

Town Board Minutes

**Meeting
No. 15**

Special Meeting

June 3, 1996

MEETINGS TO DATE 15
NO. OF REGULARS 10
NO. OF SPECIALS 5

LANCASTER, NEW YORK
JUNE 3, 1996

A joint meeting of the Town Board and the Planning Board of the town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 3rd day of June 1996, at 6:30 P.M. and there were

PRESENT: ROBERT GIZA, SUPERVISOR
DONALD KWAK, COUNCIL MEMBER
JOHN MILLER, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
DONNA STEMPNIAK, COUNCIL MEMBER
REBECCA ANDERSON, PLANNING BOARD CHAIRMAN
JOHN GOBER, PLANNING BOARD MEMBER
STEVEN SOCHA, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER
MILDRED WHITTAKER, PLANNING BOARD MEMBER

ABSENT: FRANK DE CARLO, PLANNING BOARD MEMBER
DAVID MARRANO, PLANNING BOARD MEMBER

ALSO PRESENT: ROBERT THILL, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
ROBERT LANEY, BUILDING INSPECTOR
ROBERT LABENSKI, TOWN ENGINEER

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of two actions.

**IN THE MATTER OF THE SEQR REVIEW OF THE
EDWARD LEWIS REZONE PETITION AND
PROPOSED COUNTRY MANSION TOWNHOUSE DEVELOPMENT**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Edward Lewis rezone matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

The Municipal Review Committee noted certain concerns raised by the Erie County Department of Environment and Planning in a letter dated May 16, 1996 and a letter from the New York State Department of Environmental Conservation dated May 21, 1996.

The Committee decided not to proceed with further review on this project this evening and directed the developer to address the concerns raised by the Erie County Department of Environment and Planning and the New York State Department of Environmental Conservation at which time the Committee would reconvene the SEQR review on this project.

On motion duly made seconded and carried further review of this matter was adjourned pending receipt of additional data from the petitioner at which time this SEQR review will be continued.

**IN THE MATTER OF THE SEQR REVIEW OF THE
RANDALL BENDERSON 1993-1 TRUST SITE PLAN AND REZONE PETITION**

The Municipal Review Committee then proceeded with the Environmental Assessment on the proposed Randall Benderson 1993-1 Trust rezone and site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on a Full Environmental Assessment Form Part 2 which was provided to each member.

The Municipal Review Committee noted the following potentially large adverse environmental impacts:

1. Construction of a paved parking area for 1,000 or more vehicles.
2. Proposed action will induce 1,000 or more vehicle trips in any given hour.
3. Proposed action will alter present patterns of movement of people and/or goods.
4. Proposed action will result in major traffic problems.

The committee decided not to proceed with further review on this project this evening and directed the developer to address the concerns identified which represent potentially large environmental impacts at which time the committee would reconvene the SEQR review on this project.

On motion duly made seconded and carried further review of this matter was adjourned pending receipt of additional data from the petitioner at which time this SEQR review will be continued.

ADJOURNMENT:

ON MOTION DULY MADE, SECONDED AND CARRIED, this meeting was adjourned at 7:30 P.M.



Robert P. Thill, Town Clerk

Town Board Minutes

**Meeting
No. 16**

Regular Meeting

June 3, 1996

MEETINGS TO DATE 16
NO. OF REGULARS 11
NO. OF SPECIALS 5

LANCASTER, NEW YORK
JUNE 3, 1996

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 3rd day of June 1996 at 8:00 P.M. and there were

PRESENT: DONALD KWAK, COUNCIL MEMBER
JOHN MILLER, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT THILL, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
ROBERT LANEY, BUILDING INSPECTOR
THOMAS FOWLER, CHIEF OF POLICE
JOHANNA COLEMAN, RECEIVER OF TAXES
CHRISTINE FUSCO, ASSESSOR

EXECUTIVE SESSION:

UPON MOTION DULY MADE, SECONDED AND UNANIMOUSLY CARRIED, the Town Board voted at 10:50 P.M. to deliberate in Executive Session for the announced purpose of discussing a personnel matter.

At 11:20 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed rezone petition of Edward Lewis for property situate at 5844 Broadway, rezoning said property from a GB-General Business District and AR-Agricultural District to a MFR-3.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to the Petitioner, the Erie County Division of Planning and property owners of record within 200 feet of the proposed rezone site, notifying them of the time and place of this Public Hearing.

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending approval of the proposed rezone.

PROPONENTS

ADDRESS

Edward Lewis, the petitioner
James Keysa,

5455 Broadway, representing the
Lancaster Cemetery Assn.

OPPONENTS

ADDRESS

David Marrano

26 Hillside Pkwy

COMMENTS & QUESTIONS

ADDRESS

Donald Symer
Kandy Palmeri

610 Columbia Ave.
5815 Genesee St

ON MOTION BY COUNCIL MEMBER MILLER, AND SECONDED BY COUNCIL MEMBER KWAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:30 P.M.

ADJOURNED PUBLIC HEARING RECONVENED FROM MAY 20, 1996

At 9:30 P.M., the Town Board reconvened a May 20, 1996 Public Hearing to hear all interested persons upon the rezone petition of Robert D. Alonzo, the agent for Randall Benderson 1993-1 Trust, for rezone of property located on the southeast corner of Transit Road and Wehrle Drive in the Town of Lancaster, New York from a R1-Residential District One, to a GB-General Business District.

