

PRESENTATION OF PREFILED RESOLUTIONS:

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

RESOLVED, that the minutes of the Regular Meeting of the Town Board held May 20, 2019 be and are hereby approved.

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

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

June 3, 2019

File: RMIN (P1)

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

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Assistant to the Supervisor, to wit:

Claim No. 56883 to Claim No. 57005 Inclusive

Total amount hereby authorized to be paid: \$609,419.25

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

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

June 3, 2019

File: Rclaims

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

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

- (SW) = Sidewalks as required by Chapter 12-1B of the Code of the Town of Lancaster are waived for this permit.
 (CSW) = Conditional sidewalk waiver
 (V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant	Village		
Name	Address	STRUCTURE			
29638		Paul Gregg	39 Benson Dr	Er. Pool-Abv Grnd	(V/L)
29639		JD Gould Living Trust	68 Kelly Ct	Inst. Generator	(V/L)
29640		Buffalo Erie Sign	4949 Transit Rd	Er. Signs	
29641		First Buffalo Total Basement	56 Sterling Pl	Er. Res. Alt.	
29642		Robert Leach	20 Gale Dr	Er. Shed	
29643		Sahlems Roofing & Siding Inc.	17 Fox Trace	Re-Roof	
29644		The KAZ Company	35 Newberry Ln	Er. Porch Cover	
29645		Superior Painting Remodeling	77 Newberry Ln	Er. Porch	
29646		Superior Painting Remodeling	81 Michael Anthony Ln	Er. Porch	
29647		Irwin Roofing	600 Harris Hill Rd	Re-Roof	
29648		Switala's Siding Cedar Inc.	67 Kennedy Ct	Re-Roof	
29649		Switala's Siding Cedar Inc.	6 Impala Pky	Re-Roof	
29650		Samuel Gerace	5 Bennington Ln	Er. Fence	
29651		Brian Marafino	17 E Payne St	Er. Fence	(V/L)
29652		Christopher David	27 Quail Run Ln	Er. Porch Cover	
29653		Jason Bourque	28 Hidden Meadow Cros	Er. Shed	
29654		Donald DiGiacomo	307 Enchanted Forest N	Er. Deck	
29655		Donald Majka	164 Enchanted Forest S	Inst. Generator	
29656		Kimberly Guasteferro	36 Park Blvd	Dem. Garage	(V/L)
29657		Chris Bona	54 Middlebury Ln	Er. Fence	
29658		Deanna Russell	45 Garfield St	Dem. Garage	(V/L)
29659		Anthony Siresi	288 Iroquois Ave	Re-Roof	
29660		Darrin Harzewski	9 Maple Ave.	Er. Fence	(V/L)
29661		Jenn Co.	292 Ransom Rd	Er. Porch Cover	
29662		Divert Properties,LLC	21 Ivy Way	Er. Res. Alt.	(V/L)
29663		Sean Collins	34 Pear Tree Ln	Er. Res. Add.	
29664		The Gutter People of WNY Inc.	30 Vandenberg Ave	Re-Roof	(V/L)
29665		Frank's Commercial & Home	88 Wilkshire Pl	Er. Res. Alt.	(V/L)
29666		Diana McCrobie	6 Maple Dr	Er. Deck	
29667		Empire Granite and Marble LLC	48 Pheasant Run Ln	Er. Res. Add.	
29668		Zenner & Ritter Co. Inc.	12 Hidden Trl	Inst. Generator	
29669		Matthew Russo	377 Central Ave	Er. Fence	
29670		Mark Millonzi	26 Chestnut Corner	Er. Fence	
29671		Marrano/Marc Equity Corp.	86 Avian Way	Er. Dwlg.-Sin.	
29672		Marrano Marc Equity Corp.	87 Avian Way	Er. Dwlg.-Sin.	
29673		Marrano Marc Equity Corp.	25 Saybrook Dr	Er. Dwlg.-Sin.	
29674		Lehigh Construction Group Inc.	5522 Broadway	Er. Res. Alt.	(V/L)
29675		Timothy Schick	16 Robins Nest Ct	Er. Fence	
29676		Anderson Renovations LLC	27 Lombardy St	Er. Res. Alt.	(V/L)
29677		Douglas Mattingly	780 Townline Rd	Re-Roof	
29678		Gail Brown	45 Sawgrass Ln	Re-Roof	
29679		Tianyi Du	5345 Genesee St	Er. Deck	
29680		ECC Electrical Construction	3 Birchwood Comm	Inst. Generator	
29681		Steven Bach	354 Aurora St	Re-Roof	(V/L)
29682		Decks Unlimited Construction	733 Schwartz Rd	Er. Deck	
29683		Buffalo Power Systems LLC	13 Hill Valley Dr	Inst. Generator	
29684		Lancaster Plumbing Inc.	339 Aurora St	Er. Res. Alt.	(V/L)
29685		Leveled Contracting Inc.	6324 Broadway	Re-Roof	
29686		William Robinson	646 Pleasant View Dr	Er. Patio	
29687		D Allen & Son Contracting Inc.	30 Sawgrass Ln	Re-Roof	
29688		D Allen & Son Contracting Inc.	24 Red Clover Ln	Re-Roof	
29689		Beebe Construction Inc.	108 Sawyer Ave	Re-Roof	(V/L)
29690		Don Sheperd	69 Fifth Ave	Re-Roof	(V/L)
29691		William Dillemoth	260 Peppermint Rd	Er. Fence	
29692		Wayne Wheatley	37 Westwood Rd	Re-Roof	
29693		House Crafters LLC	49 Running Brook Dr	Er. Deck	
29694		Patricia Dady	3713 Bowen Rd	Er. Pool-Abv Grnd	
29695		John C. Herdzik	4745 William St	Er. Deck	
29696		Jimmie Joaquin	26 Hidden Meadow Cros	Inst. Ingrnd. Sprinkler	
29697		Dalex Construction Inc.	5 Chicory Ln	Re-Roof	

