

Town Board Minutes

February 4, 2019

Meeting No. 3

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 4th day of February 2019 at 7:00 P.M. and there were

PRESENT: ADAM DICKMAN, 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
MICHELLE BARBARO, PARK CREW CHIEF
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.

EXECUTIVE SESSION:

AT 7:53 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER GACZEWSKI, SECONDED BY COUNCIL MEMBER WALTER AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing a matter which will impair the public safety if disclosed.

At 8:13 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:

Guarino, Sherry, spoke to the Town Board on the following matter:

- Spoke about employee time off because of weather.

Martino, Patrick, Waste Management Representative, spoke to the Town Board on the following matter:

- Spoke about the new refuse roll out.

Rybacki, Lynn, Representing Legislator John Brusco, spoke to the Town Board on the following matters:

- Opiate cases are descending in Erie County.
- Spoke about the storm coverage.
- Congratulated nominees for the Lancaster Depew Chamber of Commerce Women in Business awards.

Timm, Dawn, Director, Division of Environmental/Solid Waste Niagara County DPW, spoke to the Town Board on the following matter:

- Spoke about the new refuse roll out.

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 Regular Meeting of the Town Board held January 22, 2019 be and are hereby approved.

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

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

February 4, 2019

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. 55582 to Claim No. 55716 Inclusive

Total amount hereby authorized to be paid: \$1,398,319.30

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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 4, 2019

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
29241		4757 Transit LLC	4757 Transit Rd	Er. Sign - Temp	
29242		Bison Building Solutions	5360 Genesee St	Er. Comm. Add./Alt.	
29243		George Lund	720 Townline Rd	Inst. Fireplace/Stove	
29244		Anthony Gliszczynski	12 Banner Ave	Er. Fence	(V/L)
29245		Crist Construction	32 Pear Tree Ln	Er. Porch Cover	
29246		Black Hat Chimney & Fireplace	29 Stony Brook Dr	Inst. Fireplace/Stove	
29247		Deltex Electric Inc.	45 Kelly Ct	Inst. Generator	(V/L)
29248		Fairways at Lancaster Holdings	5354 Genesee St	Er. Comm. Add./Alt.	
29249		Travis & Julie Wilhite	63 Middlebury Ln	Er. Shed	
29250		Essex Homes of WNY	29 Weathersfield Ln	Er. Dwlg.-Sin.	
29251		Russell Renovations WNY Inc.	2 Carlisle St	Er. Res. Alt.	
29252		Philip Woodard	32 Ashley Dr	Er. Fence	(V/L)
29253		Eileen Nosal	1218 Penora St	Re-Roof	
29254		Robert Monti	5813 Broadway	Er. Sign - Temp	
29255		Zenner & Ritter Co., Inc.	679 Ransom Rd	Inst. Generator	

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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 4, 2019

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

WHEREAS, §1660 (18) Vehicle and Traffic Law permits the Town to designate the location of stop signs and no-passing zones affecting Town roads outside of the Villages of Lancaster and Depew, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER",

NOW, THEREFORE,
BE IT RESOLVED, that pursuant to §130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 19th day of February, 2019, at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing will be published in the Official Newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, 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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 4, 2019

**LEGAL NOTICE
PUBLIC HEARING
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED AS CHAPTER 46 OF CODE OF TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to 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 4th day of February, 2019, the said Town Board will hold a Public Hearing on the 19th day of February, 2019, at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

CHAPTER 46

**Article STOP INTERSECTIONS; NON-INTERSECTION STOPS;
YIELD INTERSECTIONS**

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

Summerfield Farms Subdivision

STREET NAME:	INTERSECTING STREET:	SIGN LOCATION:
Apple Blossom Boulevard	Avian Way	S. E. Corner

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**

February 7, 2019

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 the proposed minor subdivision development submitted by Mark and Kimberly Passucci consisting of 2 Lots on a +/- 1 acre parcel located at 5113 William Street (SBL No. 115.20-4-47.1) in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Planning Board has reviewed the environmental impact of this subdivision project pursuant to SEQR regulations at their meeting on January 16, 2019 and recommended that a Negative Declaration be issued, and