PROPONENTS ADDRESS

Robert D. Alonzo, agent for the petitioner

OPPONENTS ADDRESS

Janet Lipa	2667 Wehrle Drive
Richard Reese, Jr.	2659 Wehrle Drive
Robert Naab	2671 Wehrle Drive
Anthony DiStefano	226 N. Maple Drive

COMMENTS & QUESTIONS ADDRESS

There were other questions and comments from the floor, however, these persons did not give their name and address to the clerk but just made short comments from their seats.

ON MOTION BY COUNCIL MEMBER KWAK, AND SECONDED BY COUNCIL MEMBER MILLER AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 10:40 P.M.

May 20, 1996

PERSONS ADDRESSING TOWN BOARD:

Bastian, Norman, 5747 Genesee Street, spoke to the Town Board on the following matter:

The size of the gas line servicing the Tops project.

Lenaster, Kevin, 720 Schwartz Road, spoke to the Town Board on the following matter:

Construction of a bridle path at Westwood Park.

Gull, Henry, 710 Pavement Road, spoke to the Town Board on the following matter:

Occupancy permit for Tops market.

Heckl, Robert, 706 Pavement Road, spoke to the Town Board on the following matter:

Complained of noise and dust on Sunday morning emanating from the Tops site.

Palmeri, Kandy, 5815 Genesee Street, spoke to the Town Board on the following matter:

Complained of noise on Sunday morning emanating from the Tops construction site.

File: PERSADD.TB (P3)

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

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

RESOLVED, that the minutes from the Joint Meeting of the Town Board and
the Planning Board held on May 20, 1996, and the Regular Meeting of the Town Board held
on May 20, 1996, 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 KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 3, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
MILLER . TO WIT:

WHEREAS, by memorandum dated May 24, 1996, the Town Clerk of the
Town of Lancaster, requested line transfers be made within the General Fund Budget in order to
purchase dedicated Town Clerk's Office software for the management of dog licenses, sporting
licenses and other fiscal affairs of the Town Clerk's Office,

NOW, THEREFORE, BE IT

RESOLVED, that the following transfers within the 1996 Adopted General
Fund Budget be and are hereby approved:

<u>FUND APPROPRIATIONS</u>	<u>INCREASE</u>	<u>DECREASE</u>
01.1410.0411 Miscellaneous Contractual Expenses	5,325.00	
01.1450.0100 Personal Services - Election Inspectors		5,325.00

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

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 3, 1996

File: RACCTRAN (P4)

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

WHEREAS, the Twin District Volunteer Fire Company, Inc., by letter
dated May 13, 1996, has requested the addition of one member to the active roster of said fire
association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the
addition to the membership of the Twin District Volunteer Fire Company, Inc. of the following
individual:

ADDITION

Ida Skinner
3758 Bowen Road
Lancaster, New York 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 GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 3, 1996

File: RFIRE (P5)

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

WHEREAS, the Department Crew Chief, by letter dated May 29, 1996, has requested the following appointments as seasonal employees in the Parks and Recreation Department of the Town of Lancaster for the summer season of 1996.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby appointed to positions of seasonal employees for the summer of 1996 in the Parks and Recreation Department of the Town of Lancaster at the following hourly rates as specified:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
Julia Przepiora (new hire) 176 Peppermint Road Lancaster, New York 14086	Lifeguard Substitute	\$5.25 hr.
Julie Volpe (new hire) 89 Wilma Drive Lancaster, New York 14086	Lifeguard	\$5.25 hr.

and.

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

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

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 3, 1996

File: RPERS.SUM (P10)

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

WHEREAS, the Town of Lancaster has heretofore established a joint Social Work Counselor Program with the Lancaster Central School District and desires to continue this program, and

WHEREAS, the Town Board has received assurance of participation in State funding by the Division for Youth of the State of New York and the Lancaster Central School District:

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby agrees to continue a joint program for a Social Work Counselor to work in the Town of Lancaster with Lancaster Central School Children in response to a demonstrated need for such services in order to reduce juvenile delinquency, enhance educational and social opportunities for youth of the Town of Lancaster and reduce the impact of drug use, truancy, vandalism and juvenile pregnancy, and otherwise reduce the impact of social pressures upon single-parent youth, for the period commencing July 1, 1996 and ending June 30, 1997.

2. That funding for the program, at a total annual cost of approximately \$38,874.00 will be provided at 18% of direct salary from the State Division for Youth, 42% of direct salary plus 50% of the contractual expenses and fringe benefit costs, from the Town of Lancaster to be drawn from General Fund Account "School Social Work Counselor Program", and 40% of direct salary plus 50% of the contractual expenses and fringe benefit costs from the Lancaster Central School District, and

3. That the Supervisor be and hereby is authorized and directed to sign an Agreement to renew said program, said Agreement to be drawn by the Town Attorney, providing for participation in said program by the Town of Lancaster, the Division for Youth of the State of New York and the Lancaster Central School District.

