

Town Board Minutes

November 18, 2019

Meeting No. 23

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 18th day of November 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
WILLIAM KARN, CHIEF OF POLICE
MICHELLE BARBARO, PARK CREW CHIEF
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.

PERSONS ADDRESSING TOWN BOARD:

Pieterse, Martin, spoke to the Town Board on the following matter:

- Comments regarding stop signs at the Courtyards at Pleasant Meadows Condominiums.

Rassman, Herb, spoke to the Town Board on the following matter:

- Comments regarding stop signs at the Courtyards at Pleasant Meadows Condominiums.

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

- Questions regarding stop signs at the Courtyards at Pleasant Meadows Condominiums.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 1 Fire Protection Services –
Bowmansville Volunteer Fire Association, Inc.

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

At 7:15 P.M., the Town Board held a Public Hearing to hear all interested
persons upon a proposed five-year contract for Fire Protection Services.

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

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Ronald Rozler, President Twin District Volunteer Fire Company	Proponent

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

Decision on this matter was reserved.

November 18, 2019

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 2 Fire Protection Services –
Millgrove Volunteer Fire Department, Inc.

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

At 7:18 P.M., the Town Board held a Public Hearing to hear all interested
persons upon a proposed five-year contract for Fire Protection Services.

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

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Ronald Rozler, President Twin District Volunteer Fire Company	Proponent

ON MOTION BY COUNCIL MEMBER WALTER, SECONDED BY COUNCIL
MEMBER GACZEWSKI AND CARRIED, the public hearing was closed at 7:19 P.M.

Decision on this matter was reserved.

November 18, 2019

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 3 Fire Protection Services –
Town Line Volunteer Fire Department, Inc.

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

At 7:20 P.M., the Town Board held a Public Hearing to hear all interested
persons upon a proposed five-year contract for Fire Protection Services.

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

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Ronald Rozler, President Twin District Volunteer Fire Company	Proponent

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

Decision on this matter was reserved.

November 18, 2019

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 4 Fire Protection Services – Twin
District Volunteer Fire Company, Inc.

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

At 7:21 P.M., the Town Board held a Public Hearing to hear all interested
persons upon a proposed five-year contract for Fire Protection Services.

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

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Ronald Rozler, President Twin District Volunteer Fire Company	Proponent

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

Decision on this matter was reserved.

November 18, 2019

SUSPENDED RESOLUTIONS

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

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

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLEMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCIL MEMBER GACZEWSKI, 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 Member Board of Assessment Review.

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

November 18, 2019

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

WHEREAS, Mary Beth Gianni, Recreation Supervisor, for the Town of Lancaster, by letter dated November 6, 2019 has recommended the appointment of the following individual to the following part-time permanent position in the Town of Lancaster Senior Center.

NOW, THEREFORE,

BE IT RESOLVED, that the following individual is hereby appointed to the following part-time permanent position in the Town of 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:

NAME	ADDRESS	POSITION	HOURLY RATE	EFFECTIVE DATE
Daniel M Speyer	Lancaster, NY	Van Driver	\$13.39	November 22, 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

November 18, 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 November 4, 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

November 18, 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. 58897 to Claim No. 59054 Inclusive