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

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

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

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

1. This project is described as a proposed 2-Lot subdivision consisting of Lot 1 being 0.58 ac. And Lot 2 being 0.42 ac, submitted by Mark and Kimberly Passucci which is located at 5113 William Street (SBL No. 115.20-4-47.1) 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; for this reason the Town 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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 4, 2019

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: February 4, 2019

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

The Town Board of the Town of Lancaster has reviewed the proposed minor subdivision development submitted by Mark and Kimberly Passucci consisting of 2 Lots on a +/- 1 acre parcel located at 5113 William Street (SBL No. 115.20-4-47.1). 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: Passucci 2-Lot Subdivision

Location of Action: 5113 William Street (SBL No. 115.20-4-47.1), Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted

Description of Action: Construction of a proposed 2-Lot subdivision consisting of Lot 1 being 0.58 ac. and Lot 2 being 0.42 ac.

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

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

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? **No.**
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna)? **No.**
 - **Action of the parcels splitting for this project does not cause a drainage issue. The current drainage issue arises from a dispute with the adjoining land owner from a previous parcel split in 2014.**
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No.**
11. Will the proposed action create a hazard to environmental resources or human health? **No.**

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 RUFFINO, TO WIT:

WHEREAS, the developer has requested the Town Board of the Town of Lancaster accept completed Public Improvement within The Fairways at Lancaster – Anna Drive Water Line Extension within the Town of Lancaster, and

WHEREAS, the Town Engineer by letter to the Town Clerk dated January 17, 2019 has inspected the improvement and has recommended the approval thereof, and

NOW, THEREFORE,

BE IT RESOLVED, that completed Public Improvement No. 743 Waterline within The Fairways at Lancaster – Anna Drive Water Line Extension be and are hereby approved and accepted by the Town Board 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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 4, 2019

File: RPIP (P5)

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

WHEREAS, J. Renkas and Sons Inc., d/b/a AJ's Auto Parts & Salvage, 955 Ransom Road, Lancaster, New York 14086 has applied for a license to conduct a salvage yard on premises situate at 955 Ransom Road within the Town of Lancaster, pursuant to Chapter 4-3 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Town Board for review, and

WHEREAS, the Building Inspector, by letter dated January 9, 2019 and received January 28, 2019 at the Town Clerk's Office has notified the Town Board that he has completed his review and made a favorable recommendation thereto.

NOW, THEREFORE,

BE IT RESOLVED, that J. Renkas and Sons Inc., d/b/a AJ's Auto Parts & Salvage, 955 Ransom Road, Lancaster, New York be and is hereby authorized to conduct a salvage yard on premises situate at 955 Ransom Road, Lancaster, New York for the period February 4, 2019 to December 31, 2019 in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk.

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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 4, 2019

File: rsalvage yard license (P2)

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

WHEREAS, the Town of Lancaster received a site plan application from the Niagara Lutheran Health System proposing to construct a 9,300 s.f. child care and wellness center addition on their Greenfield Campus located at 5959 Broadway (SBL No. 116.02-2-2.1) on an ± 52 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 DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 4, 2019

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

WHEREAS, the Town of Lancaster received a site plan application from Boden, LLC proposing to construct multiple warehousing buildings which will include two 98,000 s.f. storage warehouses and a 120,000 s.f. distribution warehouse with attached 15,000 s.f. office building on the existing Robert James Sales, Inc. facility located at 4543 Walden Avenue (SBL Nos. 95.00-3-4.111 & 95.00-3-6.112) on an ± 45.31 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 DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 4, 2019

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

WHEREAS, Southeast Works A Division of People, Inc., offers a program for Developmentally Disabled adults in the communities of Lancaster, Alden, Marilla, Aurora, East Aurora and Wales, and

