Town Board Minutes

June 3, 2019
Meeting No. 12

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 3rd day of June 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
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.

EXECUTIVE SESSION:

AT 7:44 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER GACZEWSKI, SECONDED BY COUNCIL MEMBER DICKMAN AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing a matter leading to the promotion of a particular person.

At 8:10 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:

**Sean Hopkins**, spoke to the Town Board on the following matter:
- Comments regarding the Windsor Ridge South Phase 2 SEQR determination.

**Ryback, Lynn**, Representing Legislator John Bruso, spoke to the Town Board on the following matter:
- Update on Lake Avenue road resurfacing and the goat project in Como Lake Park.

**Schlager, Georgia**, spoke to the Town Board on the following matter:
- Thanked the town for picking up grass clippings.

**Tulumelo, Jennifer**, spoke to the Town Board on the following matter:
- Questions regarding traffic on Pleasantview Road while new waterline is being installed.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: Special Use Permit – Towne AVW, Inc 5243 and 5255 Genesee Street and 00 Home Road, Bowmansville

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

At 7:16 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Special Use Permit - Towne AVW, Inc. D/B/A Audi Buffalo and Towne Volkswagen 5243 and 5255 Genesee Street and 00 Home Road, Bowmansville matter.

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

<table>
<thead>
<tr>
<th>NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT</th>
<th>Proponent/ Opponent/ Comments/Question</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tim Schmidt, General Manager of Towne AVW</td>
<td>Proponent</td>
</tr>
</tbody>
</table>

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

Decision on this matter was reserved.

June 3, 2019
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 May 20, 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    ABSTAINED
COUNCIL MEMBER GACZEWSKI    VOTED YES
COUNCIL MEMBER RUFFINO      VOTED YES
COUNCIL MEMBER WALTER       VOTED YES
SUPERVISOR COLEMAN          VOTED YES

* Council Member Dickman was absent from the May 20th meeting.

June 3, 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. 56883 to Claim No. 57005 Inclusive
Total amount hereby authorized to be paid: $609,419.25

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

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Voted</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>COUNCIL MEMBER DICKMAN</td>
<td>VOTED</td>
<td>YES</td>
</tr>
<tr>
<td>COUNCIL MEMBER GACZEWSKI</td>
<td>VOTED</td>
<td>YES</td>
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<tr>
<td>COUNCIL MEMBER RUFFINO</td>
<td>VOTED</td>
<td>YES</td>
</tr>
<tr>
<td>COUNCIL MEMBER WALTER</td>
<td>VOTED</td>
<td>YES</td>
</tr>
<tr>
<td>SUPERVISOR COLEMAN</td>
<td>VOTED</td>
<td>YES</td>
</tr>
</tbody>
</table>

June 3, 2019

File: Rclaims
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:

<table>
<thead>
<tr>
<th>Pmt #</th>
<th>SW</th>
<th>Applicant Name</th>
<th>Address</th>
<th>STRUCTURE</th>
<th>Village</th>
</tr>
</thead>
<tbody>
<tr>
<td>29638</td>
<td>29</td>
<td>Paul Gregg</td>
<td>39 Benson Dr</td>
<td>Er. Pool-Abv Grd</td>
<td>(V/L)</td>
</tr>
<tr>
<td>29650</td>
<td>29</td>
<td>JD Gould Living Trust</td>
<td>68 Kelly Ct</td>
<td>Inst. Generator</td>
<td>(V/L)</td>
</tr>
<tr>
<td>29649</td>
<td>29</td>
<td>First Buffalo Total Basement</td>
<td>4949 Transit Rd</td>
<td>Er. Signs</td>
<td></td>
</tr>
<tr>
<td>29642</td>
<td>29</td>
<td>Robert Leach</td>
<td>20 Gale Dr</td>
<td>Er. Shed</td>
<td></td>
</tr>
<tr>
<td>29639</td>
<td>29</td>
<td>Sahlem's Roofing &amp; Siding Inc.</td>
<td>17 Fox Trace</td>
<td>Re-Roof</td>
<td></td>
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<tr>
<td>29644</td>
<td>29</td>
<td>The KAZ Company</td>
<td>35 Newberry Ln</td>
<td>Er. Porch Cover</td>
<td></td>
</tr>
<tr>
<td>29645</td>
<td>29</td>
<td>Superior Painting Remodeling</td>
<td>77 Newberry Ln</td>
<td>Er. Porch</td>
<td></td>
</tr>
<tr>
<td>29646</td>
<td>29</td>
<td>Superior Painting Remodeling</td>
<td>81 Michael Anthony Ln</td>
<td>Er. Porch</td>
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<tr>
<td>29647</td>
<td>29</td>
<td>Irwin Roofing</td>
<td>600 Harris Hill Rd</td>
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<tr>
<td>29648</td>
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<td>Switala's Siding Cedar Inc.</td>
<td>67 Kennedy Ct</td>
<td>Re-Roof</td>
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<tr>
<td>29649</td>
<td>29</td>
<td>Switala's Siding Cedar Inc.</td>
<td>6 Impala Pky</td>
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<tr>
<td>29650</td>
<td>29</td>
<td>Samuel Gerace</td>
<td>5 Bennington Ln</td>
<td>Er. Fence</td>
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<tr>
<td>29651</td>
<td>29</td>
<td>Brian Marafino</td>
<td>17 E Payne St</td>
<td>Er. Fence</td>
<td>(V/L)</td>
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<tr>
<td>29652</td>
<td>29</td>
<td>Christopher David</td>
<td>27 Quail Run Ln</td>
<td>Er. Porch Cover</td>
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<tr>
<td>29653</td>
<td>29</td>
<td>Jason Bourque</td>
<td>28 Hidden Meadow Crt</td>
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<tr>
<td>29654</td>
<td>29</td>
<td>Donald DiGiacomo</td>
<td>307 Enchanted Forest N</td>
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<td>29655</td>
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<td>Donald Majka</td>
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<td>29656</td>
<td>29</td>
<td>Kimberly Guasteferro</td>
<td>36 Park Blvd</td>
<td>Dem. Garage</td>
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<td>29657</td>
<td>29</td>
<td>Chris Bona</td>
<td>54 Middlebury Ln</td>
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<td>29658</td>
<td>29</td>
<td>Deanna Russell</td>
<td>45 Garfield St</td>
<td>Dem. Garage</td>
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<td>29659</td>
<td>29</td>
<td>Anthony Siresi</td>
<td>288 Iroquois Ave</td>
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<td>29660</td>
<td>29</td>
<td>Darrin Harzewski</td>
<td>9 Maple Ave.</td>
<td>Er. Fence</td>
<td>(V/L)</td>
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<tr>
<td>29661</td>
<td>29</td>
<td>Jenn Co.</td>
<td>292 Ransom Rd</td>
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<tr>
<td>29662</td>
<td>29</td>
<td>Divert Properties, LLC</td>
<td>21 Ivy Way</td>
<td>Er. Res. Alt.</td>
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<tr>
<td>29663</td>
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<td>Sean Collins</td>
<td>34 Pear Tree Ln</td>
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<tr>
<td>29664</td>
<td>29</td>
<td>The Gutter People of WNY Inc.</td>
<td>30 Vandenb</td>
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<td>29665</td>
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<td>Frank's Commercial &amp; Home</td>
<td>88 Wilkshire Pl</td>
<td>Er. Res. Alt.</td>
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<tr>
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<td>Diana McCrobie</td>
<td>6 Maple Dr</td>
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<td>29667</td>
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<td>Empire Granite and Marble LLC</td>
<td>48 Pheasant Run Ln</td>
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<td>29668</td>
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<td>Zemmer &amp; Ritter Co. Inc.</td>
<td>12 Htd Trl</td>
<td>Inst. Generator</td>
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<tr>
<td>29669</td>
<td>29</td>
<td>Matthew Russo</td>
<td>377 Central Ave</td>
<td>Er. Fence</td>
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<td>29670</td>
<td>29</td>
<td>Mark Millonzi</td>
<td>26 Chestnut Corner</td>
<td>Er. Fence</td>
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<td>29671</td>
<td>29</td>
<td>Marrano/Marc Equity Corp.</td>
<td>86 Avian Way</td>
<td>Er. Dwg.-Sin.</td>
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<td>Marrano Marc Equity Corp.</td>
<td>87 Avian Way</td>
<td>Er. Dwg.-Sin.</td>
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<td>Marrano Marc Equity Corp.</td>
<td>25 Saybrook Dr</td>
<td>Er. Dwg.-Sin.</td>
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<tr>
<td>29674</td>
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<td>Lehig Construction Group Inc.</td>
<td>5522 Broadway</td>
<td>Er. Res. Alt.</td>
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<tr>
<td>29675</td>
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<td>Timothy Schick</td>
<td>16 Robins Nest Ct</td>
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<td>29676</td>
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<td>Anderson Renovations LLC</td>
<td>27 Lombardy St</td>
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<tr>
<td>29677</td>
<td>29</td>
<td>Douglas Mattingly</td>
<td>780 Townline Rd</td>
<td>Re-Roof</td>
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<tr>
<td>29678</td>
<td>29</td>
<td>Gail Brown</td>
<td>45 Sawgrass Ln</td>
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<td>29679</td>
<td>29</td>
<td>Tianyi Du</td>
<td>5345 Genesse St</td>
<td>Er. Deck</td>
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<tr>
<td>29680</td>
<td>29</td>
<td>ECC Electrical Construction</td>
<td>3 Birchwood Comm</td>
<td>Inst. Generator</td>
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<tr>
<td>29681</td>
<td>29</td>
<td>Steven Bach</td>
<td>354 Aurora St</td>
<td>Re-Roof</td>
<td>(V/L)</td>
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<tr>
<td>29682</td>
<td>29</td>
<td>Decks Unlimited Construction</td>
<td>733 Schwartz Rd</td>
<td>Er. Deck</td>
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<tr>
<td>29683</td>
<td>29</td>
<td>Buffalo Power Systems LLC</td>
<td>13 Hill Valley Dr</td>
<td>Inst. Generator</td>
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<tr>
<td>29684</td>
<td>29</td>
<td>Lancaster Plumbing Inc.</td>
<td>339 Aurora St</td>
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<tr>
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<td>Leveled Contracting Inc.</td>
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<tr>
<td>29686</td>
<td>29</td>
<td>William Robinson</td>
<td>646 Pleasant View Dr</td>
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<td>29687</td>
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<td>D Allen &amp; Son Contracting Inc.</td>
<td>30 Sawgrass Ln</td>
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<tr>
<td>29688</td>
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<td>D Allen &amp; Son Contracting Inc.</td>
<td>24 Red Clover Ln</td>
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<td>29689</td>
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<td>Beebe Construction Inc.</td>
<td>108 Sawyer Ave</td>
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<td>(V/L)</td>
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<tr>
<td>29690</td>
<td>29</td>
<td>Don Shepard</td>
<td>69 Fifth Ave</td>
<td>Re-Roof</td>
<td>(V/L)</td>
</tr>
<tr>
<td>29691</td>
<td>29</td>
<td>William Dillemuth</td>
<td>260 Peppermint Rd</td>
<td>Er. Fence</td>
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</tr>
<tr>
<td>29692</td>
<td>29</td>
<td>Wayne Wheatley</td>
<td>37 Westwood Rd</td>
<td>Re-Roof</td>
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<tr>
<td>29693</td>
<td>29</td>
<td>House Crafters LLC</td>
<td>49 Running Brook Dr</td>
<td>Er. Deck</td>
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</tbody>
</table>
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

June 3, 2019
THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WT:

WHEREAS, the Town Board is considering a +/- 2,800 S.F. building with 150 +/- S.F. foyer expansion submitted by Gary Machniak, 21 Pavement Road, to include paving a portion of existing driveway and removal of south stone drive on a +/-1.0 acre parcel located at 21 Pavement Road (SBL No. 116.08-1-71) in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Planning Board has reviewed the environmental impact of this expansion project pursuant to SEQR regulations at their meeting on May 15, 2019 and recommended a Negative Declaration be issued, and

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

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

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

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

1. This project is described as the +/- 2,800 S.F. building with 150 +/- S.F. foyer expansion located at 21 Pavement Road (SBL No. 116.08-1-71) on a +/- 1.0 acre parcel, 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 VOTED YES
SUPERVISOR COLEMAN VOTED YES

June 3, 2019
NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board
Dated: June 3, 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 +/− 2,800 S.F. building with 150 +/− S.F. foyer expansion located at 21 Pavement Road (SBL No. 116.08-1-71) on a +/− 1.0 acre parcel submitted by Gary Machniak, 21 Pavement Road; and 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:** 21 Pavement Road Building Expansion - #2010

**Location of Action:** 21 Pavement Road (SBL No. 116.08-1-71), Lancaster, New York 14086, Erie County.

**SEQR Status:** Unlisted

**Description of Action:** Construction of a 2,800 + sq. ft. building and a 150 + sq. ft. foyer connecting to an existing light industrial building located on a 1.0 ± acre parcel of land in the Town of Lancaster, Erie County, New York as well as turning 3,070 + sq. ft. of gravel drive into grass and paving 6,360 + sq. ft. of gravel drive. The Town Planning Board had previously recommended approval of this project on August 18, 2010 and the site plan was unanimously approved by the Town Board at the January 18, 2011 meeting.

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

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

7. Will the proposed action impact existing:
   
   a. public/private water supplies? **No impact.**
   b. public/private wastewater treatment utilities? **No impact.**

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? **No impact.**

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna)? **No impact.**

10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No impact.**

11. Will the proposed action create a hazard to environmental resources or human health? **No impact.**

**For Further Information:**

Contact Person: Kevin E. Loftus, Town Attorney

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

Telephone Number: (716) 684-3342
THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, the Town of Lancaster received an amended preliminary plan application (the “Amended Application”) from Windsor Ridge Partners, proposing the construction of Windsor Ridge South Phase 2 subdivision consisting of 195 +/- single family homes (the “Project”) on a ± 117 acre parcel to be located on property identified as SBL Nos. 1270.01-2-21, 127.01-3-16, 127.01-3-19, 127.01-3-20, 127.01-3-21.1 & 127.01-3-22 within the Town of Lancaster; 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 Amended Application for the Project; and

WHEREAS, the Town Board is the Lead Agency pursuant to SEQRA; and

WHEREAS, the Town Board has determined that the Project is a “Type I” Action under SEQRA; and

WHEREAS, the Planning Board has reviewed the Amended Application for the Project and has recommended to the Town Board that the negative declaration previously issued for the Project on August 20, 2007, be rescinded pursuant to 6 NYCRR 617.7(f), based upon substantive Project changes, new information, and changes in circumstances related to the Project that were not previously considered, which may result in a significant adverse environmental impact; and

WHEREAS, the Town Board intends to evaluate whether the negative declaration for the Project should be rescinded and whether a positive declaration should be issued; and

WHEREAS, it has been discovered that the Project Sponsor was not adequately notified of this decision therefore the Town Board is extending the Project Sponsor’s response period to allow them the opportunity to reply;

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

1. In accordance with 6 NYCRR 617.7(f)(2), the Town Attorney or Town Clerk’s office shall inform other involved agencies and the Project sponsor that the Town Board is considering the rescission of the negative declaration for the Project and the issuance of a positive declaration as per the Planning Board’s recommendation. This shall be accomplished by the mailing of this resolution and the Planning Board’s recommendation/minutes to the involved agencies and the Project sponsor through its designated agents.

2. All involved agencies and the Project sponsor shall have until June 12, 2019 at 4:00 PM to respond. Any responses shall be received in writing and delivered via e-mail to the Town Clerk [dterranova@lancasterny.gov] and Town Attorney [kloftus@lancasterny.gov].

3. 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:

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Voted</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>COUNCIL MEMBER DICKMAN</td>
<td>VOTED</td>
<td>YES</td>
</tr>
<tr>
<td>COUNCIL MEMBER GACZEWSKI</td>
<td>VOTED</td>
<td>YES</td>
</tr>
<tr>
<td>COUNCIL MEMBER RUFFINO</td>
<td>VOTED</td>
<td>YES</td>
</tr>
<tr>
<td>COUNCIL MEMBER WALTER</td>
<td>VOTED</td>
<td>YES</td>
</tr>
<tr>
<td>SUPERVISOR COLEMAN</td>
<td>VOTED</td>
<td>YES</td>
</tr>
</tbody>
</table>

June 3, 2019
THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GACZEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER DICKMAN, TO WIT:

WHEREAS, William Severyn, 741 Schwartz Road, Lancaster, New York 14086 has applied to the Town Board of the Town of Lancaster for a permit for Public Improvements upon real property in the Town of Lancaster within Severyn Subdivision, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the improvement plans and permit application for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster.

NOW, THEREFORE,

BE IT RESOLVED, that Public Improvement Permit Application No. 801 for William Severyn, 741 Schwartz Road, Lancaster, New York 14086 which is a permit for Public Improvements for the installation of:

- St. Anthony Street – 280 LF 24” HDPE underground pipe storage; 150 LF 6” HDPE storm sewer and one (1) storm receiver; 322 LF 5’ sidewalk.

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

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Voted</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dickman</td>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>Gaczewski</td>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>Ruffino</td>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>Walter</td>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>Supervisor Coleman</td>
<td></td>
<td>Yes</td>
</tr>
</tbody>
</table>

June 3, 2019
THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER DICKMAN, TO WIT:

WHEREAS, Fairway Hills Development, LLC, 2730 Transit Road, West
Seneca, New York 14224 has applied to the Town Board of the Town of Lancaster for a
permit for Public Improvements upon real property in the Town of Lancaster within
Summerfield Farms, Phase VII, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified
on the following permit application that he has reviewed the improvement plans and permit
application for the installation of the public improvements requested, and that they conform to
the Ordinances of the Town of Lancaster.