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

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 3, 1996

File: rsocwk

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

WHEREAS, the developer has requested the Town Board of the Town of Lancaster to accept completed Public Improvements within Woodgate Subdivision, Phase IIB within the Town of Lancaster, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Public Improvements within Woodgate Subdivision, Phase IIB be and are hereby approved and accepted by the Town Board of the Town of Lancaster:

- P.I.P. No. 426 - Water Line
- P.I.P. No. 428 - Storm Sewers
- P.I.P. No. 427 - Pavement and Curbs

conditioned, however, upon the following:

1. **Receipt by the Town Clerk**, within 60 days, of an "Application For Permit To Construct A Public Improvement" for both street lights and sidewalks within this subdivision said application encompassing the area of the Public Improvements accepted herein, or greater area at the option of the developer.
2. **Receipt by the Town Clerk**, within 60 days, of deeds, easements title report, title insurance and bill of sale to the improvements for the property conveyed to the Town of Lancaster.
3. **Receipt by the Town Clerk**, within 60 days, of maintenance bonds for each of the improvements accepted herein in the principal amount of 25% of the value of the improvements accepted. The bonds shall run for a term of two years commencing with the date of adoption of this resolution, and

BE IT FURTHER

RESOLVED, that should the conditions enumerated herein not be met within the stated 60 day period, the Building Inspector and the Town Clerk are directed to suspend the acceptance of building permit applications for construction within this subdivision, or subdivision phase, as the case may be.

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

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 3, 1996

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

WHEREAS, Phyllis A. Greco, Senior Clerk Stenographer in the Office of the Supervisor of the Town of Lancaster, was assigned additional duties by the Supervisor of the Town of Lancaster on January 1, 1996, namely administrative secretary to the Lancaster Industrial Development Agency (LIDA), and

WHEREAS, the Supervisor has recommended a \$1,500.00 salary increase for Phyllis A. Greco, retroactive to January 1, 1996, and

WHEREAS, the Town of Lancaster White Collar Unit No. 815 has agreed to the salary increase request for Phyllis A. Greco, Senior Clerk Stenographer, and

WHEREAS, the Lancaster Industrial Development Agency (LIDA), by resolution dated May 23, 1996, has authorized a reimbursement to the Town of Lancaster of 1/5th of the 1996 salary of Phyllis Greco, plus administrative overhead of 20%, for services performed by said Phyllis Greco on behalf of the Lancaster Industrial Development Agency (LIDA), and

WHEREAS, said reimbursement from the Lancaster Industrial Development Agency (LIDA) represents unanticipated revenues in the 1996 General Fund Budget and is more than adequate to fund the increase in Phyllis A. Greco's 1996 salary,

NOW, THEREFORE, BE IT

RESOLVED, that the resolution adopted by the Town Board on January 1, 1996 setting the salary of **PHYLLIS A. GRECO** for the year 1996 be and is hereby amended by deleting the stated salary of \$31,837.00 and substituting therefore a new 1996 salary of \$33,337.00, and

BE IT FURTHER

RESOLVED, that the following amendment to the 1996 General Fund Budget be and is hereby approved:

<u>General Fund Budget</u>	<u>Increase</u>
<u>G/L Accounts</u>	
A510 Estimated Revenue	8,000.00
A960 Appropriations	8,000.00
<u>Subsidiary Accounts - Revenues</u>	
A1289 Reimbursement from LIDA for administrative services rendered by Supervisor's Office Staff	8,000.00

Subsidiary Accounts - Appropriations:

A 1220.100 Supervisor's Office - Salaries 8,000.00

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

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 3, 1996

FILE: RPERS.UPG (P6-7)

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

WHEREAS, JANICE A. STRANC, President of **FAST AUTO GLASS, INC.**, the agent of owner Kovach Enterprises, and prospective lessee of real property situate at 5151 Genesee Street in the Town of Lancaster, has submitted an application for a Special Use Permit for an Auto Glass Retail Business in accordance with provisions of Chapter 50-Zoning, Section 20 (B) of the Code of the Town of Lancaster, and

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 50-Zoning, Section 20 (B), entitled "Commercial Motor Service District" of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for an Auto Glass Retail Business on premises locally known as 5151 Genesee Street in the Town of Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 17th day of June, 1996, at 8:30 o'clock P.M., Local Time, and that Notice of the time and place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

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

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 3, 1996

File: rsuphl

LEGAL NOTICE
PUBLIC HEARING
SPECIAL USE PERMIT- FAST AUTO GLASS, INC.
GENESEE STREET, TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 50-Zoning, Section 20 (B) "Commercial Motor Service District" of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 3rd day of June, 1996, the said Town Board will hold a Public Hearing on the 17th day of June, 1996, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of Joyce Stranc, President of Fast Auto Glass, Inc., for a Special Use Permit for an Auto Glass Retail Business on premises locally known as 5151 Genesee Street, Town of Lancaster, County of Erie, State of New York.

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

TOWN BOARD OF THE
TOWN OF LANCASTER

By:: ROBERT P. THILL
Town Clerk

June 3, 1996

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

WHEREAS, the Town Board of the Town of Lancaster has heretofore retained Donald Gallo, Consulting Engineer, to prepare plans and specifications and provide engineering services for, Handicapped Accessibility/Renovations at the Tax Receiver's Office at the Town Hall, 21 Central Avenue, Lancaster, New York, and

WHEREAS, plans and specifications have been filed with the Town Clerk, and

WHEREAS, the Town Board of the Town of Lancaster, after review of the plans and specifications, desires to advertise for public bids pursuant to the requirements of Section 103 of the General Municipal Law;

NOW, THEREFORE, BE IT

RESOLVED, that Sealed Bids for Construction of Handicapped Accessibility/Renovations at the Tax Receiver's Office at the Town Hall, 21 Central Avenue in the Town of Lancaster, Erie County, New York, will be received by the Town Clerk or his designee at his office in the Town Hall, 21 Central Avenue, Lancaster, New York 14086 at 10:00 A.M. Local Time, on the 24th day of June, 1996, and that a Notice to Bidders shall be published in the Lancaster Bee on June 6th, 1996, which Notice shall be in the form attached hereto and made a part hereof.