WHEREAS, this program consists of development, pre-vocational and work activity training programs for those individuals who are clients of Southeast Works, and

WHEREAS, Southeast Works is presently located at 181 Lincoln Street, Depew, New York 14043 and its services in the areas of evaluation, tutoring, development of self-help skills, personal adjustment training, recreation and counseling are of substantial benefit to residents of the Town of Lancaster, and

WHEREAS, Southeast Works, has offered to contract with the Town of Lancaster for the aforementioned services during the year 2019 for the total sum of One Thousand Dollars (\$1,000.00);

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

1. That the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute an Agreement with **Southeast Works A Division of People, Inc.,** for a program for Developmentally Disabled adults residing in the Town of Lancaster for developmental, pre-vocational and work activity training programs together with evaluation, tutoring and development of self-help skills, personal adjustment training, recreation and counseling; such services to be provided to those individuals who are clients of Southeast Works.

2. That the sum of One Thousand Dollars (\$1,000.00) will be paid by the Town to Southeast Community Work Center, Inc., in four equal quarterly payments: January 1st, April 1st, July 1st, and October 1st, 2019.

3. This Agreement is subject to the approval of the Town Attorney and appropriate State and County agencies or departments, where such approval is mandated by 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 DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 4, 2019

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

WHEREAS, Michelle Barbaro, Park Crew Chief of the Town of Lancaster, by letter dated January 24, 2019 has requested authorization to solicit bids for the purchase of one (1) new and unused **2019 Ford F-350 4 x 4 Crew Cab 6¾ Foot Box Pickup with Plow** for the use by the Department of Parks, Recreation & Forestry, and

WHEREAS, the Parks Department will be considering a trade-in allowance for a 2014 Ford F-250 4 x 4 Reg. Cab 8' Box Pick-up with Plow (VIN# 1FTBF2B60DEA64200 w/ approx. 85,000 mi.) to offset the cost, and

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

NOW, THEREFORE,
BE IT RESOLVED, as follows:

1. That all Sealed Bids for the purpose of purchasing One (1) new and unused **2019 Ford F-350 4 x 4 Crew Cab 6¾ Foot Box Pickup with Plow**, for the use of the Parks Department, shall be received in the Office the Town Clerk by February 26, 2019, at 10:00 A.M. Local Time and opened thereafter in the Council Chamber of the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York in accordance with specifications on file in the Town Clerk's Office, and
2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof;

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

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

February 4, 2019

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

NOTICE IS HEREBY GIVEN, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in her office located at 21 Central Avenue, Lancaster, New York, up to **10:00 A.M.**, Local Time, on the **26th day of February, 2019**, for the purpose of providing to the Town of Lancaster One (1) new and unused **2019 Ford F-350 4 x 4 Crew Cab 6³/₄ Foot Box Pickup with Plow**, for use by the Parks, Recreation & Forestry Department, in accordance with specifications on file in the Town Clerk's Office.

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

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

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

February 7, 2019

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER DICKMAN, 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 January 28, 2019 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>
Jennifer Lynn Gorski Buffalo, NY	Dog Control Officer	\$13.00	February 4, 2019

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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 4, 2019

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

WHEREAS, the Recreation Supervisor-Senior Citizens, of the Town of Lancaster Senior Center, by letter dated January 18, 2019 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 Lancaster Senior Center, 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>
Rose Marie Janik Lancaster, NY	Recreation Attendant	\$12.00	February 5, 2019

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

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

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

February 4, 2019

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

BE IT RESOLVED, that Jennifer Uldrich be and is hereby appointed as Member of the Town of Lancaster Ethics Board for a term beginning on February 4, 2019 and ending on December 31, 2020.

BE IT FURTHER,

RESOLVED that Keith Stoerr be and is hereby appointed as Member of the Town of Lancaster Ethics Board for a term beginning on February 4, 2019 and ending on December 31, 2022.