NOW, THEREFORE,
BE IT RESOLVED, that Public Improvement Permit Application No. 802 of
Fairway Hills Development, LLC, 2730 Transit Road, West Seneca, New York 14224 which
is a permit for Public Improvements for the installation of:

- Avian Way and Apple Blossom Boulevard – Install fifteen (15) lights
  and poles per Town of Lancaster specifications.

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

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council Member Dickman</td>
<td>Yes</td>
</tr>
<tr>
<td>Council Member Gaczevski</td>
<td>Yes</td>
</tr>
<tr>
<td>Council Member Ruffino</td>
<td>Yes</td>
</tr>
<tr>
<td>Council Member Walter</td>
<td>Yes</td>
</tr>
<tr>
<td>Supervisor Coleman</td>
<td>Yes</td>
</tr>
</tbody>
</table>

June 3, 2019
THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLEMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, Gary Machniak, has submitted a site plan for 21 Pavement Road, prepared by Greenman-Pedersen, Inc., containing a Site Plan (sheet no. 1) dated July 2010, a Plan and Detail drawing (sheet no. 2) dated March 2019, a Building Elevations drawing (sheet no. 3) dated July 2010 and a Landscape Plan & Details drawing (sheet no. 4) dated March 2019; received by the Town on March 26, 2019 and an Erosion Control Plan & Detail drawing (sheet no. 2A) dated April 2019 and received April 23, 2019 for the proposed construction of a +/- 2,800 S.F. building with 150 +/- S.F. foyer expansion, to include paving a portion of existing driveway and removal of south stone drive on a 1.0 acre parcel located at 21 Pavement Road (SBL No. 116.08-1-71), in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their May 15, 2019 meeting, and

WHEREAS, the Town, acting as lead agency, has duly considered the plans for the expansion project, including the recommendation of the Town of Lancaster Planning Board in conformance with SEQR (State Environmental Quality Review) regulations and on June 3, 2019 issued a Negative Declaration.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Gary Machniak, 21 Pavement Road, prepared by Greenman-Pedersen, Inc., containing a Site Plan (sheet no. 1) dated July 2010, a Plan and Detail drawing (sheet no. 2) dated March 2019, a Building Elevations drawing (sheet no. 3) dated July 2010 and a Landscape Plan & Details drawing (sheet no. 4) dated March 2019; received by the Town on March 26, 2019 and an Erosion Control Plan & Detail drawing (sheet no. 2A) dated April 2019 and received April 23, 2019 for the proposed construction of a +/- 2,800 S.F. building with 150 +/- S.F. foyer expansion, to include paving a portion of existing driveway and removal of south stone drive located at 21 Pavement Road (SBL No. 116.08-1-71), in the Town of Lancaster subject to the following conditions:

1. Private Improvement Permits are required prior to issuance of any building permits.

2. Contractor to provide a stamped “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 VOTED YES
SUPERVISOR COLEMAN VOTED YES

June 3, 2019
THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLEMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letter(s) dated May 20, 2019, and May 23, 2019 have recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

NOW, THEREFORE,

BE IT RESOLVED, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Highway Department, for a period not to exceed five (5) months, and that these being part-time position(s) provides no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<table>
<thead>
<tr>
<th>NAME</th>
<th>POSITION</th>
<th>PAY RATE PER HOUR</th>
<th>EFFECTIVE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christopher King</td>
<td>Laborer</td>
<td>$12.00</td>
<td>June 4, 2019</td>
</tr>
<tr>
<td>Lancaster, NY</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kaitlin Walsh</td>
<td>Clerk</td>
<td>$15.00</td>
<td>June 4, 2019</td>
</tr>
<tr>
<td>Buffalo, NY</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

June 3, 2019
THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster wishes to comply with
the requirements of the Government Accounting Standards Board Statement No. 75
“Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than
Pensions”, (hereafter GASB 75) by periodically performing an actuarial valuation of the
Town’s retiree health insurance program, and

WHEREAS, USI Consulting Group of Glastonbury, CT has performed the
actuarial valuation of the Town’s retiree health insurance program in 2008, 2011, 2014 and
2016, and

WHEREAS, the Director of Administration and Finance has obtained a
proposal dated March 13, 2019 from USI Consulting Group to prepare for fiscal years 2019
and 2020, a full valuation of post-retirement welfare benefits including determination of the
Town’s annual cost and liabilities that meet the requirements of GASB 75, at a base fee of
$5,750 plus a provision for additional services as same may be required;

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby
authorizes the Supervisor of the Town of Lancaster to sign the Service Engagement
Agreement as presented dated March 13, 2019 with USI Consulting Group to provide
actuarial consulting services related to the requirements of the governmental accounting
standards for GASB 75, subject to final review and approval of 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 VOTED YES
SUPERVISOR COLEMAN VOTED YES

June 3, 2019
THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER DICKMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, 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 2019 entitled “DOGS
REVISION”, of the Code of the Town of Lancaster, was introduced to the Town Board of
the Town of Lancaster by Council Member Dickman on the 6th day of May, 2019, 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 6NYCRR Part 617.5(c)(33), and

WHEREAS, the Town Board called for, noticed, and held a public
hearing on the proposed Local Law on May 20, 2019, 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. 7 of 2019 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:

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Voted</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Council Member Dickman</td>
<td>Voted</td>
<td>YES</td>
</tr>
<tr>
<td>Council Member Gaczewski</td>
<td>Voted</td>
<td>YES</td>
</tr>
<tr>
<td>Council Member Ruffino</td>
<td>Voted</td>
<td>YES</td>
</tr>
<tr>
<td>Council Member Walter</td>
<td>Voted</td>
<td>YES</td>
</tr>
<tr>
<td>Supervisor Coleman</td>
<td>Voted</td>
<td>YES</td>
</tr>
</tbody>
</table>

June 3, 2019
LEGAL NOTICE
NOTICE OF ADOPTION
LOCAL LAW NO. 7 OF THE YEAR 2019
TOWN OF LANCASTER

PLEASE TAKE NOTICE that there has been adopted by the Town Board of the Town of Lancaster, County of Erie, State of New York, on June 3, 2019 Local Law No. 7 of the Year 2019, which amends the Town of Lancaster Zoning Code, DOGS Chapter, §13-6 Penalties for offenses (B)(2) to amend the civil penalty for violations to match State regulations. Copies of the Local Law are on file for review in the Lancaster Town Hall, 21 Central Avenue 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

June 6, 2019
A Local Law Amending the Town of Lancaster Civil Penalty for Dog Offenses.

