

Town Board Minutes

**Meeting
No. 13**

Regular Meeting

April 7, 2003

Town Board Minutes

April 7, 2003

Meeting No. 13

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 7th day of April 2003 at 8:00 P.M. and there were

PRESENT: MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: RICHARD ZARBO, COUNCIL MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
GARY STOLDT, CHIEF OF POLICE
TERRENCE McCracken, GENERAL CREW CHIEF
RICHARD REESE JR., HIGHWAY SUPERINTENDENT
MARY ANN PERRELLO, DEPUTY TOWN CLERK

PERSONS ADDRESSING TOWN BOARD:

Mr. Tony Caruana, a Depew High School teacher announced David Rudroff as the winner of the Sertoma Club Essay Contest. David then read his essay to the Town Board and participants.

Mazurowski, John, 11 Stephens Court, spoke to the Town Board on the following matters:

- Comments about freedom and constitutional rights.
- Comments about someone in this chamber.
- Expressed disapproval with Town Board meetings.
- Comments regarding parking, claims that the roads are piled up.

Ribic, Mark, 6830 Transit Road, spoke to the Town Board on the following matters:

- Spoke to the Town Board about the minimum wage.
- Asked that the Town Board attract large corporate businesses to the Town.

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

- Asked if the Town of Lancaster is in favor of doing business with French Companies.
- Voiced his opposition to the acquisition of property at 3949 Walden Avenue.
- Commends the Town Board on their withdrawal of resolution #18, memorializing Senator Schumer & Secretary of Defense Rumsfeld regarding opposition to termination of government related contracts with French companies protesting US military action in Iraq.

Przyhysz, Paul, 66 Northwood Drive, spoke to the Town Board on the following matter:

- **Suggests that the Supervisor withdraw resolution # 18.**

Symer, Donald, 610 Columbia Avenue, spoke to the Town Board on the following matters:

- **Asked if the adoption of NEST Regional Solid Waste Management Plan will effect rates.**
- **Questions and comments about the purchase of 3949 Walden Avenue property for a police station. He feels that it is an industrial site and ill suited for a police station.**
- **Challenges the credentials of developers' representatives who make presentations to the Town Board.**

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

At 8:34 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed contract with the Town of Elma for a supply of water for fire purposes and for the furnishing, erection, maintenance, care and replacement of fire hydrants within the boundaries of the Town of Elma along the southerly line of Hall Road and Ransom Road.

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

| NAME | ADDRESS | Proponent/ Opponent/ Comments/Questions |
|-------------|----------------|--|
| NONE | | |

ON MOTION BY COUNCIL MEMBER STEMPNIAK, AND SECONDED BY COUNCIL MEMBER RUFFINO, FOR ADJOURNMENT OF THE PUBLIC HEARING, on roll, which resulted as follows:

| | |
|--------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

The Public Hearing was adjourned at 8:35 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

April 7, 2003

PUBLIC HEARING SCHEDULED FOR 8:35 P.M.:

At 8:35 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposal for a partial exemption from real property taxation for Volunteer Firemen.

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

| NAME | ADDRESS | Proponent/ Opponent/ Comments/Questions |
|---|---------------------|--|
| Donald Symer | 610 Columbia Avenue | Proponent |
| Keith Kerl, President of Twin District Volunteer Fire Company | | Proponent |

ON MOTION BY COUNCIL MEMBER RUFFINO, AND SECONDED BY COUNCIL MEMBER STEMPNIAK, FOR ADJOURNMENT OF THE PUBLIC HEARING, on roll, which resulted as follows:

| | |
|--------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

The Public Hearing was adjourned at 8:38 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

April 7, 2003

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

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

RESOLVED, that the minutes of the Joint Meeting of the Planning Board and the
Town Board held March 17, 2003 and the Regular Meeting of the Town Board held March 17,
2003 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 MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

April 7, 2003

File: RMIN (P2)

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

WHEREAS, New York State Electric & Gas Corp., 150 Erie Street,
Lancaster, New York 14086, by letter dated March 21, 2003, has presented a cost proposal for
the installation of two (2) 400W HPS flood lights in the parking lot of the Lancaster Senior
Citizen Center.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby accepts
the proposal of New York State Electric & Gas Corp. for installation of the following:

2 - 400W HPS flood lights @ \$342.43 ea.

TOTAL ANNUAL INCREASE - \$684.86

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby
authorized to accept and execute the proposal of New York State Electric & Gas Corp. for the
above mentioned installation.

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

| | |
|-------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

April 7, 2003

File: rstreet lighting proposal

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

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated
March 19, 2003, has requested the addition of the following individuals to the membership
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 Town Line Volunteer Fire Department the
following individuals:

ADDITIONS:

Jeffrey Pumm
20 Grace Way
Lancaster, New York 14086

Audrey Ann Verge
8 Creekwood Drive
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 MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

April 7, 2003

File: RFIRE (P3)

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

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of the local government exists throughout the world, and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants, and

WHEREAS, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and

WHEREAS, the Municipal Clerk is the information center on functions of local government and community, and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations, and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, BE IT

RESOLVED, that Robert H. Giza, Supervisor of the Town of Lancaster recognizes the week of April 27, 2003 through May 3, 2003 as Municipal Clerk's Week, and further extend appreciation to our Municipal Clerk, Johanna M. Coleman, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

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

| | |
|-------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

April 7, 2003
file: municipal clerk

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

WHEREAS, the General Crew Chief, by letter dated March 26, 2003, has requested the appointment of a seasonal employee in the Parks, Recreation and Forestry Department of the Town of Lancaster for the summer season of 2003.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual is hereby appointed to the position of seasonal employee for the summer season of 2003 in the Parks, Recreation and Forestry Department of the Town of Lancaster, with no benefits at the following hourly rate:

| <u>NAME</u> | <u>POSITION</u> | <u>RATE</u> |
|--|-----------------|-------------|
| Matthew Steimer (rehire) 79 Court Street Lancaster, New York | Laborer | \$6.90 hr. |

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 MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

April 7, 2003

File: Rpers.seasonal (P4)

PREFILED RESOLUTION NO. 6 - MEETING OF 4/7/03

Stempniak/ _____

Adopt Determination Of No Further SEQR Review For
Roseland Subdivision

At the request of Council Member Stempniak, this resolution was withdrawn for
further study.