Total amount hereby authorized to be paid: \$1,269,752.37

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

November 18, 2019

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
 BY SUPERVISOR COLEMAN, WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER WALTER, 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
30521		Benzinger Dry Cleaning	473 Aurora St	Er. Sign - Temp	
30522		Richard Chatham	8 Riemers Ave	Er. Fence	
30523		Tracy Lubkowski	14 Irwinwood Rd	Re-Roof	(V/L)
30524		Constr Serv. Of Upstate NY	38 N Aurora St	Er. Res. Alt.	(V/L)
30525		Expert Contracting	699 Schwartz Rd	Re-Roof	
30526		Christine Lanza	25 Sussex Ln	Er. Fence	
30527		Jason Zeczak	16 Summit St	Er. Shed	
30528		First Buffalo Total Basement	6 Candlestick Ct	Er. Res. Alt.	
30529		Essex Homes of Western NY Inc.	17 Weathersfield Ln	Er. Dwlg.-Sin.	
30530		Sharon Maccarone	48 Albert Dr	Inst. Generator	(V/L)
30531		Jimmie Joaquin	26 Hidden Meadow Cros	Inst. Generator	
30532		Transit-William Assoc. LLC	4931 Transit Rd	Er. Sign - Temp	
30533		Michael Repka	394 Schwartz Rd	Re-Roof	
30534		Brian & Amy Barczykowski	12 Schilling Ct	Er. Fence	
30535		Jeremy Heckman	5184 William St	Er. Deck	
30536		4893 Transit Road LLC	4893 Transit Rd	Er. Sign - Temp	
30537		Crist Construction	152 Brunck Rd	Er. Garage	
30538		The Vinyl Outlet Inc.	34 Lombardy St	Er. Porch	(V/L)
30539		Paul Pignataro	15 Juniper Blvd	Re-Roof	
30540		Deborah Ann Janis	28 Plumb Creek Trl	Er. Shed	
30541		Monti Concrete	5813 Broadway	Er. Comm. Add./Alt.	
30542		43 Central Holdings, LLC	43 Central Ave	Pod Storage - Temp	(V/L)
30543		Buscaglia Decks	27 Saybrook Dr	Er. Deck	
30544		Kevin Nowak	1294 Penora St	Re-Roof	
30545		CCP Harris Hill 7582 LLC	2699 Wehrle Dr	Er. Sign - Temp	
30546		Ronald Kreavy	183 Schwartz Rd	Inst. Generator	
30547		PJK Roofing Inc.	6 Villa Pl	Re-Roof	(V/L)
30548		Paul Borkowski	708 Ransom Rd	Er. Fence	
30549		James Short	209 Aurora St	Inst. Res. Plumbing	(V/L)
30550		ABC Hardware & Rental Inc.	11 Old Orchard Comm	Inst. Generator	
30551		James Wendel	41 Briarwood Dr	Er. Fence	(V/L)
30552		First Buffalo Total Basement	28 Cumberland St	Er. Res. Alt.	
30553		6635 Transit Road LLC	6635 Transit Rd	Er. Sign - Temp	
30554		Maria Martin	150 Albert Dr	Er. Porch Cover	(V/L)
30555		Richard Kozell	19 Pelham Rd	Er. Deck	
30556		Marion Kotlak	11 Via Donato W	Er. Fence	
30557		Geoffrey Gane	3463 Walden Ave	Er. Res. Alt.	(V/L)
30558		Sitzmans Applicane Center	8 Tranquility Trl	Inst. Generator	
30559		Gen-Tech Power Systems LLC	68 Freeman Dr	Inst. Generator	
30560		Gen-Tech Power Systems LLC	207 Siebert Rd	Inst. Generator	
30561		Gen-Tech Power Systems LLC	1268 Penora St	Inst. Generator	
30562		Gen-Tech Power Systems LLC	46 Woodgate Dr	Inst. Generator	
30563		Gen-Tech Power Systems LLC	423 Erie St	Inst. Generator	
30564		Santoro Sign Inc.	4703 Transit Rd	Er. Sign - Wall	
30565		Niagara Lutheran	5959 Broadway	Er. Sign	
30566		Ivy Lea Construction Inc.	11 Thomas Dr	Er. Res. Alt.	
30567		Marrano/Marc Equity Corp.	94 Avian Way	Er. Dwlg.-Sin.	
30568		Marrano/Marac Equity Corp.	19 Sedge Run	Er. Patio Home	
30569		Marrano/Marc Equity Corp.	88 Grambo Dr	Er. Patio Home	
30570		Marrano/Marc Equity Corp.	98 Avian Way	Er. Dwlg.-Sin.	
30571		Marrano/Marc Equity Corp.	119 Avian Way	Er. Dwlg.-Sin.	

BE IT FURTHER

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

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

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

November 18, 2019

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

WHEREAS, the New York State Department of Environmental Conservation offers Urban and Community Forestry Grants for Tree Inventory and Management Plan Projects, and

WHEREAS, the Town of Lancaster is eligible to apply for a maximum amount of \$50,000 in grant funds which do not require matching funds, and

WHEREAS, the Town desires to conduct a comprehensive tree inventory and develop a tree management plan as a means of improving the Town's Urban Forest; and

WHEREAS, the Lancaster Town Board understands this grant is offered on a reimbursement basis although interim reimbursements may be requested.