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

Section 1: Chapter 13. Dogs, §13-6. Penalties for offenses (B)(2) of the Town of Lancaster Town Code is amended to read in its entirety as follows:

(2) Where prosecuted as an action to recover a civil penalty, a fine of not less than $25 shall be imposed, however in the instance where the person is found to have violated this chapter within the preceding five years, the civil penalty may not be less than $50, and where the person was found to have committed two or more such violations within the preceding five years, the civil penalty may not be less than $100.

Section 2: Severability. Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

Section 3: Effective Date. This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.
THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER DICKMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning, Article IV Residential Districts, Section 17 (F) of the Code of the Town of Lancaster, upon the application of Joshua Strell, for a Special Use Permit for a Home Occupation (Seasonal Rental Business Office) on premises located at 5898 Broadway, Lancaster, New York, and the Board issued such Special Use Permit on May 1, 2017, this Special Use Permit is subject to renewal upon application by the property owner, and

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

WHEREAS, the Code Enforcement Officer has recommended his approval of this Special Use Permit Renewal in his letter dated May 23, 2019;

NOW THEREFORE,
BE IT RESOLVED, as follows:

1. That pursuant to Chapter 50-Zoning, Article IV Residential Districts, Section 17 (F), entitled "Home Occupation", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant the renewal of a Special Use Permit to Joshua Strell, for a Home Occupation (Seasonal Rental Business Office) on premises located at 5898 Broadway, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning May 1, 2019 and ending April 30, 2021, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Article IV Residential Districts, Section 17(F), of the Code of the Town of Lancaster as long as the applicant continues to engage in the home occupation on the premises, and to any additional conditions listed herein, namely:

A. This Special Use Permit terminates when the applicant no longer resides on the premises.

B. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal is considered upon the property owner submitting an application to the Town Clerk, on or before April 30, 2021.

C. Provide a copy of the business’ New York State Tax Employer Identification Number and, where required, a copy of a valid State License issued by the appropriate regulatory agency for the service being provided.

D. A company sign may be placed on the building provided it complies with the conditions stipulated in the Sign Ordinance §50-30F(2)(a) of the Town Code and a Sign Permit is obtained by the applicant.

E. Only persons residing on the premises shall be engaged in such an occupation.

F. Applicant will authorize representatives from the Building Inspector’s Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.
The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council Member Dickman</td>
<td>Voted Yes</td>
</tr>
<tr>
<td>Council Member Gaczeewski</td>
<td>Voted Yes</td>
</tr>
<tr>
<td>Council Member Ruffino</td>
<td>Voted Yes</td>
</tr>
<tr>
<td>Council Member Walter</td>
<td>Voted Yes</td>
</tr>
<tr>
<td>Supervisor Coleman</td>
<td>Voted Yes</td>
</tr>
</tbody>
</table>

June 3, 2019
THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letters dated May 24, 2019, and May 29, 2019, has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

NOW, THEREFORE,
BE IT RESOLVED, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Parks, Recreation and Forestry Department, for a period not to exceed five (5) months, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<table>
<thead>
<tr>
<th>NAME</th>
<th>POSITION</th>
<th>PAY RATE PER HOUR</th>
<th>EFFECTIVE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tyler Kowal</td>
<td>Recreation Attendant</td>
<td>$11.50</td>
<td>June 4, 2019</td>
</tr>
<tr>
<td>Lancaster, NY</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Samuel Friend</td>
<td>Laborer</td>
<td>$12.00</td>
<td>June 4, 2019</td>
</tr>
<tr>
<td>Lancaster, NY</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

June 3, 2019
THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER DICKMAN, TO WIT:

WHEREAS, by resolution dated March 19, 2018, the Town Board of the Town of Lancaster approved the Aurora Street Bridge over Cayuga Creek Rehabilitation Grant Project (BIN 3213250, P.I.N.5762.97) within the Town of Lancaster and authorized application for Federal and State Aid with the New York State Department of Transportation which required the Town to fund the Preliminary Engineering (Design I-VI) phase of the project which consists of professional services for the design specifications and construction management, and

WHEREAS, Expressions of Interest (EOI) were issued based on NYSDOT Local Design Service Agreement (LDSA) Project Requirements for:

Aurora Street/Cayuga Creek Bridge NY Local Project Agreement, P.I.N.5762.97; and

WHEREAS, eight (8) responses were received at the time and place mentioned in the EOI with the qualifications based selection procedures defined by NYSDOT; and

WHEREAS, DiDonato Associates, Engineering & Architecture, P.C., 689 Main Street, Buffalo, New York 14203 was deemed most qualified and were requested to submit a proposal, the proposals were reviewed and by letter dated May 28, 2019, Highway Superintendent Daniel Amatura has recommended that the proposal submitted by DiDonato Associates, Engineering & Architecture, P.C., be accepted to perform this task;

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute the Agreement, as presented, between the Town of Lancaster and DiDonato Associates, for the Preliminary Engineering (Design I-VI) phase of the project which consists of professional services for the design specifications and construction management of the Aurora Street Bridge over Cayuga Creek Rehabilitation Grant Project (BIN 3213250, P.I.N.5762.97) within the Town of Lancaster in the amount of approximately $181,000.00 based on terms outlined in Article 3 of their agreement and to be paid for with funds appropriated by the adopted January 22, 2019 Town Board resolution of which 95 % will be reimbursed by the New York State Department of Transportation.