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

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

February 4, 2019

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

WHEREAS, every March when Sunshine Week is being observed, government officials, the media and citizens show their support for open government, and

WHEREAS, the Buffalo Niagara Coalition for Open Government prepared a list of Best Practices which they believe every municipality should follow in support of open government;

NOW THEREFORE

BE IT RESOLVED, the Town Board of the Town of Lancaster does hereby support Open Government and is committed to the Best Practices as provided by the Buffalo Niagara Coalition for Open Government,

BE IT FURHTER RESOLVED, that the Town Board of the Town of Lancaster:

1. Will post our meeting agendas and agenda documents online, at least 48 hours before our meetings occur.
2. Will post draft meeting minutes online, two weeks after our meetings.
3. Will allow citizens to speak at the beginning of our meetings regarding agenda items or non-agenda items, before we vote.
4. Supports video recording of our meetings and posting of the video online for the public to see. We are already audio recording and posting our meetings online.
5. Believes government meetings should be conducted in public for citizens to observe and we will only conduct executive sessions in accordance with the New York State Open Meetings Law. We understand that a motion to hold an executive session to discuss “litigation”, “personnel”, or “collective bargaining” is not sufficient, as the Open Meetings Law requires motions to state more information when holding an executive session.
6. As a local government with a population under 50,000, supports having our elected officials voluntarily complete an Annual Financial Disclosure Form and posting the completed forms on our government website for the public to see.

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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 4, 2019

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

RESOLVED, that the following Schedule of Salaries be and is hereby adopted effective
 January 1, 2019: (amounts represent annual salaries unless otherwise specified)

TO BE PAID BI-WEEKLY

ASSESSMENT REVIEW BOARD:

Assessment Review Board Chairperson (Molino)	225.00 per day
Assessment Review Board Members (Braniecki/Fialkiewicz/ Imiola/Ostrowski)	175.00 per day
Secretary to Assessment Board of Review P.T. (Carlton)	15.61 per hour

ASSESSOR:

Assessor (Baker)	52,530.00
Clerk P.T. (Powell)	17.30 per hour

BINGO/GAMES OF CHANCE:

Account Clerk P.T. (Anstett)	75.00 per inspection
Bingo Inspector P.T. (Crinzi - includes mileage)	75.00 per inspection
Bingo Inspector P.T. (Farruggio/Weremblewski/Wojtowicz – includes mileage)	70.00 per inspection

BUILDING INSPECTION:

Clerk P.T. (Flanagan)	19.16 per hour
Code Enforcement Officer (Fischione)	69,655.00
Fire Inspector P.T. (Revelas)	18.57 per hour

COUNCIL MEMBERS:

Councilman (Dickman/Gaczewski/Ruffino/Walter)	19,741.00
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COURT:

Clerk to Town Justice (J. Ciccarelli/L. Keppner)	
Hired 08/20/18 on step	
Full Rate is 46,759.00 after two years	
85% of full rate 01/01/19 – 08/19/19	39,745.00
90% of full rate 08/20/19 – 12/31/19	42,083.00
Court Officer P.T. (Centinello/Fitzpatrick/M. Jablonski/ MacPeck/Morris/Niescier/A. Revelas)	18.54 per hour
Town Justice (Cervi/Colby)	44,448.00

DISASTER PREPAREDNESS:

Natural Disaster Services Coordinator P.T. (R. Rozler)	19,331.00
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HIGHWAY ADMINISTRATION:

Highway Superintendent (Amatura)	74,058.00
Highway Superintendent (Parks & Rec. Oversight) (Amatura)	5,202.00
Town Drainage Officer P.T. (Amatura)	5,783.00

PARKS, RECREATION, FORESTRY, AND BUILDINGS:

Cleaner P.T. (Pawlak/Snyder/D. Speyer)	15.45 per hour
Director of Recreation II (Giroux)	28.44 per hour
Laborer P.T. (Gerstein/Rybacki/N. Speyer)	12.00 per hour
Laborer P.T. (Cook/Lubera/Monin)	14.00 per hour
Park Crew Chief (Barbaro)	29.29 per hour
Recreation Attendant P.T. (Becker/Garby/Guarino/Hunter/ H. Huxley/S. Huxley/Jankowski/Lis/Markut/D. Mescall/ J. Mescall/Musso/Pignataro/Palma/Plonka/Radecki/ Saffire/Schurkus/Smith/M. Speyer/Wozniak)	12.00 per hour
Recreation Attendant P.T. (Kucewicz)	14.00 per hour
Recreation Attendant P.T. (Skolikas)	14.25 per hour

PLANNING BOARD:

Secretary to Planning Board P.T. (Maciejewski)	115.00 per meeting
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POLICE:

Clerk Typist (Confidential) (Sharkey)	46,759.00
School Crossing Guard P.T. (D. R. Chapman/D. W. Chapman)	13.39 per hour

SENIOR CENTER:

Recreation Attendant P.T. (Bastian/Bastedo//Burns/Gangloff/ Greco/Heist/Iskiewicz/Suttell/Szczesniak)	12.36 per hour
Recreation Attendant P.T. (K. Herdzik)	15.00 per hour
Recreation Instructor P.T (Chatham)	12.36
Recreation Instructor P.T. (Gaffney/Jankiewicz/Kiesznoski/ Olivieri)	30.00 per hour
Recreation Supervisor-Senior Citizens (Gianni)	
Hired 02/20/17 on step	
Full Rate is 54,590.00 after two years	
95% of full rate 01/01/19 – 02/19/19	51,861.00
Full rate 02/20/19 – 12/31/19	54,590.00
Van Driver P.T. (Bastedo/Bastian/Conklin/Ederer/Gangloff/ Griffith/Hastreiter/A. Herdzik/Morgus/Rinow/Sroda/ Suttell)	13.39 per hour

SUPERVISOR:

Assistant to the Supervisor (Farmer)	55,963.00
Assistant to the Supervisor (LIDA PILOT billing)	3,000.00
Director of Administration and Finance (Brown)	92,100.00
Director of Administration and Finance (LIDA CFO)	7,500.00
Director of Administration and Finance (LIDA PILOT billing)	3,000.00
Payroll Supervisor (Fay)	55,963.00
Secretary to Supervisor (J. Korzeniewski)	46,759.00
Supervisor (Coleman)	71,098.00
Supervisor (Budget Officer)	5,000.00

TOWN ATTORNEY:

Clerk Typist (Confidential) (Braun)	46,759.00
(Secretary to Town Prosecutor, SEQR Coordinator)	
Town Attorney (Loftus)	48,223.00
Town Prosecutor (Graber)	13,390.00

TOWN CLERK:

Clerk P.T. (Feldmann/Lutz)	17.30 per hour
Clerk Typist (Secretary to LIDA) (Nowak)	7,500.00
Deputy Receiver of Taxes (Stock)	60,609.00
Deputy Town Clerk (Loecher)	46,759.00
Deputy Town Clerk (Martin)	60,609.00
Town Clerk (Terranova)	75,499.00
Town Clerk (Records Management Officer) (Terranova)	6,935.00

YOUTH BUREAU:

Clerk P.T. (Darmstedter/Sporysz/Trusiak)	11.10 per hour
Executive Director – Youth Board (Trojanowsky)	77,694.00
Tutor P.T. (Doyle/Peters/Young)	13.00 per hour
Tutor P.T. (Bulera/Casali/Gardziella/Heffler/Kirwan/Metz/ Parks/Schiavi/Shields/Smith/Wright)	16.00 per hour
Tutor P.T. (McDonald)	17.00 per hour

TO BE PAID SEMI-ANNUALLY

Planning Board Chairperson (Connelly)	4,418.00 per annum
Planning Board Members (Anderson/Gorski/Keefe/Keysa L. Korzeniewski/McCracken/Szymanski)	3,453.00 per annum
Zoning Board of Appeals Chairperson (Quinn)	2,257.00 per annum
Zoning Board of Appeals Members (Beutler/Mikoley/ Monacelli/Pignataro/Sojka/Swigonski)	1,752.00 per annum
Clerk to Zoning Board of Appeals (Terranova)	3,598.00 per annum
Registrar of Vital Statistics (Terranova)	3,060.00 per annum