PREFILED RESOLUTION NO. 7 - MEETING OF 4/7/03

Ruffino/ _____

**Authorize Permit Water Lines, Storm Sewers, Pavement,
Detention Basin Roseland Subdivision Phase I**

At the request of Council Member Ruffino, this resolution was withdrawn for further study.

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

WHEREAS, the NYS legislature has enacted Section 466-C of the Real Property Tax Law which provides for and permits municipalities to make volunteer firefighters eligible for the Volunteer Firefighters Real Property Tax Exemption, and

WHEREAS, pursuant to statute, eligible individuals are defined as those persons who are enrolled members of incorporated volunteer fire companies or fire departments for a period of at least five (5) years provided he/she uses the property as his/her primary residence, and

WHEREAS, in order to be eligible for the property tax exemption owners must list their property as their legal address and also reside there, and

WHEREAS, such qualifying residential real property shall be entitled to the maximum exemption, which is presently set forth in New York Real Property Tax Law Section 466-C, and

WHEREAS, a public hearing pursuant to Real Property Tax Law was duly advertised and held by the Town Board of the Town of Lancaster on April 7, 2003, and

WHEREAS, the Town Board of the Town of Lancaster deems it to be in the public interest of the Town and the residents of the Town to adopt the Volunteer Firefighters Real Property Tax Exemption.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster pursuant to Section 466-C of the Real Property Tax Law hereby enacts the Volunteer Firefighters Real Property Tax Exemption as provided for in Real Property Tax Law Section 466-C. This resolution takes effect 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 MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

April 7, 2003
File: rtaxexemption/tremen403

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

WHEREAS, the Town Board of the Town of Lancaster, acting on behalf of the Fire Protection District of the Town of Lancaster, pursuant to Notice duly given, has held a Public Hearing on a proposed contract between the Fire Protection District of the Town of Lancaster and Water District No. 1 of the Town of Elma, in accordance with the provisions of §184-a of the Town Law of the State of New York, and

WHEREAS, the Town Board of the Town of Lancaster, acting on behalf of the Fire Protection District of the Town of Lancaster, deems said contract for the supply of water and for the furnishing, erection, maintenance, care and replacement of fire hydrants within the boundaries of the Town of Elma along the southerly line of Hall Road between Bowen Road and Ransom Road, to be in the public interest and safety.

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

1. That the Town Board of the Town of Lancaster, acting on behalf of the Fire Protection District of the Town of Lancaster, does hereby approve the contract between the Fire Protection District of the Town of Lancaster and Water District No. 1 of the Town of Elma for a supply of water and for the furnishing, erection, maintenance, care and replacement of fire hydrants within the boundaries of the Town of Elma along the southerly line of Hall Road between Bowen Road and Ransom Road, and

2. That the Town Board of the Town of Lancaster be and hereby is directed to execute said Agreement on behalf of the Fire Protection District of the Town of Lancaster, for a term commencing April 1, 2003 and terminating March 31, 2008.

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

| | |
|--------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

April 7, 2003

File: rhydrantrentalelma403

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

WHEREAS, grant monies are available through the New York State Unified Court System to enhance the operation of municipal Justice Courts.

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 Unified Court System for the purpose of securing this grant, and

BE IT FURTHER

RESOLVED, that the Supervisor and Town Court Justices be and hereby are authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

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

| | |
|--------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

April 7, 2003

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

WHEREAS, on January 6 2003, the Town Board by resolution adopted a schedule of salaries for 2003 for the Police Department, and

WHEREAS, on March 17, 2003, the Town Board by resolution amended said schedule of salaries for 2003 for the Police Department, and

WHEREAS, both of the aforementioned resolutions contained errors relating to probationary periods for certain individuals who were promoted within the department which the Town Board desires to correct.

NOW, THEREFORE, BE IT

RESOLVED, that the schedule of salaries be and hereby is amended as follows to correct the errors noted above:

Gerald Gill - promoted from Patrolman to Lieutenant on 01/06/2003:

01/06/2003 - 04/05/2003 1st half of probationary period: \$59,352 per annum
04/06/2003 - 07/05/2003 2nd half of probationary period: \$61,658 per annum
07/06/2003 full rate of: \$63,965 per annum

Erin Myers - promoted from Patrolman to Lieutenant on 03/18/2003:

03/18/2003 - 06/17/2003 1st half of probationary period: \$59,352 per annum
06/18/2003 - 09/17/2003 2nd half of probationary period: \$61,658 per annum
09/18/2003 full rate of: \$63,965 per annum

Timothy Murphy - promoted from Lieutenant to Captain on 03/18/2003:

03/18/2003 - 06/17/2003 1st half of probationary period: \$68,536 per annum
06/18/2003 - 09/17/2003 2nd half of probationary period: \$70,821 per annum
09/18/2003 full rate of: \$73,106 per annum

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

| | |
|--------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

April 7, 2003

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

WHEREAS, David Smith, 6026 Broadway, Lancaster, New York 14086 has applied for a Dumping Permit for property situated at 6026 Broadway, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

WHEREAS, the Building Inspector and Town Engineer have completed their review and made a formal, favorable recommendation to the Town Board.