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

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Voted</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council Member Dickman</td>
<td>Voted</td>
<td>Yes</td>
</tr>
<tr>
<td>Council Member Gaczewski</td>
<td>Voted</td>
<td>Yes</td>
</tr>
<tr>
<td>Council Member Ruffino</td>
<td>Voted</td>
<td>Yes</td>
</tr>
<tr>
<td>Council Member Walter</td>
<td>Voted</td>
<td>Yes</td>
</tr>
<tr>
<td>Supervisor Coleman</td>
<td>Voted</td>
<td>Yes</td>
</tr>
</tbody>
</table>

June 3, 2019
THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER DICKMAN, TO WIT:

WHEREAS, Jean Karn, Dog Control Officer of the Town of Lancaster, by letter dated May 17, 2019, has recommended the appointment of the following individual to the following part-time temporary seasonal position.

NOW, THEREFORE,
BE IT RESOLVED, that the following individual is hereby appointed to the following part-time temporary seasonal position in the Town of Lancaster Dog Control Department, for a period not to exceed five (5) months, 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 temporary employees:

<table>
<thead>
<tr>
<th>NAME</th>
<th>POSITION</th>
<th>PAY RATE PER HOUR</th>
<th>EFFECTIVE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elizabeth Bertozzi</td>
<td>Dog Control Officer</td>
<td>$13.00</td>
<td>May, 20, 2019</td>
</tr>
<tr>
<td>Depew, NY</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

June 3, 2019
THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

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) additional position of Clerk Typist.

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:

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Voted</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council Member Dickman</td>
<td>Voted</td>
<td>Yes</td>
</tr>
<tr>
<td>Council Member Gaczeewski</td>
<td>Voted</td>
<td>Yes</td>
</tr>
<tr>
<td>Council Member Ruffino</td>
<td>Voted</td>
<td>Yes</td>
</tr>
<tr>
<td>Council Member Walter</td>
<td>Voted</td>
<td>Yes</td>
</tr>
<tr>
<td>Supervisor Coleman</td>
<td>Voted</td>
<td>Yes</td>
</tr>
</tbody>
</table>

June 3, 2019
THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCIL MEMBER DICKMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, it is essential to public safety that the Town of Lancaster continue its participation in the coordinated effort to reduce alcohol related traffic injuries and fatalities, and

WHEREAS, the County of Erie has tendered an application to the Town of Lancaster for participation in said coordinated effort for the 2018 calendar year.

NOW THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized and directed to execute on behalf of the Town of Lancaster, the 2018 Police & Court Contract 2018 STOP-DWI Agreement with the County of Erie for participation in funding of alcohol related traffic safety law enforcement activities under the 2018 STOP-DWI Grant Program.

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

<table>
<thead>
<tr>
<th>COUNCIL MEMBER DICKMAN</th>
<th>VOTED</th>
<th>YES</th>
</tr>
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<tbody>
<tr>
<td>COUNCIL MEMBER GACZEWSKI</td>
<td>VOTED</td>
<td>YES</td>
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<tr>
<td>COUNCIL MEMBER RUFFINO</td>
<td>VOTED</td>
<td>YES</td>
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<tr>
<td>COUNCIL MEMBER WALTER</td>
<td>VOTED</td>
<td>YES</td>
</tr>
<tr>
<td>SUPERVISOR COLEMAN</td>
<td>VOTED</td>
<td>YES</td>
</tr>
</tbody>
</table>

June 3, 2019
THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, Kristin Savard, P.E., on behalf of Advanced Thermal Systems, Inc., has submitted a site plan application for Advanced Thermal Solutions, Inc., prepared by Advanced Design Group, Professional Engineering & Land Surveying, PC, containing a Cover sheet (Sheet 1), Existing Conditions Plan (Sheet 2), Site Layout and Utility Plan (Sheet 3), Grading and Drainage/Erosion Control (Sheet 4), Details – Erosion and Sediment Control (Sheet5), Details – Storm and Walks (Sheet 6), and Existing and Proposed Conditions Drainage Map dated February 25, 2019 with a last revision date of March 29, 2019; and received by the Town on April 9, 2019 for the proposed construction of a 9,000 S.F. manufacturing/warehouse expansion on a +/- 3.2 acre parcel located at 15 Enterprise Drive (SBL No. 105.00-3-4.1), in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their April 17, 2019 meeting, and

WHEREAS, the Town, acting as lead agency, has duly considered the plans for the expansion project, including the recommendation of the Town of Lancaster Planning Board in conformance with SEQR (State Environmental Quality Review) regulations and on May 6, 2019 issued a Negative Declaration.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Kristin Savard, P.E., on behalf of Advanced Thermal Systems, Inc., for Advanced Thermal Solutions, Inc., prepared by Advanced Design Group, Professional Engineering & Land Surveying, PC, containing a Cover sheet (Sheet 1), Existing Conditions Plan (Sheet 2), Site Layout and Utility Plan (Sheet 3), Grading and Drainage/Erosion Control (Sheet 4), Details – Erosion and Sediment Control (Sheet5), Details – Storm and Walks (Sheet 6), and Existing and Proposed Conditions Drainage Map dated February 25, 2019 with a last revision date of March 29, 2019; and received by the Town on April 9 for the proposed construction of a 9,000 S.F. manufacturing/warehouse expansion on a +/- 3.2 acre parcel located at 15 Enterprise Drive (SBL No. 105.00-3-4.1), in the Town of Lancaster subject to the following conditions:

1. Private Improvement Permits are required prior to issuance of any building permits.

2. Property owner to file the Stormwater Control Facility Maintenance Agreement shall be filed in the office of the County Clerk as a deed restriction on the property, which shall be binding on all subsequent landowners, prior to issuance of Certificate of Occupancy.