NOW, THEREFORE,

BE IT RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Department of Environmental Conservation, and

BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding for the Town of Lancaster Tree Inventory and Management Plan Project.

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

November 18, 2019

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

WHEREAS, Judge Polster of the United States District Court, Northern District of Ohio has preliminarily approved a request to certify a negotiating class setting forth the framework to assist the Court and the parties to achieve a national resolution of the opioid litigation; and

WHEREAS, it is advantageous to negotiate in a group and the New York cities and counties are currently coordinated in a state litigation in Suffolk County; and

WHEREAS, the coordinated litigation in Suffolk County will be the next county case to be tried and Erie County is already in a unique situation to negotiate as a group; and

WHEREAS, to opt out of the class, an *Exclusion Request Form* needs to be signed on behalf of the Town of Lancaster and submitted to counsel prior to November 22, 2019.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute on behalf of the Town of Lancaster, an *Exclusion Request Form to opt out of the Negotiation Class* as is advised by our legal counsel in this matter.

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

November 18, 2019

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

WHEREAS, the Town Board is considering a proposed preliminary plat plan for splitting a 35.1774 acre parcel into two (2) 17.60 +/- acre lots prepared and submitted by Shaun DiMino located at 00 Pavement Road (SBL No. 105.00-4-66.11) 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 November 6, 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 splitting a 35.1774 acre parcel into two (2) 17.60 +/- acre lots prepared and submitted by Shaun DiMino located at 00 Pavement Road (SBL No. 105.00-4-66.11) in the Town of Lancaster, 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

November 18, 2019

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: November 18, 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 preliminary plat plan for splitting a 35.1774 acre parcel into two (2) 17.60 +/- acre lots prepared and submitted by Shaun DiMino located at 00 Pavement Road (SBL No. 105.00-4-66.11) in the Town of Lancaster and the Town Board has determined that the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: DiMino – 2 Lot Split Subdivision # 9056

Location of Action: 00 Pavement Road (SBL No. 105.00-4-66.11) Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted

Description of Action: The project is described as splitting a 35.1774 acre parcel into two (2) 17.60 +/- acre lots.

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. It is noted that the splitting of the land into two lots has no effect on the environment. It is further noted that additional information will be required when the land is developed and that the wetland areas will be avoided.**
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No impact. The mitigated wetland areas will need to be avoided during the building process.**
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 RUFFINO, TO WIT:

WHEREAS, Shaun DiMino, has prepared and submitted a preliminary plat plan, dated August 30, 2019 and received September 16, 2019, for the splitting of a 35.1774 acre parcel into two (2) 17.60 +/- acre lots, located at 00 Pavement Road, SBL No. 115.00-4-66.11 in the Town of Lancaster, and

WHEREAS, the preliminary plat plan for this project was submitted to the Planning Board and was recommended for approval at their November 6, 2019 meeting, and

WHEREAS, the Town, acting as Lead Agency has completed an environmental review on November 6, 2019 in conformance with the SEQRA (State Environmental Quality Review Act) regulations and on November 18, 2019 a Negative Declaration was issued.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the preliminary plat plan, dated August 30, 2019 and received September 16, 2019, for the splitting of a 35.1774 acre parcel into two (2) 17.60 +/- acre lots, located at 00 Pavement Road, SBL No. 115.00-4-66.11 in the Town of Lancaster, with the following conditions:

1. Submittal of Wetland delineation information and location.
2. Grading plan submittal for building permit showing drainage swales.

