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 February 21, 2017 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 ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

March 6, 2017

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. 47632 to Claim No. 47757 Inclusive

Total amount hereby authorized to be paid: $2,226,453.71

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

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

March 6, 2017

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, 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 Name	Address	STRUCTURE	Village
26285		Progressive Casualty Ins. Co.	6699 Transit Rd	Er. Comm. Add./Alt.	
26286		Timothy & Dawn Delaney	39 Summerfield Dr	Re-Roof	
26287		Ronald & Angela Ferri	12 Avian Way	Re-Roof	
26288		David & Pina Rogers	6 Walnut Creek Trl	Re-Roof	
26289		Marrano/Marc Equity Corp.	29 Cherryfield Ln	Er. Dwlg.-Sin.	
26290		The Gutter People of WNY Inc.	32 Parkdale Dr	Re-Roof	
26291		Michael J. Forant, Jr.	580 Pleasant View Dr	Er. Res. Alt.	
26292		TSC Construction LLC	0 S Penora St	Cell Tower Co-location	
26293		TSC Construction LLC	6495 Transit Rd	Cell Tower Co-location	
26294		Fairway Hills Development	33 Pear Tree Ln	Er. Dwlg.-Sin.	
26295		Nicholas & Claudette Backas	8 Kent Pl	Er. Deck	
26296		Bruce & Kathleen Goerss	22 Magrum Ln	Er. Fence	
26297		Michael & Emily Calandra	46 Old Post Rd	Er. Fence	
26298		William C. Rott	34 Summerfield Dr	Re-Roof	
26299		KB Landscaping	72 Oxford Ave	Er. Fence	(V/L)
26300		Marrano/Marc Equity Corp.	17 Cherryfield Ln	Er. Dwlg.-Sin.	
26301		Buffalo, Roofing Co., LLC	18 Creekwood Dr	Re-Roof	
26302		Jason D. Hooper	53 Steinfeldt Rd	Er. Shed	
26303		O'Connor Contracting	141 Pavement Rd	Re-Roof	
26304		Geoffrey Goodwin	10 Spring Way	Inst. Generator	
26305		Marrano/Marc Equity Corp.	15 Cherryfield Ln	Er. Dwlg.-Sin.	
26306		John & Maureen Little	211 Warner Rd	Er. Fence	
26307		Marrano/Marc Equity Corp.	10 Crabapple Ln	Er. Dwlg.-Sin.	
26308		Paul Blatner	5 Rose Hill Cir	Inst. Generator	

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 foregoing resolution was duly put to a vote on roll call, which resulted as follows:

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

March 6, 2017

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

WHEREAS, PM Peppermint Inc., 5636 Transit Road, Depew, New York 14043 has applied for a Dumping Permit for property situated on 31 Peppermint Road, 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 of this application and by letter dated February 2, 2017 the Building Inspector made a formal, favorable recommendation to the Town Board.

NOW, THEREFORE, BE IT

RESOLVED, that PM Peppermint Inc. 5636 Transit Road, Depew, 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 situated on 31 Peppermint Road, 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 as follows:

1. Fill shall consist of dirt. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.

2. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.

3. Dirt tracked on the road must be cleaned on a daily basis and more often if necessary. The Town of Lancaster Police shall stop operation immediately upon complaint of dirty road.

4. Fill area shall be graded and seeded upon completion of filling.

5. Dumping will be allowed between the hours of 7 A.M. and 8 P.M. Monday thru Saturday. No dumping shall be allowed on Sunday.

6. Dust from the site shall also be prevented from migrating off site.

7. Fill shall only be placed in the areas which are indicated on the plot plan.

8. No signage for dumping allowed.

9. The source of fill is various projects to be completed by Acadia Site Contracting, Inc.

10. The material is clean dirt fill.

11. Submit documentation quarterly, verifying clean material from selected outside contractors that use the facility for dumping.

12. Vehicles are to remain on a paved surface and at no time is vehicle traffic onto unpaved areas allowed.

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 ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAM	VOTED

March 6, 2017

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

WHEREAS, Michael Passucci, 4083 Walden Avenue, Lancaster, New York 14086 has applied for a Dumping Permit for property situated on 4083 Walden Avenue, 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 of this application and by letter dated February 6, 2017 the Building Inspector made a formal, favorable recommendation to the Town Board.