3. Contractor to provide a stamped “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 VOTED YES
SUPERVISOR COLEMAN VOTED YES

June 3, 2019
THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GACZEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER DICKMAN, TO WIT:

WHEREAS, by resolution adopted April 15, 2019 the Town Board authorized the performances of Gimme Buffet on June 26, 2019, Busted Stuff on July 17, 2019 and JC Thompson Band on August 21, 2019 to take place at the Band Shell located at 100 Oxford Avenue, in the Town of Lancaster, and

WHEREAS, by letter dated May 29, 2019, Park Crew Chief, Michelle Barbaro is requesting that the Town of Lancaster accept funds from the following companies for advertisement on the Town’s flyers and signs for the above listed concerts:

1. Apple Rubber Products - $250.00
2. Try-it Distributing Co. - $250.00
3. Joe Basil Chevrolet - $100.00
4. Lancaster Side Door Deli - $100.00
5. Ronny’s Take Out Pizza – $100.00
6. Tops Friendly Markets - $50.00.

WHEREAS, after due consideration, the Town Board of the Town of Lancaster has determined that it is in the interest of the community to accept these funds.

NOW, THEREFORE,
BE IT RESOLVED that the Town Board of the Town of Lancaster hereby accepts the funds from the following companies for advertisement on the Town’s flyers and signs for the 2019 Summer Concert Series at the Band Shell located at 100 Oxford Avenue on June 26, July 17, and August 21, 2019:

1. Apple Rubber Products - $250.00
2. Try-it Distributing Co. - $250.00
3. Joe Basil Chevrolet - $100.00
4. Lancaster Side Door Deli - $100.00
5. Ronny’s Take Out Pizza – $100.00
6. Tops Friendly Markets - $50.00.
The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Vote</th>
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<tbody>
<tr>
<td>Council Member Dickman</td>
<td>Voted Yes</td>
</tr>
<tr>
<td>Council Member Gaczewski</td>
<td>Voted Yes</td>
</tr>
<tr>
<td>Council Member Ruffino</td>
<td>Voted Yes</td>
</tr>
<tr>
<td>Council Member Walter</td>
<td>Voted Yes</td>
</tr>
<tr>
<td>Supervisor Coleman</td>
<td>Voted Yes</td>
</tr>
</tbody>
</table>

June 3, 2019
378. Town Attorney to Town of Elma Supervisor –
Notice of amended preliminary plat for Windsor Ridge Phase 2 Subdivision, located east of Windsor Ridge South SD Phase 1 and request for any comments or concerns. Disposition = Planning Committee

379. Town Attorney to NYSDEC, Erie County DEP, Erie County DPW, Erie County Health Dept., Erie County Water Authority, Division of Sewerage Management, US Army Corp of Engineers –
Request for lead agency designation regarding Coordinated Review 12,000 SF Commercial Development/Small Business, 00 Lancaster Parkway, Proj. #1621. Disposition = Planning Committee

380. Town Attorney to NYSDEC, Erie County DEP, NYS DOT, Erie County Health Dept., Erie County Water Authority, Division of Sewerage Management, US Army Corp of Engineers –
Request for lead agency designation regarding Great Dane Parking Lot Reconstruction, 3875 Walden Ave., Proj. #1841. Disposition = Planning Committee

381. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Water Authority regarding 4,000 SF Office/Warehouse, 10 Lancaster Parkway, Proj. #1956. Disposition = Planning Committee

382. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Water Authority regarding Towne Audi, 21,000 SF Auto Dealership, Transit Rd. at Pasquale Dr., Proj. #1902. Disposition = Planning Committee

383. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Water Authority regarding 2-Lot Subdivision, 5 Wainwright Court, Proj #2702. Disposition = Planning Committee

384. Association of State Floodplain Manager, Inc. to Supervisor –
Notification that Matthew Fischione has successfully completed the process and examination to become an ASFPM Certified Floodplain Manager. Disposition = Received & Filed

385. Wyoming Erie Regional EMS Council to Supervisor –
Notice of Public Hearing concerning application of the Lancaster Volunteer Ambulance Corps. for an expansion of primary operating territory on May 30, 2019 at 6:00PM at Alden Town Hall. Disposition = Received & Filed

386. Hull House Foundation to Town Board –
Comments and concerns regarding noise generated by Lancaster Speedway. Disposition = Building Inspector

387. Town Attorney to Town Board and Planning Board –
SEQR response from US Army Corps of Engineers regarding Towne Audi, 21,000 SF Auto Dealership, Transit Rd. at Pasquale Dr., Proj #1902. Disposition = Planning Committee

388. Town Attorney to Town Board and Planning Board –
SEQR response from NYSDEC regarding Towne Audi, 21,000 SF Auto Dealership, Transit Rd. at Pasquale Dr., Proj #1902. Disposition = Planning Committee

389. Code Enforcement Officer to Clyde Mays, Jr. –
Copy of letter regarding 73 Cemetery Rd. Site Plan Requirements and Approval Conditions. Disposition = Planning Committee
390. Town Clerk to Code Enforcement Officer –
   Copy of letter from Joe Basil Chevrolet requesting a renewal of their Special
   Use Permit for 5067 Transit Rd. Disposition = For Resolution

391. Town Clerk to Code Enforcement Officer –
   Copy of letter from Joe Basil Chevrolet requesting a renewal of their Special
   Use Permit for 5071 Transit Rd. Disposition = For Resolution

392. Town Clerk to Code Enforcement Officer –
   Copy of letter from Joe Basil Chevrolet requesting a renewal of their Special
   Use Permit for 5111 Transit Rd. Disposition = For Resolution

393. Town Clerk to Code Enforcement Officer –
   Copy of letter from Joe Basil Chevrolet requesting a renewal of their Special
   Use Permit for 5123 – 5127 Transit Rd. Disposition = For Resolution