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

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 3, 1996

File: rnbdtax

TOWN OF LANCASTER
ERIE COUNTY, NEW YORK

HANDICAPPED ACCESSIBILITY- CONTRACT NO. 11B
NOTICE TO BIDDERS

Sealed Bids for Contract 11B Handicapped Accessibility/Renovations at the Tax Receiver's Office at the Town Hall, 21 Central Avenue in the Town of Lancaster, Erie County, New York, for the Town of Lancaster will be received from bidders by the Town Clerk, or his designee, at his office in the Town Hall, 21 Central Avenue, Lancaster, New York 14086 on or before 10:00 A.M., Local Time, on the 24th day of June 1996, at which time they will be publicly opened and read aloud. The Project consists of handicapped accessibility improvements to the Tax Receiver's Office and related work.

Contract Documents may be examined at the office of the Town Clerk of the Town of Lancaster at 21 Central Avenue, Lancaster, NY 14086 and at the offices of the ENGINEER at the address listed below between the hours of 9:00 A.M. and 4:30 P.M. from June 6, 1996 to June 24, 1996 except Saturdays, Sundays, and Holidays.

The site will be open for inspection during normal business hours (9:00 A.M. to 4:30 P.M.) Monday through Friday, except Holidays. Call 683-1328 to schedule the inspection(s).

Copies may be obtained from the office of the ENGINEER upon deposit of \$100.00 for each set. The ENGINEER will mail the Contract Documents to those wishing to obtain a set upon receipt of the document fee plus a non-refundable mailing and handling charge of Twenty Dollars (\$20.00) per set. The mailing date will be considered the bidder's date of receipt. Partial sets of Contract Documents will not be available. Neither the OWNER nor the ENGINEER will be responsible for full or partial sets of Contract Documents, including any addenda, obtained from other sources. Bidders who return full sets of documents in good condition within thirty (30) days of award of the contract will receive a full refund. Non bidders will be refunded one-half of the deposit upon return of full sets of Contract Documents within thirty (30) days of award of the Contract. No refunds will be made for the return of additional sets. Checks for documents shall be made payable to the ENGINEER. The \$100.00 deposit shall be in the form of two (2) \$50.00 checks made payable to the ENGINEER. Checks for mailing fees shall be made payable to the ENGINEER.

The attention of the Bidders is called particularly to the requirements with respect to conditions of employment to be observed and minimum wage rates to be paid under the contract, and further to the Affirmative Action Requirements for Equal Employment Opportunity.

The attention of the Bidders is called to the provisions of Article 5A of the General Municipal Law which requires the Bidder to execute a certificate of non-collusion and to conform with the other provisions of Article 5A outlined in the Instructions to Bidders and Supplementary Conditions. A form for such certificate accompanies the bid form. Unless it is properly executed, the bid will not be accepted.

The successful Bidder will be required to furnish Payment and Performance Bonds each in an amount equal to 100 percent (100%) of the Contract award.

For the purpose of the deposit refund, bidders shall only be considered as those that formally submit a bid at the time and place as stated above and for the purpose of the performance of the work as set forth in these Specifications.

Bid Forms shall not be removed from the Project Manual and the entire Project Manual shall be submitted with the Bid.

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

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

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

As evidence of his competency to perform the work, each Bidder shall submit with his Bid a statement of his qualifications and resources. Each Bid must contain evidence of Bidder's qualification to do business in the state where the Project is located or covenant to obtain such qualification prior to award of the Contract. Low Bidders may be asked to furnish additional data to demonstrate competency.

The right to reject any or all bids, to waive any informalities in, or to make an award to other than the low bidder or to the lowest responsive and responsible bidder, to delete bid sections or items, should it be deemed to be in the best interest of the Town of Lancaster, and in accordance with law, are herewith reserved.

The Town of Lancaster is an exempt organization under the Tax Law and is exempt from payment of Sales and Compensating Use Taxes which are to be incorporated into the project and which are to be separately sold by the CONTRACTOR to the OWNER prior to incorporation into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid. Sales tax will be due on all materials purchased by CONTRACTOR which are either "consumable" or rental property used by the CONTRACTOR in connection with the construction or repair.

Award of a Contract or Contracts is subject to Town of Lancaster Financing.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF LANCASTER, N. Y.

Robert P. Thill, Town Clerk

Consulting Engineer:
Donald Gallo, Consulting Engineer, P.C.
589 Delaware Avenue
Buffalo, New York 14202
(716) 883-1234

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

WHEREAS, the Town Board deems it in the best interest of the Town of Lancaster that the power to equip, operate and maintain playgrounds and recreation centers shall be exercised by a recreation commission, and

WHEREAS, said recreation commission shall be established and consist of five (5) members who are residents of the Town of Lancaster, and

WHEREAS, the Town Board shall appoint members such that the term of one Commissioner shall expire annually thereafter and that their successors shall thereafter be appointed to serve a term of five (5) years, and

WHEREAS, the members of said commission shall serve without pay;

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Lancaster Recreation Commission be and the same is hereby established effective June 3, 1996.