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

November 18, 2019

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

WHEREAS, a Public Hearing was held on October 7, 2019 for the purpose of amending Chapter 46-8 of the Vehicle and Traffic Ordinance entitled Stop Intersections Designated on private roadways of the Code of the Town of Lancaster and persons for and against such amendment have had an opportunity to be heard,

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

NOW, THEREFORE,

BE IT RESOLVED, as follows:

1. That Chapter 46-8 of the Vehicle and Traffic Ordinance entitled Stop Intersections Designated on private roadways of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on November 18, 2019;
3. That a Certified Copy thereof be published in the Lancaster Bee on November 21, 2019;
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

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

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

November 18, 2019

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

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

CHAPTER 46

Article VIII Stop Intersections; Non-intersection Stops; Yield Intersections

Chapter 46-8 of the Vehicle and Traffic Ordinance entitled Stop Intersections

Designated on private roadways is hereby amended by adding thereto following:

Courtyards at Pleasant Meadows Condominiums

STREET NAME:	INTERSECTING STREET:	SIGN LOCATION:
Kent Place	Juniper Boulevard	SW corner
Brockton Drive	Hanover	NE corner
Pelham Road	Juniper Boulevard	SW corner
Pelham Road	Gloucester Avenue	NE & SW corners
Pelham Road	Wetherby Way	NE corner
St. Davids Road	Juniper Boulevard	SW corner
St. Davids Road	Gloucester Avenue	NE & SW corners
St. Davids Road	Wetherby Way	NE corner
Carlisle Street	Juniper Boulevard	SW corner
Gloucester Avenue	Carlisle Street	NW corner
Gloucester Avenue	St. Davids Road	SE & NW corners
Gloucester Avenue	Pelham Road	SE & NW corners
Gloucester Avenue	Kent Place	SE corner
Wetherby Way	Carlisle Street	NW corner
Wetherby Way	Kent Place	SE corner
Cumberland Street	Hanover	NW corner
Cumberland Street	Brockton Drive	SE corner
Denton Drive	Cumberland Street	SW corner
Denton Drive	Brockton Drive	SE corner
Hanover Street	Pleasant View Drive	SE corner
Pool House access road	Hanover	SW corner

November 21, 2019

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

THIS IS TO CERTIFY that I, **DIANE M. TERRANOVA**, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 18th day of November, 2019 and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 18th day of November, 2019.

Diane M. Terranova, Town Clerk

PREFILED RESOLUTION NO. 9 – MEETING OF NOVEMBER 18, 2019

9. Coleman/_____ Award Contract Repair Of Portico Lancaster Historical Society To
A-1 Construction & Painting, Inc.

This resolution was withdrawn by Supervisor Coleman for further study.

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

WHEREAS, Michelle Barbaro, Park Crew Chief of the Town of Lancaster, by letter dated November 6, 2019 has recommended the appointment of the following individuals to the following part-time permanent positions in the Town of Lancaster Parks, Recreation and Forestry Department.

NOW, THEREFORE,

BE IT RESOLVED, that the following individuals are hereby appointed to the following part-time permanent positions in the Town of Lancaster Parks, Recreation and Forestry Department, working not more than nineteen and three-quarter hours per week, and that these being part-time positions, provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time employees:

NAME	ADDRESS	POSITION	HOURLY RATE	EFFECTIVE DATE
Katherine Wilkowski	Lancaster, NY	Lifeguard	\$12.50	November 8, 2019
James Wilkowski	Lancaster, NY	Lifeguard	\$12.50	November 8, 2019
Sara Bucki	West Seneca, NY	Recreation Attendant	\$22.50	December 2, 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

November 18, 2019

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

WHEREAS, Article 5, Section 523-a of the New York State Real property Tax Law allows the legislative body of any local government, in any year deemed necessary, to appoint temporary members to the Board of Assessment Review to serve as administrative hearing panel members as provided.

NOW, THEREFORE,

BE IT RESOLVED, that upon the recommendation of Joyce Molino, Chairperson of the Town Assessment Review Board, the Town Board of Lancaster appoints the following Lancaster Residents to serve a one (1) year term as temporary members of the Board of Assessment Review as provided in Section 523-a of the New York State Real Property Tax Law. The term shall commence January 2, 2020 and shall end December 31, 2020. These temporary members will be paid \$175.00 per diem.