BE IT FURTHER RESOLVED, that effective January 1, 2019, non-represented full-time employees and the Town Supervisor, Town Clerk, and Highway Superintendent, who are eligible for health insurance coverage from the Town, shall pay 9.0% of the premium equivalent cost of such coverage that they select, and the waiver payment made to such employees for declining health insurance coverage shall be reduced accordingly, pursuant to procedures established by the Director of Administration and Finance;

BE IT FURTHER RESOLVED, that the terms of this resolution shall supersede the relevant terms of any previously adopted resolution, policies, or practices to the contrary;

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	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 4, 2019

COMMUNICATIONS & REPORTS

60. **Captain Laurienzo to Supervisor –**
Request for ordinance relative to placement of stop sign at southeast corner of Apple Blossom Blvd. and Avian Way. Disposition = Resolution 2/4/19
61. **Barclay Damon to Town Clerk –**
Request for Site Plan – 5354 Genesee Street to be placed on Town Board Agenda for January 22, 2019. Disposition = Resolution 1/22/19
62. **Town Clerk to Code Enforcement Officer –**
Copy of letter from Ronald M. Fronckowiak, 10 Sussex Lane requesting a renewal of his Special Use Permit. Disposition = For Resolution
63. **Town Clerk to Code Enforcement Officer –**
Copy of letter from James Macken, 6479 Broadway requesting a renewal of his Special Use Permit. Disposition = For Resolution
64. **State Senator Patrick Gallivan to Supervisor –**
Response regarding Governor’s proposal to reduce state funding through the Aid and Incentive for Municipalities program, or AID.
Disposition = Received & Filed
65. **Town Engineer to Town Board –**
Recommend the Town accept Public Improvement Permit #743, Anna Drive Water Line Extension. Disposition = Resolution 2/4/19
66. **NYS Public Service Commission to Supervisor –**
Notice of Information Forums and Public Statement Hearing regarding NextEra Energy Transmission New York, Inc. to construct and operate the Empire State Line Project.
Disposition = Town Attorney, Town Engineer & Code Enforcement Officer
67. **Town Clerk to Code Enforcement Officer –**
Copy of letter from Tom Manko, 4885 Transit Road requesting a renewal of his Special Use Permit. Disposition = For Resolution
68. **Planning Board Chairman to Town Board, Planning Board, Engineering Consultant, Town Attorney, Highway Superintendent and Building Inspector –**
Draft copy of minutes from January 16, 2019 Planning Board meeting.
Disposition = Planning Committee
69. **Planning Board to Town Board –**
Memo recommending approval of site plan review for Linguine’s Italian Restaurant, 5354 Genesee St. Disposition = Planning Committee
70. **Town Clerk to Town Engineer and Building Inspector –**
Transmittal of Application for a Dumping Permit from Pelican Lake trust, 3803 Bowen Road. Disposition = For Resolution
71. **Town Clerk to Code Enforcement Officer –**
Copy of letter from Joe Basil Chevrolet, 5077 Transit Road requesting a renewal of their Special Use Permit. Disposition = For Resolution
72. **Genevieve Fontana to Supervisor –**
Letter of support for Rollout Recycling Trash Containers with lids to contain recyclables. Disposition = Received & Filed
73. **Town Attorney to Town Board and Planning Board –**
SEQR response from NYS Dept. of Parks, Recreation and Historic Preservation regarding Multifamily Development, 5153 Transit Rd., Proj. #1810.
Disposition = Planning Committee