NOW, THEREFORE, BE IT

RESOLVED, that Michael Passucci 4083 Walden Avenue, 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 situated on 4083 Walden Avenue, 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 as follows:

1. Fill shall consist of dirt. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.

2. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.

3. Dirt tracked on the road must be cleaned on a daily basis and more often if necessary. The Town of Lancaster Police shall stop operation immediately upon complaint of dirty road.

4. Fill area shall be graded and seeded upon completion of filling.

5. Dumping will be allowed between the hours of 7 A.M. and 8 P.M. Monday thru Saturday. No dumping shall be allowed on Sunday.

6. Dust from the site shall also be prevented from migrating off site.

7. Fill shall only be placed in the areas which are indicated on the plot plan.

8. No signage for dumping allowed.

9. The source of fill is Erie County Water Authority Union Road Cheektowaga, New York.

10. The material is clean dirt fill stockpiled for a future use.

11. Pursuant to 50-24 Light Industrial District, permitted outdoor storage areas shall be screened from adjacent parcels; shall not exceed 16 feet in height or be closer than 50 feet from property line.

12. Vehicles are to remain on a paved surface and at no time is vehicle traffic onto unpaved areas allowed to track mud or debris on public roadways.

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 ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAM	VOTED

March 6, 2017

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

WHEREAS, Twin District Volunteer Fire Company, Inc., by letter dated February 16, 2017, has requested the addition of the following members to the roster of said fire association as Junior Firefighters,

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby confirm the additions to the membership of the Twin District Volunteer Fire Company the following individuals:

ADDITIONS:

Michael McCombs Joshua McClenathan

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

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

March 6, 2017
File: RFIRE (P5)

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

WHEREAS, Captain Marco A. Laurienzo of the Town of Lancaster Police Department, by letter dated February 16, 2017, has requested authorization for three (3) members of the Lancaster Police Department to attend the 2017 Tactical Officers Training Conference to be held in Verona, New York from April 25, 2017 through April 27, 2017.

NOW, THEREFORE, BE IT

RESOLVED, that Lieutenant James Robinson, Lieutenant Michael Cronin, and Detective Thomas Bulera of the Town of Lancaster Police Department, are hereby authorized to attend the 2017 Tactical Training Conference to be held in Verona, New York from April 25, 2017 through April 27, 2017.

BE IT FURTHER,

RESOLVED, that the total cost of attendance for three (3) officers at the above mentioned training course is hereby authorized in an amount not-to-exceed $1900 for actual and necessary expenses, including the cost of registration, lodging, travel and meal expenses for three (3) days on the specified dates of training, and

BE IT FURTHER,

RESOLVED, that all requests for reimbursement must be presented in the form of original, itemized receipts for actual and necessary expenses upon submission of proper documentation to the Accounting Department of the Town of Lancaster.

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

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

March 6, 2017

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

WHEREAS, Erie County Legislator Ted Morton has secured $2,000 in grant funds in the 2017 Erie County Budget for use by the Lancaster Senior Center, and

WHEREAS, the Lancaster Senior Center will utilize the funding to enhance the availability of programs and equipment to benefit Senior Citizens;

NOW THEREFORE BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized to complete the necessary application, forms, etc. to be submitted to the Erie County Department of Senior Services for the purpose of securing this grant, and

BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and to the 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 ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

March 6, 2017

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

WHEREAS, on February 21, 2017, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Section 17(F) of the Code of the Town of Lancaster, upon the application of **James J. Macken**, for a Special Use Permit for a Home Occupation (Accounting for Sewer Maintenance Company) on premises located at **6479 Broadway**, Lancaster, New York, and

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

NOW, THEREFORE, BE IT RESOLVED,

1. That pursuant to Chapter 50-Zoning, Section 17(F), entitled "Home Occupations" of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **James J. Macken,** for a Home Occupation (Accounting for Sewer Maintenance Company) on premises located at **6479 Broadway**, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50 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, namely:

a) A company logo may be placed on the building but it must comply with conditions stipulated in the Sign Ordinance §50-30F(2)(a) of the Town Code and a Sign Permit must be obtained by the applicant.

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

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

d) Permit must be renewed every two (2) years at no additional cost to applicant. Renewal request is considered upon the property owner submitting an application to the Town Clerk, on or before March 6, 2019.

e) 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.

f) Applicant will obtain and provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided.