- | | | |
|---------------------------------------|---------------------------------------|---------------------------------------|
| Mark Kaczmarek
Lancaster, NY 14086 | Linda Herrmann
Lancaster, NY 14086 | Mark DeAngelis
Lancaster, NY 14086 |
| Steven Socha
Lancaster, NY 14086 | John Mikoley
Lancaster, NY 14086 | |

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

November 18, 2019

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

WHEREAS, Wendel Consulting Services LLC., (Wendel) will provide hosting and base layer updates for the Town of Lancaster Staff GIS Web Map Application, and

WHEREAS, Wendel will administer and maintain the Town of Lancaster's ArcGIS Online account and named users, and provide ongoing GIS/GPS technical support and training for the department's GIS solution, and

WHEREAS, The Town Board and Town Attorney have reviewed the agreement and deem it in the public interest to engage the professional GIS Support Services of Wendel as presented.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute the agreement for the 2020 fiscal year between the Town of Lancaster and Wendel in order to provide the Town of Lancaster's Highway Department professional GIS Support Services which includes hosting and base layer updates for the Town of Lancaster Staff GIS Web Map Application, administer and maintain the Town of Lancaster's ArcGIS Online account and named users, and provide ongoing GIS/GPS technical support and training for the department's GIS solution, for an amount not to exceed \$8,400.00, which will be paid for from funds available within the 2020 Drainage Budget Line Item 001-8540-410.

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

November 18, 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 install an Access Control System for entrance into the Town Hall located at 21 Central Avenue, and

WHEREAS, TechNet Task Group, the Town's Internet Technology advisor assisted the Supervisor in the solicitation of price quotes for the installation of an Access Control System for the Town Hall, and

WHEREAS, three proposals were received and analyzed by TechNet Task Group, and

WHEREAS, on November 7, 2019 Fire Safety Systems, Inc., 525 Aero Drive, Suite 200, Buffalo, New York 14225 provided the Town of Lancaster a proposal in an amount not to exceed \$9,667.00, and

WHEREAS, TechNet Task Group, via email dated November 14, 2019, has made a recommendation to award the project to Fire Safety Systems, Inc., 525 Aero Drive, Suite 200, Buffalo, New York 14225 because their proposal meets the required specifications at the lowest overall project price.

NOW THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby selects Fire Safety Systems, Inc., 525 Aero Drive, Suite 200, Buffalo, New York 14225 to install an Access Control System for the Town Hall located at 21 Central Avenue, Lancaster, New York in accordance with their quote dated November 7, 2019 in an amount not to exceed \$9,667.00, subject to Town Attorney approval of all insurance and other town requirements.

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

November 18, 2019

COMMUNICATIONS & REPORTS

- 834. Executive Director NFTA to Supervisor –
Request for Town to keep bus stops and shelters in the Town of Lancaster clear of snow. Disposition = Park Crew Chief**
- 835. Town Clerk to Town Board –
Town Clerk Monthly Report for October 2019. Disposition = Received & Filed**
- 836. Code Enforcement Officer to Drainage & Storm Sewer Committee –
MS4 Report for September 2019. Disposition = Received & Filed**
- 837. Neil Connelly to Town Board –
Request to remain as the Town of Lancaster Planning Board Chairman for 2020. Disposition = For Resolution**
- 838. Town Engineer to Town Board –
Comments regarding Application for Dumping Permit 277 Pavement Road. Disposition = Drainage Committee**
- 839. Town Clerk to Code Enforcement Officer –
Copy of letter requesting a renewal of Special Use Permits for Greg’s Tree Service, 1230 Town Line Road. Disposition = For Resolution**
- 840. Town Clerk to Various News Media –
Press Release reminding all Town of Lancaster residents regarding winter parking ban. Disposition = Received & Filed**
- 841. Town Engineer to Town Board –
Recommend to utilize Global Industries, 2505 Mill Center Parkway, Buford, GA for additional shelving for Records Storage. Disposition = For Resolution**
- 842. Recreation Supervisor to Supervisor and Town Board –
Request for resolution to hire Daniel M. Speyer to the position of Van Driver, permanent part-time for the Senior Citizens Center. Disposition = Resolution 11/18/19**
- 843. Park Crew Chief to Supervisor and Town Board –
Request for resolution to appoint three individuals to the position of part-time permanent employees for the fall/winter of 2019-2020 in the Parks, Recreation & Forestry Dept. Disposition = Resolution 11/18/19**
- 844. Environmental & Land Manager, Lafarge to Town Clerk –
Response to November 1, 2019 letter regarding Annual Renewal for year 2020. Disposition = Received & Filed**
- 845. Town Clerk to Code Enforcement Officer –
Copy of letter requesting a renewal of Special Use Permit for Northeast Diversification, Inc., 954 Ransom Road. Disposition = For Resolution**
- 846. Town Clerk to Code Enforcement Officer –
Copy of renewal application for Advantage Trucks.com, LLC, 933 Ransom Rd., Application for a 2020 License to Conduct a Salvage Yard. Disposition = For Resolution**
- 847. Erie County Industrial Development Agency to Lancaster Industrial Development Agency –
Public Hearing Notice for proposed PILOT deviation for Erie Wind, LLC Project on 2 parcels of land at 2303 Hamburg Turnpike, Lackawanna, NY. Disposition = LIDA**