NOW, THEREFORE, BE IT

RESOLVED, that David Smith, 6026 Broadway, Lancaster, New York be and is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant at 6026 Broadway, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and

BE IT FURTHER

RESOLVED, that this permit is conditioned in accordance with the recommendations of the Town Engineer and Building Inspector and that the same restrictions apply as in the previous resolution with the addition of the following:

- Erosion and sediment control measures shall be applied to the site in accordance with the best management practices contained in reducing the impacts of storm water runoff from new development.

BE IT FURTHER

RESOLVED, that no building permit for the construction of any structure on the SBL premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated in this resolution have been fully complied with, and

BE IT FURTHER

RESOLVED, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein expires one year from date of this resolution.

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

| | |
|--------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

April 7, 2003

file: RPERMIT.DUM(6)

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

WHEREAS, the Town Board of the Town of Lancaster has inspected property situate on Walden Avenue to wit: an approximately 75,000 sq. ft. commercial purpose building with office and warehouse space for the sum of \$1,630,000 with the intent and purpose of the Town Board to consider the possible utilization of the beforementioned facility as a town center to locate the Police Station, the Town Court and for Recreation Department uses, and

WHEREAS, the Town Board after giving due review and consideration to the size and condition of the building and its availability at a price significantly lower than the cost of constructing a new building deems it in the interest of the residents of the Town of Lancaster to enter into a contract for the purchase of the facility based upon the following facts:

- 1) Over the past several years consideration has been given to the construction of a police/court building. The cost estimate for such a facility has been in the neighborhood of \$5,000,000 for a building less than half the size of this building.
- 2) This building will be able to house not only the Police Department with the Town Court but will also accommodate the consolidation of Recreation Department uses.
- 3) This facility with its available warehouse space can be used to house vehicles owned by the Police Department, the crime lab and other police functions which are currently housed in a warehouse style building behind the Town Police Department on Pavement Road. The said warehouse building behind the Police Department can then be used by the Highway Department. The Highway Superintendent has previously requested that the Town Board consider a new building at the Highway Department garage on Pavement Road for vehicles and other equipment which cannot presently be stored indoors. The need for a new building for the Highway Department and the cost thereof will be obviated by the transfer of the Police Department from its garage building to this facility on Walden Avenue with the Highway Department then taking occupancy of the vacated police garage.
- 4) The building is centrally located within the Town and is easily accessible from all areas of the Town, and

WHEREAS, the Town Board now deems it appropriate to authorize the Supervisor of the Town of Lancaster to enter into a contract for the purchase of the beforementioned building.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into a contract for the purchase of property at 3949 Walden Avenue, Lancaster, New York, SBL No. 105.000-0001-011.100000 containing approximately 74,352 ± square feet situated on approximately 8.0 ± acres for the sum of \$1,630,000 said purchase to include all the office furniture, fixtures, filing cabinets and related items, computer wiring and phone system and other building related equipment and systems and appurtenances of the property, and

BE IT FURTHER

RESOLVED that the Town Attorney is directed to secure a bond resolution to provide for the funds necessary for the purchase and renovation of the beforedescribed property.

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

| | |
|--------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| COUNCIL MEMBER GIZA | VOTED YES |

April 7, 2003

File: rwaldenavenueparcel403

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

WHEREAS, the Town of Lancaster's intent is to develop a viable solution to its solid waste management needs by preparing the Plan in accordance with the provisions of ECL 27-0107, and

WHEREAS, the Town has worked with other members of NEST in having such a plan prepared.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Lancaster hereby adopts the integrated solid waste management plan prepared by (NEST) dated January 7, 2003 entitled "Northeast Southtowns Regional Solid Waste Management Plan" and will implement such solid waste management programs, projects and plans as identified in the recommendation of said Plan as the local integrated solid waste management plan in effect for the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that the Town of Lancaster hereby intends to provide information to NEST every two years for reports displaying compliance with the action items and schedules contained in the Plan. This information will then be provided to the New York State Department of Environmental Conservation, and

BE IT FURTHER

RESOLVED, that NEST on behalf of the Town of Lancaster hereby intends to submit modifications to the Plan to the New York State Department of Environmental Conservation for approval whenever there is any substantive deviation from the Plan as identified in 6NYCRR Part 360-15.11(b).

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

| | |
|--------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

April 7, 2003

File: rintegratesolidwastemanagement403

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

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services has awarded the Town of Lancaster Youth Bureau and Drug Abuse Prevention Council a grant for the period January 1, 2003 through December 31, 2003 in the amount of \$3,302 to fund the operation of a substance abuse prevention program, and

WHEREAS, the Town Board has authorized the Supervisor to enter into a contract with the New York State Office of Alcoholism and Substance Abuse Services for the amount of \$3,302, and

WHEREAS, the Town Board desires to enter into a contract with the New York State Office of Alcoholism Services for the amount of \$3,302.

NOW, THEREFORE, BE IT

RESOLVED, that Robert H. Giza, Supervisor of the Town of Lancaster is hereby authorized to enter into a contract with the New York State Office of Alcoholism and Substance Abuse Services in the amount of \$3,302 to continue operation of a substance abuse prevention program through the Town of Lancaster Youth Bureau and Drug Abuse Prevention Council.