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

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

March 6, 2017

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

WHEREAS, the Town Board of the Town of Lancaster has held a public hearing on February 21, 2017, pursuant to Chapter 50-Zoning, Section 46 entitled Special use permits, of the Code of the Town of Lancaster upon the application of **Eric Thomann**, the owner of **Thomann Asphalt Paving, Corp.**, for a Special Use Permit to shred, process and sell topsoil on premises locally known as 70 Gunnville Road, Lancaster, New York, which is currently not allowed in areas zoned Light Industrial (LI), in the Town of Lancaster, Erie County, New York, and

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

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 50-Zoning, Section 24 Light Industrial District (LI),(B) Permitted Uses, (2) Accessory Structures and Uses of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Eric Thomann**, the owner of **Thomann Asphalt Paving, Corp.** to shred, process and sell topsoil on premises locally known as 70 Gunnville Road, in the Town of Lancaster, New York, upon the conditions as set forth in the Zoning Ordinance and the following conditions:

1. Must comply with dust control requirements in Town Code §50-27(D)(1).
2. All areas from which topsoil is removed shall, during the period between April 1 and May 15 or August 15 and October 1, be prepared into a loose level seed bed, limed, fertilized, and seeded.
3. Conform to the specified hours of operation as stated in §38-4(I).
4. Applicant will maintain roadways to include silt runoff protection, and remove all dirt and mud from pavement areas as stated in Chapter 43.
5. All permits shall expire on January 1 of each year. The original applicant can renew the permit at no additional cost provided it is for the same location that the original permit was issued under.

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

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

March 6, 2017

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

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated February 22, 2017 has recommended the appointment of the following individual(s) to the following part-time permanent position(s).

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time permanent position(s) at the Youth Bureau, working not more than nineteen and three-quarter hours per week, 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 permanent employees:

NAME	**POSITION**	**PAY RATE PER HOUR**	**EFFECTIVE DATE**
Madeline Peters (new hire) East Aurora, NY	Tutor	$12.00	March 7, 2017

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

March 6, 2017

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

WHEREAS, Upstate Cellular Network d/b/a Verizon (the "Applicant") has submitted an application for a special use permit and site plan approval for a micro telecommunications tower at 6733 Transit Road (Project # 20130986129 & Location Code 280508) in the Town of Lancaster; and

WHEREAS, the Zoning Code of the Town of Lancaster requires that the Town Board conduct a public hearing before the issuance of a Communication Tower Special Use permit for a use as proposed;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 50-Zoning, Article VII(A), §41.8, entitled "Communication Towers, Procedure" of the Code of the Town of Lancaster, a Public Hearing on the Applicant's proposed Special Use Permit for a micro telecommunications tower at 6733 Transit Road (Project # 20130986129 & Location Code 280508) on premises locally known as SBL No. 82.03-1-64, in the Town of Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 20th day of March 2017, at 7:15 o'clock P.M., Local Time, and that Notice of the time and place of such Hearing be published in the official newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

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

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

March 6, 2017

TOWN OF LANCASTER
NOTICE OF PUBLIC HEARING ON APPLICATION FOR SPECIAL USE PERMIT FOR A MICRO TELECOMMUNICATIONS TOWER AT 6733 TRANSIT ROAD (PROJECT # 20130986129 & LOCATION CODE 280508), LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 50-Zoning, Article VII(A), §41.8, entitled "Communication Towers, Procedure" of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 6th day of March, 2017 the said Town Board will hold a Public Hearing on the 20th day of March, 2017, at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly approving a special use permit application by Upstate Cellular Network d/b/a Verizon, for a proposed micro telecommunications tower locate at 6733 Transit Road, Town of Lancaster (SBL No. 82.03-1-64). Copies of the proposed applications can be reviewed at Town Hall. All interested persons will be given the opportunity to be heard.

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

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: DIANE M. TERRANOVA
Town Clerk

March 9, 2017

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

WHEREAS, the Town Board has previously duly advertised for bids for One (1) new and unused **2017 Ford F250 XL Super Duty 4 x 4 Regular Cab, Long Bed Pick up,** for use by the Highway Department, and

WHEREAS, one bid was received, opened and reviewed on February 23, 2017, and

WHEREAS, by letter dated February 23, 2017, Highway Superintendent Daniel Amatura, has recommended awarding the bid for the **2017 Ford F250 XL Super Duty 4 x 4 Regular Cab, Long Bed Pick up,** to Delacy Ford, 3061 Transit Road, Elma, New York, being the sole responsible bidder in the amount of $33,233.12, and