848. Erie County Industrial Development Agency to Lancaster Industrial Development Agency –
Public Hearing Notice for proposed PILOT deviation for Erie Wind, LLC Project on 8 parcels of land at 2303 Hamburg Turnpike, Lackawanna, NY.
Disposition = LIDA
849. Hamburg Industrial Development Agency to Lancaster Industrial Development Agency –
Information regarding proposed PILOT deviation – Erie Wind, LLC.
Disposition =LIDA
850. Richard Quinn to Town Board –
Request not to be re-appointed as Chairman for the Zoning Board of Appeals for 2020. Disposition = Received & Filed
851. Town of Alden to Supervisor –
Proposed adoption of Local Law No. 6 of the Year 2019, to decrease the number of members of the Town of Alden Planning Board.
Disposition = Received & Filed
852. Town Clerk to Code Enforcement Officer –
Copy of letter from Daniel A. Dintino, Jr. requesting a renewal of a Special Use Permit to conduct an automotive service & repair business at 561/563 Pavement Road. Disposition = For Resolution
853. Town Engineer to Supervisor –
Information regarding bids for replacement of the portico on the Historical Building, 40 Clark St. Disposition = For Resolution
854. Charter Communications to Town Clerk –
Upcoming changes to channel line-up on Spectrum.
Disposition = Received & Filed
855. Dog Control Officer to Supervisor and Town Board –
Request for permission to apply for the Companion Animal Capital Fund Grant. Disposition = Town Board For Consideration
856. Town Attorney to Town Board and Planning Board –
SEQR response from NYSDEC regarding Cadby Industrial Park Temporary Building Construction, 954 Ransom Rd., Proj. #4019.
Disposition = Planning Committee
857. Town Engineer to Town Board –
Information regarding Application for Dumping Permit, Pelican Lake Trust, 3803 Bowen Rd. Disposition = Town Board For Consideration
858. Planning Board Chairman to Planning Board, Town Board, Town Attorney, Engineering Consultant, Town Attorney, Highway Superintendent and Building Inspector –
Draft copy of minutes from November 6, 2019 Planning Board meeting.
Disposition = Received & Filed
859. Planning Board to Town Board –
Memo recommending approval of Preliminary Plat Review for DiMino 2-lot split, 0 Pavement Road. Disposition = Resolution 11/18/19
860. Planning Board to Town Board –
Memo recommending approval of Revised Site Plan Review for Love Joy Church, 5423 Genesee St.; conditions noted. Disposition = Received & Filed
861. Town Clerk to Code Enforcement Officer –
Copy of letter from Aaron Stisser requesting renewal of a Special use Permit For MJJ Property Management, 6140 Genesee St. Disposition = For Resolution

862. Police Chief to Town Clerk—

Articles and communications. Disposition = Received & Filed

863. Charter Communications to Supervisor –

Upcoming changes to channel line-up. Disposition = Received & Filed

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER RUFFINO AND SECONDED BY
COUNCIL MEMBER WALTER AND CARRIED,** the meeting was adjourned in memory
of Mary Arcese, Monsignor William Gallagher and Mary Marino at 7:45 P.M.

Signed _____

Diane M. Terranova, Town Clerk