394. Planning Board Chairman to Planning Board, Town Board, Engineering
     Consultant, Town Attorney, Highway Superintendent and Building Inspector –
     Draft copy of minutes from the May 15, 2019 Planning Board meeting. Disposition = Planning Committee

395. Planning Board to Town Board –
     Memo recommending approval of Site Plan Review for 21 Pavement Road;
     comment noted. Disposition = Resolution 6/3/19

396. Planning Board to Town Board –
     Memo recommending approval of Site Plan Review for Great Dane,
     3875 Walden Avenue. Disposition = For Resolution

397. Town Clerk to Town Board –
     Minutes from Ethics Board Meeting held on May 22, 2019.
     Disposition = Received & Filed

398. Town Clerk to Code Enforcement Officer –
     Transmittal of Commercial Special Use Permit Application for Towne AVW, Inc.
     6501 Transit Road. Disposition = Planning Committee

399. Highway Superintendent to Town Board –
     Request for resolution to hire Master’s Edge, Inc., 3409 Broadway,
     Cheektowaga, NY to replace concrete curbing, sidewalks and aprons throughout
     the Town of Lancaster. Disposition = For Resolution

400. Highway Superintendent to Town Board –
     Request for resolution to appoint Christopher King for the 2019 summer season
     in the Town Highway Department effective June 4, 2019.
     Disposition = Resolution 6/3/19

401. Town residents to Town Board –
     Signed petition opposing the removal of the access road to Brunk Road from
     the Windsor Ridge South Subdivision. Disposition = Planning Committee

402. Supervising Code Enforcement Officer to Town Board –
     Recommend renewal of Special Use Permit for Joshua Strell, 5898 Broadway.
     Disposition = Resolution 6/3/19

403. Highway Superintendent to Town Board –
     Request for resolution to hire Zoladz Construction Co., Inc., 13600 Railroad St.,
     Alden, NY to grind and remove brush material located behind the Highway
     Department at 525 Pavement Road, Lancaster, NY. Disposition = For Resolution
404. Highway Superintendent to Town Board –  
Request for resolution to award DiDonato & Associates, 689 Main St., Buffalo, NY to perform services on the Aurora Street Bridge over Cayuga Creek.  
Disposition = Resolution 6/3/19

405. Park Crew Chief to Supervisor and Town Board –  
Request for resolution appointing one individual to the position of part-time temporary seasonal employee for the summer of 2019 in the Parks, Recreation & Forestry Department.  
Disposition = Resolution 6/3/19

406. Code Enforcement Officer to Town Board –  
Recommends approval of Special Use Permit for Towne AVW, Inc., 5255 Genesee St. with stipulations.  
Disposition = For Resolution

407. Code Enforcement Officer to Town Board –  
Recommends approval of Special Use Permit for Towne AVW, Inc., 6501 Transit Road following Site Plan approval, completion of improvements, Certificate of Occupancy and with a stipulation.  
Disposition = For Resolution

408. Park Crew Chief to Town Board –  
Request for resolution accepting funds from local businesses for advertising of their business on flyers, signs and at concert series.  
Disposition = Resolution 6/3/19

409. Park Crew Chief to Town Board –  
Request for resolution appointing one individual to the position of part-time temporary seasonal employee for the summer of 2019 in the Parks, Recreation & Forestry Department effective June 4, 2019.  
Disposition = Resolution 6/3/19

410. Highway Superintendent to Town Board –  
Request for resolution appointing Kahtlin Walsh to the position of Clerk PT seasonal in the Town Highway Department effective June 4, 2019.  
Disposition = Resolution 6/3/19

411. Police Chief to Town Board –  
Request for resolution appointing Lieutenant Jeffrey Smith to fill the vacant position of Detective Captain effective May 13, 2019.  
Disposition = For Resolution

412. Dog Control Officer to Supervisor and Town Board –  
Request for resolution appointing Elizabeth Bertozzi to the position of temporary seasonal Assistant Dog Control Officer retroactive to May 20, 2019.  
Disposition = Resolution 6/3/19

413. Town Attorney to Town Board and Planning Board –  
SEQR response from NYSDEC regarding Great Dane Parking Lot Reconstruction, 3875 Walden Ave., Proj. #1841.  
Disposition = Planning Committee

414. Town Attorney to NYSDEC, Erie County DPW, Erie County DEP, Erie County Water Authority, Erie County Health Dept., US Army Corps of Engineers, and Division of Sewerage Management –  
Request for lead agency designation regarding Coordinated Review for Colin M. Hurd, Inc., 12 Wendling Court, Proj. #3310.  
Disposition = Planning Committee

415. Town Engineer to Supervisor and Park Crew Chief –  
Information regarding quote for supplying and installing ADA Door Operators on 3 doors in Town Hall.  
Disposition = For Resolution

416. Supervising Code Enforcement Officer to Town Board –  
Recommend approval of Special Use Permit for 5067 Transit Road, Joe Basil Chevrolet.  
Disposition = For Resolution
417. Supervising Code Enforcement Officer to Town Board –
    Recommend approval of Special Use Permit for 5123-5127 Transit Road, Joe
    Basil Chevrolet. Disposition = For Resolution

418. Supervising Code Enforcement Officer to Town Board –
    Recommend approval of Special Use Permit for 5111 Transit Road, Joe Basil
    Chevrolet. Disposition = For Resolution

419. Supervising Code Enforcement Officer to Town Board –
    Recommend approval of Special Use Permit for 5071 Transit Road, Joe Basil
    Chevrolet. Disposition = For Resolution

420. Town Clerk to Various News Media –
    Press Release announcing new items that have been added to the list of
    acceptable items to be collected by the Town Highway Department.
    Disposition = Received & Filed
ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER RUFFINO AND SECONDED BY COUNCIL MEMBER DICKMAN AND CARRIED, the meeting was adjourned in memory of Douglas W. Chapman, Beverly Kaufman and Elizabeth Seaner at 8:11 P.M.

Signed___________________

Diane M. Terranova, Town Clerk