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

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 3, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER , WHO MOVED
ITS ADOPTION. SECONDED BY
COUNCIL MEMBER KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore retained Hayden Wegman, Consulting Engineers, to prepare plans and specifications and provide engineering services for Water System Improvements Construction of Phase I, Aurora Street, Glendale Drive, Parkdale Drive and Steinfeldt Road in the said Town, and

WHEREAS, plans and specifications have been filed with the Town Clerk, and

WHEREAS, the Town Board of the Town of Lancaster, after review of the plans and specifications, desires to advertise for public bids pursuant to the requirements of Section 103 of the General Municipal Law:

NOW, THEREFORE, BE IT

RESOLVED, that Sealed Bids for Water System Improvements Construction of Phase I, Aurora Street, Glendale Drive, Parkdale Drive and Steinfeldt Road in the Town of Lancaster, will be received by the Town Clerk or his designee at his office in the Town Hall, 21 Central Avenue, Lancaster, New York 14086 at 10:00 A.M. Local Time, on the 25th day of June, 1996, and that a Notice to Bidders shall be published in the Lancaster Bee on June 6th, 1996, which Notice shall be in the form attached hereto and made a part hereof.

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

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 3, 1996

File: rnbdwtr1

**NOTICE TO BIDDERS
FOR THE
TOWN OF LANCASTER**

**WATER SYSTEM IMPROVEMENTS
CONSTRUCTION OF PHASE I
AURORA STREET - GLENDALE DRIVE
PARKDALE DRIVE - STEINFELDT ROAD**

Sealed bids for the construction of replacement watermains for the above mentioned location in the Town of Lancaster will be received from Bidders by the Town Clerk or his designee at his office at 21 Central Avenue, Lancaster, New York on or before 10:00 A.M. local time on the 25th of June, 1996 of which time they will be publicly opened and read aloud in the Council Chambers, 21 Central Avenue, Lancaster, New York. Plans and Specifications may be obtained or examined at the office of the Town's Engineering Consultant, Hayden I Wegman, Consulting Engineers, Inc. at 455 Commerce Drive, Amherst, New York between the hours of 8:30 A.M. and 4:30 P.M. from June 6, 1996 to June 25, 1996 except Saturdays, Sundays, and Holidays.

A deposit of \$100.00 per set is required (two (2) checks of \$50.00 each payable to Hayden I Wegman, Consulting Engineers, Inc.). Bidders will receive a refund of the entire deposit upon returning plans and specifications in good condition within thirty (30) days of the Bid Opening. Non-Bidders will be refunded one-half of the deposit upon the return of such plans and specifications in good condition within thirty (30) days of the Award of the Contract.

Proposals shall be made and received upon the following conditions:

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

All deposits except that of the successful Bidder will be returned. A completed Non-collusive Bidders Certificate must accompany all Bids.

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

Consulting Engineers:
Hayden I Wegman, Consulting Engineers
455 Commerce Drive
Williamsville, New York 14221
(716) 691-4713

By Order of the Town Board of the Town
of Lancaster, Erie County, New York
Robert P. Thill
Town Clerk

Date of advertisement: June 6, 1996

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

WHEREAS, the Town of Lancaster has received a project grant for Program Year 1996-1997 pursuant to the Housing and Community Development Act of 1974, and

WHEREAS, the Director of the Community Development Program for Erie County has tendered an Agreement between the County and Town of Lancaster for the purpose of undertaking eligible activities under said Grant,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized and directed to execute the Agreement between the County of Erie and the Town of Lancaster for the purpose of assisting and undertaking essential community development and housing assistance activities for the Program Year 1996-1997 for the following approved project and costs related thereto:

- Conduct a town-wide study to define potential corridors for a proposed addition to the transportation system in Erie County, generally parallel to and east of Transit Road in the Town of Lancaster. (North/south corridor)

Total 1996-1997 Community Development Allocation: \$25,000.00

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

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 3, 1996

File: racomdev

THE FOLLOWING RESOLUTION WAS OFFERED ^{Page 481}
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 8230 to Claim No. 8406 Inclusive