74. **WNY Plumbing to Town Clerk –**
Request for extension for the completion of 3-Lot Subdivision 455 Pleasant View Drive, Permit Nos. 776, 777, 778. Disposition = Planning Committee
75. **Park Crew Chief to Town Board –**
Request for authorization for publication of a bid for new and unused 2019 Ford F-350 4X4 Crew Cab, 6 3/4 foot Box Pickup with plow.
Disposition = Resolution 2/4/19
76. **Pelican Lake Trust to Town Clerk –**
Application for Dumping Permit for 3803 Bowen Road, Lancaster, NY.
Disposition = Code Enforcement Officer
77. **Supervising Code Enforcement Officer to Town Clerk –**
Request for resolution authorizing the issuance of 2019 License to Operate a Salvage Yard for J. Renkas & Sons d/b/a AJA's Auto Parts & Salvage, 955 Ransom Road. Disposition = Resolution 2/4/19
78. **Supervising Code Enforcement Officer to Town Board –**
Recommend renewal of Special Use Permit for Ronald M. Fronckowiak, 10 Sussex Lane. Disposition = For Resolution
79. **Supervising Code Enforcement Officer to Town Board –**
Recommend renewal of Special Use Permit for James Macken, 6479 Broadway.
Disposition = For Resolution
80. **Supervising Code Enforcement Officer to Town Board –**
Recommend renewal of Special Use Permit for Tom Manko, 4885 Transit Rd.
Disposition = For Resolution
81. **Town Engineer to Planning Board Chairman –**
Comments regarding Sketch Plan dated June 2018 for Stutzman Road Subdivision. Disposition = Planning Committee
82. **Town Attorney to Town Board and Planning Board –**
SEQR response from Erie County Dept. of Public Works regarding Summerfield Farms 8 Final Plat, 55 Patio Homes, William Street, Proj. #3041.
Disposition = Planning Committee
83. **NYS Public Service Commission to Supervisor –**
Information regarding NextEra Energy Transmission, NY, Inc. Proposed Facility. Disposition = Town Engineer & Code Enforcement Officer
84. **William Ostrander to Town Clerk –**
Letter of resignation from Town of Lancaster Ethics Board effective immediately. Disposition = Received & Filed
85. **Rev. Paul Steller, Pastor St. Mary's of the Assumption to Supervisor –**
Request for use of Westwood Park Pavilion for Easter Sunday Sunrise Mass, April 21, 2019. Disposition = Parks Crew Chief
86. **Dog Control Officer to Supervisor and Town Board –**
Request for resolution appointing Jennifer Lynn Gorski to the position of Dog Control Officer, part-time, effective February 4, 2019.
Disposition = Resolution 2/4/19
87. **Recreation Supervisor to Supervisor and Town Board –**
Request for resolution appointing Rose Marie Janik to the position of Recreation Attendant, permanent, part-time for the Senior Citizens Center, effective February 5, 2019. Disposition = Resolution 2/4/19

- 88. Jennifer Uldrich to Town Board –
Request for consideration for appointment to the Town of Lancaster Ethics Board. Disposition = Resolutin 2/4/19**
- 89. Keith Stoerr to Town Board –
Request for consideration for appointment to the Town of Lancaster Planning Board and the Town of Lancaster Ethics Board. Disposition = Resolution 2/4/19**
- 90. Executive Director Youth Bureau to Supervisor and Town Board –
Request for adjustment of hourly rates for eight tutors, part-time, effective January 1, 2019. Disposition = Resolution 2/4/19**
- 91. Police Chief to Town Clerk –
Article and communications. Disposition = Received & Filed**
- 92. Code Enforcement Officer to Town Board –
Recommended requirements for approval of Application for Dumping Permit for Pelican Lake Trust, 3803 Bowen Road.
Disposition = Planning Committttee**
- 93. Town Clerk to Various News Media –
Press Release announcing additional hours for the collection of Town and County taxes. Disposition = Received & Filed**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER WALTER AND SECONDED BY
COUNCIL MEMBER RUFFINO AND CARRIED,** the meeting was adjourned in memory
of Phillip Ceppaglia and Phyllis LaChat at 8:14 P.M.

Signed _____

Diane M. Terranova, Town Clerk