/a Bobcat Company, in the amount of \$54,239.02 which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

**WHEREAS**, the Parks Department will receive trade-in allowances for their New Holland L225 Skid Steer (serial#NBM433272) in the amount of \$20,000.00, their 1984 Landpride Snow Blower attachment in the amount of \$2,750.00 and their Vibromax Roller (serial #JKC5306300 w/543hrs) in the amount of \$6,000.00 for a total trade-in allowance of \$28,750.00 which will bring the total expenditure for the new loader to \$25,489.02,

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of **one (1) new and unused 2018 one (1) new and unused 2018 T650 T4 Bobcat Compact Track Loader with Telematics US 80' Low Profile Bucket and Bolt-on Cutting Edge** under New York State Contract No. PC67141, Group 40625, and Award No. 22792 from authorized New York State Contractor Clark Equipment Company d/b/a Bobcat Company, 250 East Beaton Drive, West Fargo, North Dakota 58078 as proposed by Park Crew Chief, Michelle Barbaro for an amount not to exceed \$25,489.02, per their quote dated September 20, 2018 (27836D028257), which includes trade-in allowances of \$28,750.00 and which will be paid for with funds from the Town's 2018 Drainage Equipment Budget Line Item 01-8540-0230, and

**BE IT FURTHER,**

**RESOLVED**, that the 2018 adopted budget for the Town of Lancaster be and hereby is amended to increase appropriations in the Drainage budget to fund the above purchase as follows:

GENERAL FUND – TOWNWIDE	Increase
A599 Appropriated Fund Balance	\$25,490
A960 Appropriations	\$25,490
A8540.230 Drainage – Other Motorized Equip.	\$25,490

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

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

October 1, 2018

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

**WHEREAS**, the Highway Department Deputy Superintendent, Louis Cacciotti, has notified the Town that that there are curbs, sidewalks and aprons at various locations throughout the Town of Lancaster that are in need of being replaced, and

**WHEREAS**, the Town solicited five (5) written Requests for Proposals for the concrete curbing, sidewalk and apron replacements throughout the Town of Lancaster pursuant to §104 of General Municipal Law and in accordance with the Town of Lancaster's Procurement Policy, and

**WHEREAS**, by letter dated September 27, 2018, Louis Cacciotti, has recommended that the contract to replace curbs, sidewalks, and aprons at various locations throughout the Town, be awarded to Master's Edge, Inc., for an amount not to exceed \$27,900.00 and will be paid for with funds from the 2018 Highway Budget Contractual Expenses (Curbing) Line 13-5110-0413.

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to enter into a contract with Master's Edge, Inc., 3409 Broadway Street, Cheektowaga, NY, 14227, to perform replacement services for various curbs, sidewalks and aprons at various locations throughout the Town of Lancaster, for an amount not to exceed \$27,900.00 with funds allocated in the 2017 Highway Budget Contractual Expenses (Curbing) Line 13-5110-0413.

**BE IT FURTHER,**  
**RESOLVED**, that there shall be no execution of the contract nor payment for services rendered until the required documents have been received and approved by the Town Attorney.

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

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

October 1, 2018

**SUSPENDED RESOLUTION:**

Supervisor Coleman requested a suspension of the necessary rules for immediate consideration of the following resolution:

UPON A MOTION DULY MADE BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, a suspension was granted.

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

**WHEREAS**, Chris Wood, PE, has submitted a site plan prepared by Carmina\*Wood\*Morris, DPC, dated August 23, 2018, and received August 24, 2018 for the proposed construction of a new hard cider facility with the existing 10,800 SF building being rehabbed and the addition of a new 2,400 SF storage building, site to include a stone driveway, parking lot, new concrete sidewalk and patio, which is located at 4493 Walden Avenue (SBL No. 95.00-4-20.1), in the Town of Lancaster, and

**WHEREAS**, the site plan for this project was submitted to the Planning Board and was approved at their June 6, 2018 meeting, and

**WHEREAS**, the Town, acting as lead agency has completed an environmental review for the rezone on September 4, 2018, in conformance with SEQR (State Environmental Quality Review) regulations and on September 17, 2018 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 Chris Wood, PE and prepared by Carmina\*Wood\*Morris, DPC, dated August 23, 2018, and received August 24, 2018 for the construction of a new hard cider facility to include a stone driveway, parking lot, new concrete sidewalk and patio, located at 4493 Walden Avenue (SBL No. 95.00-4-20.1), with the following conditions:

1. Property owner to return two (2) executed originals of the Stormwater Control Facility Maintenance Agreement to the Town Attorney’s Office.
2. Contract to provide a Stormwater Management Performance guarantee and a Maintenance guarantee listing the Town of Lancaster as beneficiary as required per Town Code §42-8(A)(B)(C).
3. Contract to provide an “As-built” survey to the Building Department prior to any certificates of Compliance/Occupancy being issued.
4. Provide proof that all Easements are recorded and filed with Erie County prior to any certificates of Compliance/Occupancy being issued.