WHEREAS, the Highway Department will receive a trade-in allowance for their 2006 Ford F-250 Regular cab, Long Bed (Vin# 1FTNF21566ED96179 with approximately 84,000 Miles) in the amount of $4,600.00 which will bring the total expenditure for the new **2017 Ford F250 XL Super Duty 4 x 4 Regular Cab, Long Bed Pick up** to $28,633.12;

NOW, THEREFORE, BE IT
RESOLVED, that the Town Board of the Town of Lancaster, upon the recommendation of Daniel Amatura, Highway Superintendent, hereby awards the bid for one (1) new and unused **2017 Ford F250 XL Super Duty 4 x 4 Regular Cab, Long Bed Pick up,** which includes a Trade-in Allowance for a 2006 Ford F-250 Regular cab, Long Bed, to Delacy Ford, 3061 Transit Road, Elma, New York 14059, for use by the Highway Department as it conforms to the specifications on file in the office of the Town Clerk., for a total amount not to exceed $28,633.12 which will be paid for with funds available in the 2017 Highway Budget Line Item 13-5110-220 (Passenger Vehicles).

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

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

March 6, 2017

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

WHEREAS, the Town Board has previously duly advertised for bids for One (1) new and unused **2017 Ford F250 XL Super Duty 4 x 2 Regular Cab, Long Bed Pick up,** for use by the Highway Department, and

WHEREAS, one bid was received, opened and reviewed on February 23, 2017, and

WHEREAS, by letter dated February 23, 2017, Highway Superintendent Daniel Amatura, has recommended awarding the bid for the **2017 Ford F250 XL Super Duty 4 x 2 Regular Cab, Long Bed Pick up,** to Delacy Ford, 3061 Transit Road, Elma, New York, being the sole responsible bidder in the amount of $26,138.87, and

WHEREAS, the Highway Department will receive a trade-in allowance for their 2009 Ford F-150 XL Regular cab, Long Bed 4 x 2 (Vin# 1FTRF12W09KC52006 with approximately 74,000 Miles) in the amount of $5,800.00 which will bring the total expenditure for the new **2017 Ford F250 XL Super Duty 4 x 2 Regular Cab, Long Bed Pick up** to $20,338.87;

NOW, THEREFORE, BE IT
RESOLVED, that the Town Board of the Town of Lancaster, upon the recommendation of Daniel Amatura, Highway Superintendent, hereby awards the bid for one (1) new and unused **2017 Ford F250 XL Super Duty 4 x 2 Regular Cab, Long Bed Pick up,** which includes a Trade-in Allowance for a 2009 Ford F-150 XL Regular cab, Long Bed 4 x 2 , to Delacy Ford, 3061 Transit Road, Elma, New York 14059, for use by the Highway Department as it conforms to the specifications on file in the office of the Town Clerk., for a total amount not to exceed $20,338.87 which will be paid for with funds available in the 2017 Highway Budget Line Item 13-5110-220 (Passenger Vehicles).

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

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

March 6, 2017

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

WHEREAS, the Highway Superintendent of the Town of Lancaster by letter dated February 24, 2017 has requested the purchase of one (1) new and unused 2017 F-450 XL Crew Cab 4 x 2 WB for use by the Highway Department, and

WHEREAS, the above-referenced equipment are available from the Onondaga County Department of Purchasing, Bid Reference No. 7974, through authorized bid dealer Van Bortel Ford, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, the Town Board deems it in the public interest to approve the purchase of said 2017 F-450 XL Crew Cab 4 x 2 WB;

NOW, THEREFORE, BE IT RESOLVED, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of one (1) new and unused 2017 F-450 XL Crew Cab 4 x 2 WB from the 2017 authorized Onondaga County Bid Contractor, Van Bortel Ford, 71 Marsh Road, East Rochester, New York 14445 under Onondaga County Bid Reference No. 7974 as proposed by the Superintendent of Highways of the Town of Lancaster for a sum not to exceed the contract (quote #24254) price of $58,395.78; the purchase will be paid for with funds from the Bond authorized on May 15, 2016 for Highway Equipment.