Total amount hereby authorized to be paid: **\$464,651.58**

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

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 3, 1996

File: RCLAIMS

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

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

<u>No.</u>	<u>Code Applicant</u>	<u>Street Address</u>	<u>Structure</u>
3375	Francis Rera	83 Williamsburg Ln	Er. Pool
3376	William P Zehler	50 Main St	Alt. Sin. Dwlg
3377	Michael Walker	18 Lake Fst Pkwy E	Er. Shed
3378	Delores Jakubczak	200 Enchanted Fst N	Er. Shed
3379	John Cappello	8 Signal Dr	Er. Shed
3380	Jose & Tina Colon	21 Edward St	Er. Pool
3381	Marrano/Marc Equity	25 Whitestone Ln	Er. Sin. Dwlg
3382	Marrano/Marc Equity	43 Whitestone Ln	Er. Sin. Dwlg
3383	Paul Avery	16 Schilling Ct	Er. Pool
3384	Rodney G Miller	32 Signal Dr	Er. Deck
3385	William Lipa	2667 Wehrle Dr	Er. Fence
3386	Glenridge Development of Lancaster	123-143 Olde Stone Ln	Er. Condos
3387	Majestic Pools Inc	4 Via Donato W	Er. Fence/Pool
3388	Adam Matuszewski	25 Riemers Ave	Er. Deck
3389	Donato Development Inc	1718 Como Park Blvd	Er. Dbl. Dwlg
3390	Majestic Pools Inc	78 Old Post Rd	Er. Fence/Pool
3391	Dave Pietrowski	14 Via Donato W	Er. Deck
3392	Lovejoy Bldrs Inc	17 Michael Anthony	Er. Sin. Dwlg
3393	Mr/Mrs Wojciechowska	5575 Genesee St	Ex. Sin. Dwlg
3394	Joseph Polak	83 Newberry Ln	Er. Pool
3395	Burt Maggie	23 Wainwright Ct	Er. Fence

3396	All Craft Homes	8 Wendtworth Ct	Er. Sin. Dwlg
3397	All Craft Homes	10 Broadmoor Ct	Er. Sin. Dwlg
3398	Mike Wendel c/o Cracker Barrel	6643 Transit Rd	Er. Restaurant
3399	Mike Wendel c/oCracker Barrel	6643 Transit Rd	Dem. Restaurant
3400	Loren Pletscher	329 Schwartz Rd	Er. Grain Barn
3401	Michael & Pat Girardi	25 Chestnut Corner	Er. Deck
3402	Dennis Kendall	4 Trentwood Tr	Er. Deck
3403	Marrano/Marc Equity	11 Stonehedge Dr	Er. Sin. Dwlg
3404	Chase Pitkin	13 Via Donato W	Er. Deck
3405	Dave Kalmeyer	18 Westwood Rd	Er. Shed
3406	Al DiCristofaro	35 Southpoint Dr	Er. Shed
3407	Majestic Pools Inc	82 Williamsburg Ln	Er. Fence/Pool
3408	Patrick Fellner	8 Westbury Ln	Er. End Patio
3409	M F Sebastiano	7 Williamsburg Ln	Er. Garage
3410	Andrew Berry	420Hall Rd	Er. Storage Bldg
3411	Ken McCreary	11 Hill Valley Dr	Er. Deck
3412	Dan Lesinski	53 Meadow Lea	Er. Pool
3413	Frank Sofia	50 Newberry Ln	Er. Deck/Pool
3414	Forbes Homes Inc	22 Hill Valley Dr	Er. Sin. Dwlg
3415	Albert Rancaccio Bldrs Inc	10 Dorchester Ct	Er. Sin. Dwlg
3416	Regina LaMarca	1390 Ransom Rd	Er. Pool
3417	Decks Etc Inc	24 Whitestone Ln	Er. Deck
3418	Decks Etc Inc	16 Hunters Dr	Er. Deck
3419	Dan Scaglione	29 Spruceland Terr	Er. Pool
3420	Dan/Linda Scaglione	29 Spruceland Terr	Er. Patio Encl
3421	Dennis D'Andrda	6218 Broadway	Rem/Rep Windows
3422	M J Ogiony	38 Stream View Ln	Er. Sin. Dwlg
3423	Shawn Browne	11 Traceway	Er. Deck
3424	M/M Brian J Evers	19 Oakwood Comm	Er. Deck
3425 (SW)	Jim Popielarz	1404 Townline Rd	Er. Sin. Dwlg
3426	Tim Odrobina	458Townline Rd	Ex. Sin. Dwlg
3427	Richard Thurnherr	131Pavement Rd	Ex. Pole Barn

and,

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved 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 following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 3, 1996

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

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50 - Zoning - Section 17 (F) of the Code of the Town of Lancaster, upon the application of RICHARD D. ZARBO for a Special Use Permit for a Home Occupation (Gun Shop), on premises located at 357 Stony Road, Lancaster, New York, , and

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

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That pursuant to Chapter 50 - Zoning - 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 a Special Use Permit to RICHARD D. ZARBO, for a Home Occupation (Gun Shop) on premises located at 357 Stony Road, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance, with the stipulation that not more than two (2) client cars be parked on or adjacent to the property at any given time;

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Section F, of the Code of the Town of Lancaster as long as the applicant continues to engage in the home occupation on the premises, namely:

- a. Only persons residing on the premises shall be engaged in such an occupation;
- b. The home occupation shall be clearly incidental and subordinate to the use of the premises for residential purposes. The area devoted YES to the home occupation shall not exceed twenty-five percent (25%) of the ground floor area of the principal structure. It may be within the principal accessory structure;

- c. There shall be no change in the outside appearance of the Building or premises or other visible evidence of the conduct of such home occupation;
- d. No equipment or process shall be used which creates noise, vibration, glare, fumes, odors or electrical interference perceptible to the normal senses off the lot;

and the additional following conditions:

- e.. There shall be no outdoor sign advertising this business;
- f. There shall be no discharge of firearms on the premises by the owner applicant or any other person; and
- g. This Special Use Permit terminates when the applicant no longer resides on the premises.