29698	Daniel D'Addario	1 Sweet Brier Ct	Re-Roof	
29699	Damien Fugate	102 Newberry Ln	Er. Deck	
29700	Glassco Management LLC	11W Main St	Er. Comm. Add//Alt.	(V/L)
29701	Nicholas McLaughlin	694 Ransom Rd	Er. Res. Alt.	
29702	Natale Development	15 Juliette Dr	Er. Dwlg.-Sin.	
29703	LJ Construction	3483 Walden Ave	Re-Roof	(V/L)
29704	TZ Noble Construction	354 Aurora St	Dumpster - Temp.	(V/L)
29705	Majestic Pools Inc.	18 Magrum Ln	Er. Fence	
29706	Majestic Pools Inc.	18 Magrum Ln	Er. Pool-In Grnd	
29707	Shepherd 2018 Family Trust	11 Sterling Pl	Er. Fence	
29708	William Orluk	817 Ransom Rd	Er. Shed	
29709	Essex Homes of WNY Inc.	49 Tranquility Trl	Er. Dwlg.-Sin.	
29710	Thomas Piskor	10 Glendale Dr	Er. Pool-Abv Grnd	
29711	CGL Contracting, LLC	42 Sterling Pl	Re-Roof	
29712	Joshua Puerner	19 Hinchey Ave	Er. Shed	(V/L)
29713	Frank's Commercial & Home	49 Chestnut Corner	Er. Res. Alt.	
29714	James Park	196 Nathan's Trl	Er. Fence	
29715	John Gaulin	51 Lancaster Ave	Re-Roof	(V/L)
29716	Kevin Howell	31 Hemlock Ln	Er. Pool-Abv Grnd	
29717	Craig Minchen	15 Biscayne Dr	Er. Garage	
29718	Flexlume Sign Corporation	6733 Transit Rd	Er. Signs	
29719	Linda Geldres	73 Wayne St	Re-Roof	(V/L)
29720	Tramontana Contracting Corp.	67 Country Pl	Re-Roof	
29721	Joseph Prybylski	38 Madison St	Er. Fence	(V/L)
29727	Richard Bittner	21 Country Pl	Inst. Generator	
29731	Shaun McLeod	55 Running Brook Dr	Er. Fence	
29732	Mark Zuccaro	20 Red Clover Ln	Er. Fence	
29733	JLB Installations	9 Maple Ave	Er. Pool-In Grnd	(V/L)
29734	JLB Installations	26 Chestnut Corner	Er. Pool-In Grnd	
29735	Ryan Serafin	22 Crabapple Ln	Er. Pool-In Grnd	
29736	JLB Installations	20 Red Clover Ln	Er. Pool-In Grnd	
29737	Ryan Serafin	22 Crabapple Ln	Er. Fence	
29738	Decks Etc. & Perfect Fence Inc	5 Prairie Ln	Er. Deck	

BE IT FURTHER

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

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

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

June 3, 2019

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

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

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

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

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

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

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

1. This project is described as the +/- 2,800 S.F. building with 150 +/- S.F. foyer expansion located at 21 Pavement Road (SBL No. 116.08-1-71) on a +/- 1.0 acre parcel, will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

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

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

June 3, 2019

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: June 3, 2019

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

The Town Board of the Town of Lancaster has reviewed the proposed +/- 2,800 S.F. building with 150 +/- S.F. foyer expansion located at 21 Pavement Road (SBL No. 116.08-1-71) on a +/- 1.0 acre parcel submitted by Gary Machniak, 21 Pavement Road; and the Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: 21 Pavement Road Building Expansion - #2010

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

SEQR Status: Unlisted

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

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

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

7. Will the proposed action impact existing:
 - a. public/private water supplies? **No impact.**
 - b. public/private wastewater treatment utilities? **No impact.**
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? **No impact.**
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna)? **No impact.**
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No impact.**
11. Will the proposed action create a hazard to environmental resources or human health? **No impact.**

For Further Information:

Contact Person: Kevin E. Loftus, Town Attorney

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

Telephone Number: (716) 684-3342

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

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

WHEREAS, the Town Board of the Town of Lancaster (the “Town Board”) must comply with SEQRA and its implementing regulations at 6 N.Y.C.R.R. Part 617 in the review of the Amended Application for the Project; and

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

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

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

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

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

NOW, THEREFORE,

BE IT RESOLVED by the Town Board of the Town of Lancaster that:

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

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

3. This Resolution shall be effective immediately.

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

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

June 3, 2019

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

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

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

NOW, THEREFORE,

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

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

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

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

June 3, 2019

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

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

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

NOW, THEREFORE,

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

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

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

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

June 3, 2019

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

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

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

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

NOW, THEREFORE,

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

1. Private Improvement Permits are required prior to issuance of any building permits.
2. Contractor to provide a stamped "As-built" survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.

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

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

June 3, 2019

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

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

NOW, THEREFORE,

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

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Christopher King Lancaster, NY	Laborer	\$12.00	June 4, 2019
Kaitlin Walsh Buffalo, NY	Clerk	\$15.00	June 4, 2019

BE IT FURTHER,

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

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

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

June 3, 2019

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

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

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

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

NOW, THEREFORE,

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

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

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

June 3, 2019

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

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster Town Code provide for the adoption and enactment of local laws, and

WHEREAS, a proposed Local Law of the Year 2019 entitled “**DOGS REVISION**”, of the Code of the Town of Lancaster, was introduced to the Town Board of the Town of Lancaster by Council Member Dickman on the 6th day of May, 2019, and

WHEREAS, the Town Board, acting as Lead Agency under the State Environmental Quality Review Act (“SEQRA”) has determined the action is a Type II action under 6NYCRR Part 617.5(c)(33), and

WHEREAS, the Town Board called for, noticed, and held a public hearing on the proposed Local Law on May 20, 2019, where all interested parties were allowed to address the proposed Local Law;

WHEREAS, the Town Board of the Town of Lancaster after due review and deliberation finds it in the best interest of the Town to adopt said Local Law.

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

1. The attached Local Law No. 7 of 2019 is hereby adopted.
2. The Local Law shall be effective upon its filing with the Secretary of State pursuant to the Municipal Home Rule Law.

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

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

June 3, 2019

**LEGAL NOTICE
NOTICE OF ADOPTION
LOCAL LAW NO. 7 OF THE YEAR 2019
TOWN OF LANCASTER**

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

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

June 6, 2019

**Town of Lancaster
Local Law No. 7 of 2019**

A Local Law Amending the Town of Lancaster Civil Penalty for Dog Offenses.

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

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

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

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

Section 3: Effective Date. This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

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

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

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

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

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

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

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

- A. This Special Use Permit terminates when the applicant no longer resides on the premises.
- B. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal is considered upon the property owner submitting an application to the Town Clerk, on or before April 30, 2021.
- C. Provide a copy of the business' New York State Tax Employer Identification Number and, where required, a copy of a valid State License issued by the appropriate regulatory agency for the service being provided.
- D. A company sign may be placed on the building provided it complies with the conditions stipulated in the Sign Ordinance §50-30F(2)(a) of the Town Code and a Sign Permit is obtained by the applicant.
- E. Only persons residing on the premises shall be engaged in such an occupation.
- F. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.

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

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

June 3, 2019

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

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

NOW, THEREFORE,

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

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Tyler Kowal Lancaster, NY	Recreation Attendant	\$11.50	June 4, 2019
Samuel Friend Lancaster, NY	Laborer	\$12.00	June 4, 2019

BE IT FURTHER,

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

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

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

June 3, 2019

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

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

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

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

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

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

NOW, THEREFORE,

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

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

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

June 3, 2019

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

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

NOW, THEREFORE,

BE IT RESOLVED, that the following individual is hereby appointed to the following part-time temporary seasonal position in the Town of Lancaster Dog Control Department, for a period not to exceed five (5) months, and that this being a part-time position, provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Elizabeth Bertozzi Depew, NY	Dog Control Officer	\$13.00	May, 20, 2019

BE IT FURTHER,

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

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

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

June 3, 2019

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

BE IT RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) for authorization by the County of Erie Department of Personnel to create one (1) additional position of Clerk Typist.

BE IT FURTHER,

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

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

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

June 3, 2019

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

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

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

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

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

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

June 3, 2019

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

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

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

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

NOW, THEREFORE,

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

1. Private Improvement Permits are required prior to issuance of any building permits.
2. Property owner to file the Stormwater Control Facility Maintenance Agreement shall be filed in the office of the County Clerk as a deed restriction on the property, which shall be binding on all subsequent landowners, prior to issuance of Certificate of Occupancy.
3. Contractor to provide a stamped “As-built” survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.

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

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

June 3, 2019

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

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

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

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

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

NOW, THEREFORE,

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

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

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

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

June 3, 2019