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

| | |
|--------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

April 7, 2003

File: ralcoholsubstanceabuse403

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

WHEREAS, the acquisition of Bethlehem Steel by the International Steel Group (ISG) will result in the termination of health and life insurance benefits for approximately 95,000 workers nationwide, and

WHEREAS, the loss of benefits will be devastating to the 12,000 local retirees and their beneficiaries who have toiled for years under harsh conditions to build the industrial base of Western New York, and

WHEREAS, an estimated 3,000 to 4,000 Bethlehem retirees who reside in the Town of Lancaster will be forced to endure severe economic and physical hardships as they seek to find affordable coverage for health care and prescription drug benefits, and

WHEREAS, it is the responsibility of the federal government to protect workers and retirees who have been victimized by unfair trade practices in the foreign steel industry, and

WHEREAS, in May 2002, the U.S. Senate failed to act on an amendment to the Trade Adjustment Act, as part of the Senate Trade Promotion Authority Bill, which would have provided at least partial coverage of health care benefits for steelworker victims of unfair trade practices, and

WHEREAS, there also exists Republic Steel retirees who have been unable to secure affordable coverage for health care through no fault of their own.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster supports the establishment of a federal fund dedicated to providing health care benefits and prescription drug coverage for steelworker retirees and their beneficiaries who lose their coverage as a result of bankruptcy proceedings, sale of corporate assets, unfair trade practices, or foreign competition.

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

| | |
|-------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

April 7, 2003

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

WHEREAS, the Town Board caused the invitation to bid for roof reconstruction and mechanical revisions at the Keysa Park Pool House located at Vandenburg Avenue and Brady Avenue in the Town of Lancaster and received but one bid and determined that it was appropriate to reject same and rebid the project, and

WHEREAS, the Town Board thereafter caused a second invitation to bid for the above referenced project and received those bids on March 31, 2003 and again there was but one bid received but from a different contractor than had originally bid the project, and

WHEREAS, the second bid resulted in a lesser bid by approximately \$13,000,
and

WHEREAS, the Town Board has given due review and consideration to the bid received on this second invitation to bid and deems the bid to be satisfactory given the estimated costs of the project and further deems it in the public interest to award the contract for the roof reconstruction and mechanical revisions at the Keysa Park Pool House.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the contract for the roof reconstruction and mechanical revisions at the Keysa Park Pool House located at Vandenburg Avenue and Brady Avenue in the Town of Lancaster to MGR Constructors Inc., P.O. Box 61, Bowmansville, New York 14026 for the bid amount of \$45,400 provided, however, that in the event there are change orders which become necessary that the Town Board of the Town of Lancaster approve such change orders before they are undertaken.

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

| | |
|--------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

April 7, 2003

File: rretainmrcnstrkeysapool403

PREFILED RESOLUTION NO. 18 - MEETING OF 4/7/03

Giza/ _____

**Memorialize US Senator Schumer & US Secretary Of Defense
Rumsfeld Re: Opposition To Termination Of Government Related
Contracts With French Companies Protesting US Military Action
In Iraq**

At the request of Supervisor Giza, this resolution was withdrawn for further study.

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

WHEREAS, the Town Board has been advised by the General Crew Chief of the Department of Parks, Senior Facility and Buildings and Grounds that a portion of the renovation of the Keysa Park Pool House can be accomplished using town employees, and

WHEREAS, the General Crew Chief has further advised the Town Board it is his opinion that a certain product known as Owens Corning "Cultured Stone" best fits the needs of the Town both structurally and aesthetically for the front facing on this building, and

WHEREAS, the Town Board has reviewed the General Crew Chief's recommendations and deems it appropriate to standardize on Owens Corning "Cultured Stone" product known as Limestone Flat and Limestone Corners in a color pattern of chardonnay to be used on the building;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby standardizes on the Owens Corning "Cultured Stone" products Limestone Flat and Limestone Corners in a color pattern of chardonnay and further the Town Board invites public bid on the provision of the beforementioned product, said bids to be in conformance with the specifications attached hereto and to be received in the office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on April 23, 2003 and opened thereafter.

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

| | |
|-------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| COUNCIL MEMBER GIZA | VOTED YES |

April 7, 2003

File: rkeysaparkrenovstonefacade403

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

NOTICE IS HEREBY GIVEN that sealed bids and/or proposals will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, at the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 A.M., Local Time, on the 23rd day of April 2003, for furnishing to the Department of Parks, Senior Facility and Building and Grounds of the Town of Lancaster, New York, Owens Corning "Cultured Stone" for use by the Town of Lancaster, in accordance with specifications on file in the Town Clerk's Office, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in the amount of One Thousand Dollars (\$1,000.00) payable to the Supervisor of the Town of Lancaster and a Non-Collusive Bidding Certificate must accompany each bid.

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

**TOWN BOARD OF THE
TOWN OF LANCASTER**

BY:

**JOHANNA M. COLEMAN
Town Clerk**

April 7, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR. 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 Director of Administration and Finance, to wit:

Claim No. 1400 to Claim No. 1731 Inclusive

Total amount hereby authorized to be paid: \$1,747,895.96

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

| | |
|--------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

April 7, 2003

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER STEMPNIAK, WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER RUFFINO, 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 Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

| | | | | |
|-------|------------------------|--------------------|-----------------|-------|
| 10217 | Save-A-Lot | 11W Main St | Er. Comm. Alt. | (V/L) |
| 10229 | Micro Builders | 76 Hess Pl | Er. Res. Add. | |
| 10230 | FMV Associates | 4381 Walden Ave | Er. Comm. Alt. | |
| 10231 | Serafin, Matthew | 41 Trentwood Trl N | Er. Shed | |
| 10232 | Cipollone Custom | 2 Alyssum Ct | Er. Dwlg.-Sin. | |
| 10233 | Lorenz, Roy | 47 Greenmeadow Dr | Er. Fence | |
| 10234 | Ulrich Sign Inc | 6733 Transit Rd | Er. Sign-Wall | |
| 10235 | Cox, Bonnie | 19 Elm Pl | Er. Res. Alt. | (V/L) |
| 10236 | Domanowski, Sigmund | 5017 William St | Er. Res. Add. | |
| 10237 | I.P.S Home Improv. | 51 Sussex Ln | Er. Res. Add. | |
| 10238 | Albert V. Randaccio | 18 Cambridge Ct | Er. Dwlg.-Sin. | |
| 10239 | Duro Shed Inc | 15 Hunters Dr | Er. Shed | |
| 10240 | Iroquois Fence | 52 Michael's Walk | Er. Fence | |
| 10241 | Wagner, James | 39 Signal Dr | Er. Res. Add. | |
| 10242 | Telco Construction Inc | 4711 Transit Rd | Er. Comm. Alt. | |
| 10243 | Barden Homes | 6291 Genesee St | Er. Dwlg.-Sin. | |
| 10244 | Duck, Matthew | 5254 Broadway | Er. Comm. Alt. | (V/L) |
| 10245 | Poemie's Construction | 79 Pleasant Ave | Er. Garage | (V/L) |
| 10246 | Forbes Homes Inc | 3 Buckingham Ct | Er. Dwlg.-Sin. | |
| 10247 | Swahlon, Robert | 5086 William St | Er. Shed | |
| 10248 | Town of Lancaster IDA | Hinchey Ave | Er. Comm. Add. | (V/L) |
| 10249 | American Fence Inc | 99 Pheasant Run Ln | Er. Fence | |
| 10250 | McGowan, Tim | 5389 Genesee St | Er. Shed | |
| 10251 | Trybuskiewicz, Frank | 17 Clark St | Rep. Foundation | (V/L) |
| 10252 | Page's Restaurant | 4725 Transit Rd | Er. Sign-Temp | |
| 10253 | Visible Solutions Inc | 5873 Genesee St | Inst. Tank | |
| 10254 | Smith, Dean | 170 Cemetery Rd | Er. Patio Roof | |
| 10255 | Smith, Dean | 170 Cemetery Rd | Er. Deck | |
| 10256 | Gorski, Raymond | 482 Harris Hill Rd | Er. Res. Alt. | |
| 10257 | Barbaro, David | 577 Eric St | Er. Res. Add. | |

| | | | | |
|-------|------------------------|------------------------|------------------|-------|
| 10258 | Steinbruckner, Scott | 192 Erie St | Er. Comm. Add. | (V/L) |
| 10259 | Good Neighbor Fence | 36 Southpoint Dr | Er. Fence | |
| 10260 | Lawniczak, Thomas | 23 Woodgate Dr | Er. Shed | |
| 10261 | Duro-Shed Inc | 32 Trentwood Trl N | Er. Shed | |
| 10262 | Page, Bryan | 173 Enchanted Forest S | Er. Dwlg.-Sin. | |
| 10263 | Filipski, David | 106 Stony Rd | Er. Res. Add. | |
| 10264 | Duro-Shed Inc | 395 Seneca Pl | Er. Shed | |
| 10265 | Duro-Shed Inc | 237 Enchanted Forest N | Er. Shed | |
| 10266 | Classic Fence Inc | 17 Main St | Er. Fence | |
| 10267 | Beauty Pools Inc | 12 Northbrook Ct | Er. Pool-In Gmd | |
| 10268 | Beauty Pools Inc | 12 Northbrook Ct | Er. Fence | |
| 10269 | Forestream Village Inc | 4729 Transit Rd | Er. Sign-Temp | |
| 10270 | Transit Wehrle Assoc. | 6733 Transit Rd | Er. Sign-Temp | |
| 10271 | Essex Homes of WNY | 5 Fox Trace | Er. Dwlg.-Sin. | |
| 10272 | Ryan Homes Inc | 11 Creekwood Dr | Er. Dwlg.-Sin. | |
| 10273 | America Fence Co | 1129 Penora St | Er. Fence | |
| 10274 | Marrano/Marc Equity | 34 Cedar Brook Dr | Er. Dwlg.-Sin. | |
| 10275 | Marrano/Marc Equity | 41 Apple Blossom Blvd | Er. Dwlg.-Sin. | |
| 10276 | Duro-Shed Inc | 52 Via Donato E | Er. Shed | |
| 10277 | Gury Pools | 14 Signal Dr | Er. Pool-Abv Gmd | |
| 10278 | Basile, Joseph | 22 Sussex Ln | Er. Dwlg.-Sin. | |
| 10279 | Premier Fence Co | 475 Schwartz Rd | Er. Fence | |
| 10280 | NAS Quick | 5827 Broadway | Er. Sign | |
| 10281 | J.M. Richardson LLC | 49 Greenmeadow Dr | Er. Dwlg.-Sin. | |
| 10282 | Marrano/Marc Equity | 32 Cedar Brook Dr | Er. Dwlg.-Sin. | |
| 10283 | Marrano/Marc Equity | 1 Hillside Pky | Er. Dwlg.-Sin. | |
| 10284 | Essex Homes of WNY | 7 Fox Trace | Er. Dwlg.-Sin. | |
| 10285 | Todd Erection Corp. | 4949 Transit Rd | Er. Sign | |
| 10286 | Todd Erection Corp. | 4949 Transit Rd | Er. Sign-Wall | |
| 10287 | Ferry Construction | 11 Katelyn Ln | Er. Dwlg.-Sin. | |
| 10288 | Latello, John | 205 Central Ave | Er. Comm. Add. | (V/L) |