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

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 3, 1996

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

WHEREAS, the Town Board has previously duly advertised for bids to furnish One (1) New and Unused 1996 Set-Back Front Axle Tractor for use by the Highway Department of the Town of Lancaster, and

WHEREAS, bids were received and opened on May 20 1996, and

WHEREAS, by letter dated May 22, 1996, the Highway Superintendent has recommended that the bid of FLEET MAINTENANCE, 67 Ransier Drive, West Seneca, New York 14224, in the amount of \$67,622.50, being the lowest responsible bid in conformance with the specifications on file in the Town Clerk's office, be accepted by the Town for this equipment:

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby awards the bid for One (1) New and Unused 1996 Set-Back Front Axle Tractor for use by the Highway Department, to FLEET MAINTENANCE, 67 Ransier Drive, West Seneca, New York 14224 said bidder being the lowest responsible bidder in conformance with the specifications on file in the office of the Town Clerk, in the net amount of \$67,622.50, which includes a \$1,000.00 trade-in of one (1) 1969 Autocar Tractor, and

2. That the Highway Superintendent be and is hereby authorized to order such equipment.

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

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 3, 1996

File: rahwybdp.

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolution: Page 488

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

WHEREAS, the Town Board, by resolution adopted January 1, 1996, abolished certain laborer grade positions in the Recreation Department, which positions were in the White Collar Bargaining Unit, and

WHEREAS, the Town Board, after due review with the General Crew Chief of Buildings and Grounds, Parks and Senior Facility, and after consideration of the labor requirements in the department, has determined that one of the laborer positions abolished should be restored and that an appointment to that laborer position be made from a current laborer aide,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby creates one (1) position of Laborer in the Buildings and Grounds, Parks and Senior Facility Department (White Collar Bargaining Unit) and authorizes the Supervisor of the Town of Lancaster to take the necessary action with the Erie County Personnel Department to authorize this position, and

BE IT FURTHER

RESOLVED, that **MARK LUBERA**, 132 Grant Street, Depew, New York 14043, currently a Laborer Aide, be and is hereby appointed, effective June 3, 1996, to the position of Laborer, which position he held prior to the abolishment of the laborer positions.

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

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 3, 1996

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolution:

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

WHEREAS, the Town Engineer, by letter dated May 16, 1996, has recommended the appointment of a temporary construction inspector with the Engineering Department of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that John R. Gallo, 575 Lake Avenue, Lancaster, New York 14086, is hereby appointed to the position of Construction Inspector, full-time (temporary), retroactive to May 28, 1996, for work within the Town of Lancaster Engineering Department in their inspection program, at an hourly rate of \$14.00 per hour, and

BE IT FURTHER

RESOLVED, that the appointment, made herein, does not carry benefits, but allows for time and one-half pay for overtime (over 40 hours per week), and

BE IT FURTHER

RESOLVED, that said position shall be terminated no later than December 31, 1996, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish 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 KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 3, 1996

Council Member Montour requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

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

WHEREAS, the Town Board has previously duly advertised for bids to furnish One (1) New and Unused 1996 Low Boy Trailer for use by the Highway Department of the Town of Lancaster, and

WHEREAS, bids were received and opened on May 20 1996, and

WHEREAS, by letter dated May 31, 1996, the Highway Superintendent has recommended that the bid of Regional International Corporation, 1007 Lehigh Station Road, Henrietta, New York 14467, in the amount of \$24, 914.00 for a Dynaweld Trailer, being the lowest responsible bid in conformance with the specifications on file in the Town Clerk's office, be accepted by the Town for this equipment:

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby awards the bid for One (1) New and Unused 1996 Low Boy Trailer for use by the Highway Department, to Regional International Corporation, 1007 Lehigh Station Road, Henrietta, New York 14467, for One (1) Dynaweld Trailer, said bidder being the lowest responsible bidder in conformance with the specifications on file in the office of the Town Clerk, in the net amount of \$24,914.00; and
2. That the Highway Superintendent be and is hereby authorized to order such equipment.

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

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 3, 1996

File: rahwytrl.

COMMUNICATIONS

389. Town Engineer to Town Board -
Comments re: 1996 drainage improvements and ditch cleaning program.
DISPOSITION: Received and Filed
390. Town Engineer to Town Board -
Request appointment of John Gallo as temporary, full-time inspector through 12/96.
DISPOSITION: Received and Filed
391. Town Attorney to Town Board -
Advisement re: regulation of parking trucks on roads within Town. **DISPOSITION:**
Public Safety Committee
392. ECDEP to Dep. Attorney -
Results of SEQR review of Cracker Barrel Old Country Store site plan.
DISPOSITION: Received and Filed
393. Concerned Forestream Resident to DCO -
Comments with request for assistance in controlling feeding of wild animals.
DISPOSITION: Public Safety Committee
394. Building Inspector to Town Board -
Directive re: building permit application process for property situate at 18 Old School
house Rd. **DISPOSITION:** Received and Filed
395. Fox & Co. To Supervisor -
Transmittal of copies of audited financial statements re: the Industrial Access Project -
Walden Ave./Pavement Rd. Intersection Improvements. **DISPOSITION:** Received
and Filed
396. Town Clerk to Town Board -
Transmittal of Special Use Permit application of Fast Auto Glass, Inc. for property
situate at Genesee St./Transit Rd. **DISPOSITION:** Received and Filed
397. Highway Superintendent to Town Board
Request tractor bid award to Fleet Maintenance, Inc. **DISPOSITION:** Received and
Filed
398. Highway Superintendent to Town Board
List of equipment to be purchased under bond issue. **DISPOSITION:** Received and
Filed
399. Highway Superintendent to Town Board -
List of items which were auctioned this spring. **DISPOSITION:** Received and Filed
400. Eastwood Association Inc. To Town Board -
Expression of concern and disappointment re: proposed rezone of property situate at
William and Transit for theater complex. **DISPOSITION:** Received and Filed
401. Town Attorney to Town Board -
Advisement re: Industrial Access Project - Walden Ave/Pavement Rd Intersection
Project. **DISPOSITION:** Received and Filed
402. Town Clerk to Planning Board Chair. -
Transmittal of rezone petition for Dunbar Development, LLC for property situate on
6699 Transit Rd. **DISPOSITION:** Received and Filed
403. Christine Kole, 17 Eastwood Pkwy, to Town Clerk -
Expression of opposition to rezone petition re: proposed theater complex - William St.
and Transit Rd. **DISPOSITION:** Received and Filed
404. Police Chief to Town Board -
Transmittal of Notice of Decision re: former employee David Markus.
DISPOSITION: Received and Filed