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

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

October 1, 2018

## COMMUNICATIONS & REPORTS

605. **Twin District Fire Company to Town Clerk –  
Change in roster. Disposition = Resolution 10/1/18**
606. **Empire State Line to Supervisor –  
Information regarding Empire State Line Open House, October 1, 2018 at  
Newstead Cultural Center. Disposition = Received & Filed**
607. **Jeffery D. Palumbo, Barclay Damon LLP to Town Clerk –  
Correspondence to confirm on behalf of Uniland Development Company that  
it hereby withdraws its application for change of zoning relative to 4106 Walden  
Ave. Disposition = Received & Filed**
608. **Town Clerk to Town Engineer and Building Inspector –  
Transmittal of Application for Dumping Permit for Kelly Heberlein, lot adjacent  
to 207 Schwartz Road. Disposition = For Future Resolution**
609. **Robert Heil, SLA Solutions to Town Clerk –  
Request for Waiver of 30-day Municipality Notification for an On Premise  
Liquor License. Disposition = Received & Filed**
610. **Town Engineer to Kenneth Zollitsch, Director of Planning GPI --  
Request for revision of pre-developed calculations regarding Site Plan,  
Walden Ave. Storage Site, Proj. #8029. Disposition = Planning Committee**
611. **Erie County Dept. of Environment & Planning to Supervisor –  
Information regarding 14<sup>th</sup> Annual WNY Environmental Summit at Daemen  
College Wick Center on September 29, 2018. Disposition = Received & Filed**
612. **Director of Land Planning, Greenman-Pedersen, Inc. to Town Engineer –  
Updated materials regarding Walden Ave. Storage Site, Proj. #8029.  
Disposition = Planning Committee**
613. **Code Enforcement Officer to Town Board –  
Application for Dumping Permit for Kelly Heberlein, Schwartz Rd. cannot be  
recommended for issuance without required information.  
Disposition = Received & Filed**
614. **Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Water Authority regarding Linguine's  
Restaurant, 5354 Genesee St. Disposition = Planning Committee**
615. **Town Attorney to Town Board and Planning Board –  
SEQR response from NYSDEC regarding Apple Rubber Addition,  
204 Cemetery Rd., Proj. #2562. Disposition = Planning Committee**
616. **Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Water Authority regarding Apple Rubber  
Addition, 204 Cemetery Rd., Proj. #2562. Disposition = Planning Committee**
617. **Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Div. of Sewerage Management regarding  
Apple Rubber Addition, 204 Cemetery Rd., Proj. #2562.  
Disposition = Planning Committee**
618. **Young & Wright Architectural to Supervisor –  
Letter of Transmittal regarding Lancaster Central School District 2018  
Improvement Project, SEQRA Lead Agency and Coordinated Review.  
Disposition = Town Attorney & Building Inspector**