BE IT FURTHER

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

| | |
|--------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

April 7, 2003

File: Rbldg2

SUSPENDED RESOLUTION:

Council Member Montour moved to suspend the necessary rules for immediate consideration of the following three resolutions, seconded by Council Member Stempniak, on roll call, which resulted as follows

| | |
|--------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

SUSPENSION GRANTED

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

WHEREAS, the Town of Lancaster entered into a cooperative bid document with the Village of Depew and the Town of Elma and the Town of Cheektowaga for collection and haul of municipal solid waste, and

WHEREAS, bids were received which stand alone for each municipality, and

WHEREAS, the Town Board of the Town of Lancaster has reviewed the bids received addressing the collection and haul of municipal solid waste in the Town of Lancaster and deems it in the public interest to reject the bid for the Town of Lancaster under the Town's reservation of rights in the bid document.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby rejects the bids that we received for the collection of municipal solid waste for the Town of Lancaster, said bids having been received on March 28, 2003, the Town of Lancaster rejecting the bids under its reservation of rights in the bid specifications.

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

| | |
|--------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| COUNCIL MEMBER GIZA | VOTED YES |

April 7, 2003

File: rsolidwastebids403

SUSPENSION GRANTED

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

WHEREAS, the Town Board of the Town of Lancaster has given due consideration in causing an invitation to bid the municipal solid waste collection and haul for the Town of Lancaster and has furthermore given consideration to joining with the Town of Alden in a joint bid for the collection and haul of municipal solid waste, and

WHEREAS, the Town of Alden and the Town of Lancaster are inviting bids for the collection of Refuse and the hauling to a designated disposal or recycling facility.

NOW, THEREFORE, BE IT

RESOLVED, that bids be received by the Town Clerk of the Town of Alden at the Alden Town Hall, 3311 Wende Road, Alden, New York up to 3:00 P.M. Local Time on the 5th day of May, 2003, and

BE IT FURTHER

RESOLVED, that the bids will be opened and read aloud in the Counsel Chambers in the Alden Town Hall at 3:00 P.M. Local Time on the 5th day of May, 2003, and

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Alden and the Town Clerk of the Town of Lancaster shall publish a Notice to Bidders in substantially the form attached here to and made a part hereof in the official newspaper of each respective Town.

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

| | |
|--------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| COUNCIL MEMBER GIZA | VOTED YES |

April 7, 2003

File: rsolidwastebids403

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

**COLLECTION AND HAULING OF ALL COMPONENTS OF THE SOLID WASTE
STREAM, INCLUDING RECYCLABLES.**

Please take notice that sealed bids will be received on May 5, 2003, on or before 3:00 P.M., Local Time, at the Office of the Town Clerk of the Town of Alden, on behalf of the Town of Lancaster and the Town of Alden, pursuant to specifications which are on file in the Town Clerk's Office of the Town of Lancaster, Town Hall, 21 Central Avenue, Lancaster, New York. The bids will be open and read aloud by the Town Clerk at 3:00 P.M. in the office of the Town Clerk, Town of Alden.

Bid Specifications and Bid Sheets may obtained or examined at the office of the Town Clerk of the Town of Lancaster between the hours of 9:00 A.M. and 5:00 P.M. from April 10, 2003 to May 5, 2003, except Saturdays, Sundays and Holidays.

In order to give bidders the opportunity to gain economies of scale and better utilize equipment and labor, which may allow a lower cost to the Town, the Town is inviting bids for collection and hauling to the designated disposal or recycling facilities as follows:

- Mixed municipal solid waste (mixed waste) to the American Ref-Fuel Corp. (formerly Occidental) Energy-From-Waste Facility in Niagara Falls, New York, under the existing disposal contract with the Town, or to another site as may be designated by the Town within forty (40) miles of the Town of Lancaster.
- Bulky waste and trash, tires and yard waste to (1) American Ref-Fuel Corp., or to (2) another Town designated facility within forty (40) miles of the Town of Lancaster, or to (3) a licensed DEC facility selected by the collector, with the cost to the Town for disposal not to exceed the cost charged by American Ref-Fuel Corp. Energy-From-Waste Facility.
- White good and scrap metal to (1) American Ref-Fuel Corp. Energy-From-Waste-Facility, or to (2) another Town designated facility within forty (40) miles of the Town of Lancaster, or to (3) a licensed DEC facility selected by the collector with the cost to the Town for disposal not to exceed the cost charged by American Ref-Fuel Corp. Energy-From-Waste Facility. In the event that the collector elects to take to a facility under (3), then the actual cost of disposal shall be filed by the Collector to the Town on a monthly basis.

- Source separated paper products and commingled recyclable materials (glass, tin cans, plastics, etc.) to the BFI facility at 2321 Kenmore Avenue, Kenmore, New York, for the period to May 31, 2003. Thereafter to the facility to be designated by the Town, which shall be within forty (40) miles of the Town of Lancaster. Both types of recyclable material shall be collected each week.
- Disposal and recycling costs at all Town designated sites shall be paid directly by the Town. During the contract, the Town reserves the right to change the designated site(s) or facility (ies) for disposal or recycling. The contractor shall be given a minimum of thirty (30) days' notice of any such change.