405. Town Attorney to Frank's Vacuum Truck Service -
Submittal of expenses for payment re: diesel fuel spill on Genesee St./Harris Hill Rd.
DISPOSITION: Received and Filed
406. Town Attorney to Deioitte & Touche -
Advisement re: payment of invoice for audit services rendered for year ending
12/31/95. **DISPOSITION:** Received and Filed
407. Twin District V.F.C. to Town Clerk -
Notice of addition of new member to active roster. **DISPOSITION:** Received and
Filed
408. Town Clerk to Zoning Board Members, Building Inspector and Town Attorney -
Transmittal of variance petition for meeting to be held 6/13/96. **DISPOSITION:**
Received and Filed
409. Highway Superintendent to Town Board -
Recommend trailer bid award to L.B. Smith. **DISPOSITION:** Received and Filed
410. Town Clerk to Media -
Notice of SEQR meeting to be held 6/3/96 re: rezone petition of Edward Lewis and
rezone petition and site plan of Randall Benderson 1993-1. **DISPOSITION:**
Received and Filed
411. Richard L. Reese, Jr. to Town Board -
Request postponement of public hearing to be held 6/3/96 re: Benderson rezone
petition until 6/20/96. **DISPOSITION:** Received and Filed
412. Town Engineer to Town Board -
Recommend acceptance of storm sewer, pavement and curbs and water line public
improvements within Woodgate Subdivision, Phase IIB. **DISPOSITION:** Received
and Filed
413. ECDEP to Erie County Holding Center -
Advisement of policy re: land swap involving County land. **DISPOSITION:**
Received and Filed
414. Twin District V.F.C. to Highway Supt. -
Letter of thanks for blacktop repair work performed at fire department.
DISPOSITION: Received and Filed
415. Police Chief to Lt. Michael Curran -
Directive re: parking of vehicles in excess of six tons on relevant portions of Central
Ave. **DISPOSITION:** Public Safety Committee
416. Southeast Community Work Center, Inc. To Supervisor -
Invitation to luncheon on 6/21/96 in Depew. **DISPOSITION:** Received and Filed
417. NYS Workers' Comp Board to Town -
Explanation of the restructuring of Board Medical Bureau. **DISPOSITION:**
Received and Filed
418. ECDEP to Town Attorney -
Results of SEQ review of Transit/Wehrle theater complex rezone matter.
DISPOSITION: Planning Committee
419. Association of Towns to Supervisor -
Transmittal of Teleconference Training Notice and Legislative Alert.
DISPOSITION: Received and Filed
420. Wendel to Town Board -
Lancaster Youth Bureau Construction Progress Meeting minutes. **DISPOSITION:**
Received and Filed
421. E. Gruff to Town Board -
Opposition to Transit Rd./Rehm Rd. retail store with transmittal of article re: same.
DISPOSITION: Received and Filed

422. Police Chief to Supervisor -
Notification that Capt. James Natalzia will be in charge of department for period 5/18-5/28/96. **DISPOSITION:** Received and Filed
423. ECDEP to Supervisor -
Notification of options relative to the Local Compensation Agreements between County and Consortium communities. **DISPOSITION:** Received and Filed
424. Police Chief to Pine Hill Concrete -
Request assistance in identifying parcels which total 102 acres. **DISPOSITION:** Received and Filed
425. Clarence Youth Center Director to Town Board -
Notice of Carnival/Fair to be held at Media Play outlet from 6/6-6/9/96.
DISPOSITION: Received and Filed
426. Donald Fiscus Jr., 34 Eastwood Pkwy, to Supervisor -
Expression of opposition to proposed rezoning of William St/Transit Rd. parcel.
DISPOSITION: Received and Filed
427. Eastwood Association to Town Board -
Expression of opposition to proposed rezoning of William St/Transit Rd. parcel.
DISPOSITION: Received and Filed
428. ECDEP to Dep. Town Attorney -
Results of SEQ review of Country Mansions Condos rezone matter. **DISPOSITION:** Received and Filed

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER STEMPIAK, AND SECONDED
BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 11:30 P.M.

Signed

Robert P. Thill

Robert P. Thill, Town Clerk