619. **Town Engineer to Town Clerk –**  
**Recommendation for Application for Dumping Permit for Kelly Heberlein, Schwartz Rd. cannot be made at this time due to insufficient/missing information. Disposition = Received & Filed**
620. **Park Crew Chief to Town Board –**  
**Request for resolution to purchase one new and unused 2018 Morbark Beaver M12R Brush Chipper from Morbark, LLC, 8507 S. Winn Rd. P.O. Box 1000, Winn MI. Disposition = Resolution 10/1/18**
621. **Park Crew Chief to Town Board –**  
**Request for resolution to purchase two new and unused 2018 Gravely Pro-Turn 460 Mowers from Wegman Motor Works, Inc., 1500 Kenmore Ave., Buffalo, NY. Disposition = Resolution 10/1/18**
622. **Dog Control Officer to Supervisor and Town Board –**  
**Request for resolution to hire Samantha A. Burton to the position of Dog Control Officer, part-time effective October 1, 2018. Disposition = Resolution 10/1/18**
623. **Park Crew Chief to Town Board –**  
**Request for resolution authorizing the Park Crew Chief to prepare a letter to Michael Todd at the NYSDEC regarding the stocking of trout in two Town ponds. Disposition = For Resolution**
624. **Town Justices to Supervisor and Town Board –**  
**Request for resolution to appoint Rachel Dennis to the position of part-time seasonal clerk in the Town Court effective September 17, 2018 through November 30, 2018, to assist with training two new court clerks. Disposition = Resolution 10/1/18**
625. **Town Clerk to Various News Media –**  
**Press release reminding residents that a night depository is located at the entrance to the new addition of Town Hall facing Clark Street which can be used to deposit payments of Town, County and School taxes. Disposition = Received & Filed**
626. **Patrol Captain Laurienzo to Supervisor –**  
**Request for resolution to purchase one new and unused 2019 Chevrolet Tahoe 4WD vehicle from Joe Basil Chevrolet, 5111 Transit Road, Depew, NY. Disposition = Resolution 10/1/18**
627. **Park Crew Chief to Town Board –**  
**Request for resolution to have ceramic tile installed at the Meadow Lea Park pool house by Custom Carpet Center, S2847 Southwestern Blvd, Orchard Park, NY. Disposition = Resolution 10/1/18**
628. **Park Crew Chief to Town Board –**  
**Request for resolution to reject all bids received for the roofs at Parks & Recreation, Office of Emergency Management and Keysa Pool Utility Room, and request for resolution to re-authorize publication for a bid for rehabilitation of the roof systems at Parks & Recreation, Office of Emergency Management, and Keysa Park Pool Utility Room. Disposition = Resolution 10/1/18**
629. **U.S. Senator Charles E. Schumer to Supervisor –**  
**Information regarding Farm to School Program. Disposition = Received & Filed**
630. **Park Crew Chief to Town Board –**  
**Request for resolution to authorize publication for a bid for rehabilitation of the roof systems at Keysa Park Pool House and Meadow Lea Park Building. Disposition = Resolution 10/1/18**

- 631. Park Crew Chief to Town Board –  
Request for resolution to purchase one T650 T4 Bobcat Compact Track Loader from Clark Equipment Co. DBA Bobcat Co., 250 East Beaton Dr., West Fargo, ND with equipment trade-ins. Disposition = Resolution 10/1/18**
- 632. Park Crew Chief to Town Board –  
Request for resolution to purchase one T650 T4 Bobcat Compact Track Loader from Clark Equipment Co. DBA Bobcat Co., 250 East Beaton Dr., West Fargo, ND with trade-in of 2016 Bobcat T650 MO27.  
Disposition = Resolution 10/1/18**
- 633. Youth Bureau Executive Director to Supervisor and Town Board –  
Request for resolution to allow Executive Director of the Youth Bureau to attend the Association of New York State Youth Bureaus 2018 Annual Youth Development Training Conference in Tarrytown, NY from Oct. 23 through Oct. 25, 2018. Disposition = Resolution 10/1/18**
- 634. Town Clerk to Various News Media –  
Press release announcing additional hours at the Tax Office for collection of School taxes. Disposition = Received & Filed**
- 635. Charles Welch to Planning Board Chairman –  
Comments and concern about low water pressure regarding the proposed Stutzman Road Subdivision. Disposition = Planning Committee**
- 636. Planning Board to Town Board –  
Memo recommending the formation of an Implementation Committee to the Town Board. Disposition = Planning Committee**
- 637. Deputy Highway Superintendent to Town Board –  
Request for resolution appointing Meghan Murray to the position of Clerk Typist in the Town Highway Department effective October 1, 2018.  
Disposition = Resolution 10/1/18**
- 638. Park Crew Chief to Town Board –  
Request for resolution appointing Robert Giroux to the new position of Director of Recreation II to the Park and Recreation Dept. Also, request for resolution granting Robert Giroux a two-year leave of absence from his current position as a Laborer in the White Collar Unit. Disposition = Resolution 10/1/18**
- 639. Police Chief to Town Clerk –  
Articles and communications. Disposition = Received & Filed**

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER RUFFINO AND SECONDED BY  
COUNCIL MEMBER GACZEWSKI AND CARRIED,** the meeting was adjourned at  
8:21 P.M.

Signed \_\_\_\_\_

Diane M. Terranova, Town Clerk