Bids shall be submitted intact on the Bid Submittal Sheets provided (bids not intact and received in other than original form will not be read) and shall be enclosed in sealed envelopes plainly marked "Solid Waste Management Services" as well as "BID FORMS ENCLOSED" plainly marked on the front of the envelope, and addressed to:

Town Clerk
Town of Lancaster
Town Hall - 21 Central Avenue
Lancaster, New York 14086

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF LANCASTER

By: JOHANNA M. COLEMAN
Town Clerk

April 7, 2003

SUSPENSION GRANTED:

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

WHEREAS, the Town Board of the Town of Lancaster has given due consideration to extending all benefits enjoyed by the PBA membership to the Captains and the Chief of Police in the Town of Lancaster, and

WHEREAS, the Town Board deems it appropriate to extend those same benefits to the Captains and the Chief of Police.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the extension of the same benefits enjoyed by the PBA membership to the Captains and the Chief of Police of the Town of Lancaster Police Department, effective April 7, 2003.

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

| | |
|--------------------------|------------|
| COUNCIL MEMBER MONT'OUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

April 7, 2003

File: policbenefits403

COMMUNICATIONS & REPORTS:

165. Executive Director, Youth Bureau to Disaster Coordinator, Supervisor -
Transmittal of proposal to sponsor disaster preparedness training programs.
DISPOSITION = Natural Disaster Services Coordinator
166. Lee Chowanec & Paul Przybysz to Town Board -
Comments regarding the Pleasant Meadows Rezone Public Hearing. DISPOSITION =
Planning Committee
167. Lancaster Area Chamber of Commerce to Community -
Update on reconstruction of Broadway and Central Avenue. DISPOSITION =
Received & Filed
168. Erie County Dept. of Environment & Planning to Town Attorney -
Comments regarding SEQR of Lancaster Airport Runway reconstruction and new
electrical building. DISPOSITION = Planning Committee
169. Erie County Dept. of Environment & Planning to Town Attorney -
Recommendations and comments regarding SEQR Site Plan Review of Summerfield
Farms Subdivision - Phase III. DISPOSITION = Planning Committee
170. Erie County Dept. of Environment & Planning to Town Attorney -
Recommendations and comments regarding SEQR Site Plan Review of Cross Creek
Subdivision - 264 Single Family lots. DISPOSITION = Planning Committee
171. Erie County Dept. of Environment & Planning to Town Attorney -
Recommendations and comments regarding SEQR Site Plan Review of Cross Creek
Subdivision - 270 Single Family lots. DISPOSITION = Planning Committee
172. Town Clerk to Various News Media -
Notice of rescheduled meetings of Town Board. DISPOSITION = Received & Filed
173. NYS Assembly Member Brian M. Higgins to Supervisor -
Response to letter concerning unstable soil and soil subsistence problems in local
communities. DISPOSITION = Received & Filed
174. NYS Comptroller Alan G. Hevesi to Supervisor -
Update concerning NYS Retirement Fund. DISPOSITION = Supervisor
175. Buffalo News to Town Board -
Internet article regarding NYS pension contributions. DISPOSITION = Received &
Filed
176. NYS Assembly Member Robin Schimminger to Town Clerk -
Letter outlining efforts to improve funding for improvement of wireless 911 programs.
DISPOSITION = Received & Filed
177. Erie County Dept. of Environment & Planning To Town Attorney -
Comments regarding SEQR Site Plan Review of Pleasant Meadows Subdivision.
DISPOSITION = Planning Committee
178. Village of Lancaster to Town Board -
Official minutes of meeting held March 10, 2003. DISPOSITION = Received & Filed
179. Jeremy A. Colby to Supervisor -
Letter outlining items discussed regarding Pleasant Meadows Subdivision with the
Supervisor. DISPOSITION = Planning Committee
180. David Mansell to Town Board -
Comments regarding proposed Pleasant Meadows Rezone. DISPOSITION = Planning
Committee
181. Town Clerk to Zoning Board Members, Building Inspector, Town Attorney -
Transmittal of Legal Notice of a Public Hearing on April 10, 2003. DISPOSITION =
Received & Filed

182. New York State Archives to Town Clerk -
Transmittal of comments and recommendations regarding the NY State grant for the Records Storage Center. DISPOSITION = Received & Filed
183. Lancaster Area Chamber of Commerce to Community -
Update on reconstruction of Broadway and Central Avenue. DISPOSITION = Received & Filed
184. Lancaster - Depew Rotary Club to Town Board -
Announcement of Annual Spaghetti Dinner on April 13, 2003. DISPOSITION = Received & Filed
185. U.S. Senator Charles E. Schumer to Supervisor -
Announcement Dept. of Justice, Bureau of Justice Assistance is accepting applications for 2003 Bulletproof Vest Partnership Program. DISPOSITION = Received & Filed
186. NYS DOT to Town Board -
Request for input from emergency service providers regarding proposed reconstruction of Transit Road. DISPOSITION = Received & Filed
187. NYS Comptroller Alan G. Hevesi to Supervisor -
Update concerning NYS Retirement Fund. DISPOSITION = Supervisor
188. Josephine Wojcik, Wendy Upchurch to Town Board -
Comments regarding proposed Transit Road reconstruction and safety concerns regarding Freeman Road. DISPOSITION = Planning Committee
189. Elaine M. Cleveland to Town Board -
Comments regarding proposed Transit Road reconstruction and safety concerns regarding Freeman Road. DISPOSITION = Received & Filed
190. Richard & Sonja Twardowski to Town Board -
Comments regarding proposed Transit Road reconstruction and safety concerns regarding Freeman Road. DISPOSITION = Received & Filed
191. NYS Senator John J. Bonacic to Supervisor -
Notice of Public Hearing regarding laws governing tax exempt property. DISPOSITION = Received & Filed
192. Sunflower's Restaurant to Town Clerk -
Advisement of renewal of liquor license. DISPOSITION = Town Attorney
193. U.S. Congressman Jack Quinn to Town Clerk -
Acknowledgment of receipt of resolution concerning the State and Local Aid and Economic Stimulus Act of 2003. DISPOSITION = Received & Filed
194. Town Line Volunteer Fire Department to Town Board -
Request for change in roster. DISPOSITION = Resolution 4/7/03
195. General Crew Chief to Supervisor -
Request seasonal appointment of Matthew Steimer as Laborer. DISPOSITION = Resolution 4/7/03
196. Frank's Grill to Town Clerk -
Advisement of renewal of liquor license. DISPOSITION = Town Attorney
197. NYS DOT to Town Board -
Notice of order regarding the intersections of Walden Avenue and Eastpoint Crossing and Walden Avenue and Eastpoint Drive. DISPOSITION = Received & Filed
198. Town Clerk to Town Board -
Transmittal of second settlement of the 2003 Town/County Tax collection. DISPOSITION = Received & Filed
199. James & Stephanie Lipiecki to Town Board -
Comments regarding proposed Pleasant Meadows Rezone. DISPOSITION = Planning Committee

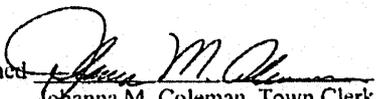
200. Town Attorney to Town Board, Planning Board, Town Clerk, Building Inspector, Town Engineer, Mr. Salvatore N. Balesteri -
Notice of meeting of Municipal Review Committee April 7, 2003 at 6:30 PM regarding Roseland Subdivision. DISPOSITION = Received & Filed
201. Town Clerk to Various News Media -
Notice of meeting of Municipal Review Committee April 7, 2003 at 6:30 PM regarding Roseland Subdivision. DISPOSITION = Received & Filed
202. General Crew Chief to Supervisor -
Request resolution awarding contract for roof construction and mechanical changes to Keysa Park pool house to MGR Constructors. DISPOSITION = Resolution 4/7/03
203. General Crew Chief to Supervisor -
Request resolution to advertise for bidders for materials needed for stone facade to Keysa Park pool house. DISPOSITION = Resolution 4/7/03
204. Safety Coordinator to Town Board -
Transmittal of minutes of Safety Steering Committee meeting held March 19, 2003. DISPOSITION = Received & Filed
205. Dog Control Officer to Town Board -
Update on activities of the Dog Control Office. DISPOSITION = Received & Filed
206. Department of the Army, Corps of Engineers to Town Board -
Transmittal of Scoping Fact Sheet regarding Ellicott Creek Flood Damage Reduction Project. DISPOSITION = Town Engineer, Planning Board
207. NYS DEC to Supervisor -
Acknowledgment of receipt of Notice of Intent application for Municipal Separate Stormwater System. DISPOSITION = Received & Filed
208. Greater Buffalo-Niagara Regional Transportation Council to Town Board -
Notice of meeting to be held Wednesday, April 9, 2003 at 9:30 AM. DISPOSITION = Received & Filed
209. Lancaster Volunteer Ambulance Corps, Inc. to Supervisor -
Request for annual payment to LVAC. DISPOSITION = Received & Filed

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER STEMPNIAK AND SECONDED BY
COUNCIL MEMBER RUFFINO, on roll call, which resulted as follows:

| | |
|--------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

The meeting was adjourned at 9:47 P.M.

Signed 
Johanna M. Coleman, Town Clerk

Town Board Minutes

**Meeting
No. 12**

Special Meeting

April 7, 2003

Town Board Minutes

April 7, 2003

Meeting No. 12

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 7th day of April 2003, at 6:30 PM and there were

PRESENT: RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR
MICHAEL MYSZKA, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER
STANLEY KEYSA, PLANNING BOARD CHAIRMAN

ABSENT: MARK MONTOUR, COUNCIL MEMBER
RICHARD ZARBO, COUNCIL MEMBER
REBECCA ANDERSON, PLANNING BOARD MEMBER
JOHN GOBER, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
STEVEN SOCHA, PLANNING BOARD MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, 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 to make a determination on the necessity for further environmental review of Roseland Subdivision.

At the request of Council Member Stempniak and seconded by Planning Board Chairman Keysa, a motion was made to withdraw this resolution for further study.

The question of the adoption of the foregoing motion was duly put to a voice vote, which resulted as follows:

| | |
|------------------------------------|------------|
| PLANNING BOARD MEMBER ANDERSON | WAS ABSENT |
| PLANNING BOARD MEMBER GOBER | WAS ABSENT |
| PLANNING BOARD MEMBER KORZENIEWSKI | WAS ABSENT |
| PLANNING BOARD MEMBER MYSZKA | YES |
| PLANNING BOARD MEMBER SOCHA | WAS ABSENT |
| PLANNING BOARD MEMBER SZYMANSKI | VOTED YES |
| PLANNING BOARD CHAIRMAN KEYSA | VOTED YES |
| COUNCIL MEMBER MONTOUR | WAS ABSENT |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| SUPERVISOR GIZA | VOTED YES |

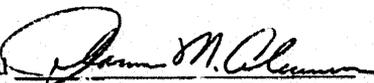
April 7, 2003

File: rosetanalsubdivisionmrcresolution401

ADJOURNMENT:

ON MOTION DULY MADE AND SECONDED, the meeting was adjourned
at 7:00 P.M.

Signed


Johanna M. Coleman, Town Clerk