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

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

March 6, 2017

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

WHEREAS, Matt Fischione, Code Enforcement Officer of the Town of Lancaster, by letter dated February 23, 2017 has requested authorization to solicit bids for the purchase of One (1) new and unused **2017 Chevrolet Equinox AWD LT,** for the use by the Building Department, and

WHEREAS, the Building Department will be considering a trade-in allowance for a 2004 Chevrolet Blazer (Vin# 1GNDT13X44K161203 w/86,000 mi.) to offset the cost, and

WHEREAS, the Town Board has given due review and consideration to the request and deems it in the public's interest to invite public bids in conformance with General Municipal Law §103 of the State of New York;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That Bids be received in the Office the Town Clerk by March 23, 2017, at 10:00 A.M. Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of purchasing One (1) new and unused **2017 Chevrolet Equinox AWD LT**, for the use of the Building Department in accordance with specifications on file in the Town Clerk's Office, and

2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof

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

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

March 6, 2017

LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to **10:00 A.M.**, Local Time, on the **23th day of March, 2017**, for the purpose of providing to the Town of Lancaster One (1) new and unused **2017 Chevrolet Equinox AWD LT**, for the use by the Building Department, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A Certified Check or Bid Bond in an amount representing five (5%) of the Total Gross Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

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

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: DIANE M. TERRANOVA
Town Clerk

March 9, 2017

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCIL MEMBER ABRAHAM, 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 Section 17 (F) of the Code of the Town of Lancaster, upon the application of **Charles A Giambrone**, for a Special Use Permit for **QUAD 4 WHEEL DRIVE, Inc**., to provide automotive repair services on premises located at 505 Erie Street, Building A, in the Town of Lancaster, New York, and the Board issued such Special Use Permit on April 4, 2011, this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, by letter dated February 7, 2017**, Charles A Giambrone** 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 February 23, 2017;

NOW THEREFORE, BE IT RESOLVED, as follows:

1. That pursuant to Chapter 50-Zoning, Section 20 (B)(1), entitled "Commercial and Motor Service District (CMS)", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Charles A Giambrone**, owner of **QUAD 4 WHEEL DRIVE, Inc**, to provide an automotive repair business on premises located at 505 Erie Street, Building A in the Town of Lancaster, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning April 4, 2017 and ending April 3, 2019, and

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

A. Bay doors on east side of building cannot be open more than seven (7) feet except when bringing vehicles in or out of the business.

B. Security cameras will be positioned away from the backyard of the residence to the east of the business.

C. Business must operate within all confines of the Town of Lancaster's noise ordinance.

D. Permit must be renewed every two (2) years at no additional cost to the applicant. Renewal request is considered upon the property owner submitting an application to the Town Clerk, on or before April 3, 2019.

E. Applicant will obtain and provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided.

F. Enclosure of waste materials. All waste materials, including garbage and trash, shall be stored in covered containers in a screened or enclosed area.

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

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

March 6, 2017

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCIL MEMBER ABRAHAM, 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 Section 17 (F) of the Code of the Town of Lancaster, upon the application of **Julie and Daniel Curtis**, for a Special Use Permit for a Home Occupation (Woodcraft/Gift Shop – Two Chicks and a Rooster) on premises located at 732 Aurora Street, Lancaster, New York, and the Board issued such Special Use Permit on April 6, 2009, this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, by letter dated February 7, 2017**, Julie and Daniel Curtis** have 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 February 22, 2017;

NOW THEREFORE, BE IT
RESOLVED, as follows:

1. That pursuant to Chapter 50-Zoning, Section 17 (F), entitled "Home Occupation", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit Renewal to **Julie and Daniel Curtis**, for a Home Occupation ((Woodcraft/Gift Shop – Two Chicks and a Rooster) on premises located at 732 Aurora Street, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning April 6, 2017 and ending April 5, 2019, and

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

a. 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 request is considered upon the property owner submitting an application to the Town Clerk, on or before April 5, 2019.

c. Applicant will obtain and provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided.

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

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

March 6, 2017

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 letter dated February 28, 2017 has recommended the appointment of the following individual(s) to the following part-time permanent position(s).

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time permanent position(s) in the Lancaster Senior Center, working not more than nineteen and three-quarter hours per week, 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 permanent employees:

NAME	**POSITION**	**PAY RATE PER HOUR**	**EFFECTIVE DATE**
Joan M. Chatham Sloan, NY	Recreation Instructor	$10.00	March 7, 2017
John Morgus Lancaster, NY	Van Driver	$10.00	March 7, 2017

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

March 6, 2017

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 dated February 27, 2017, has recommended the appointment of Brian McKenzie of Lancaster, New York, who currently holds the title of Laborer-Highways, to the position of Maintenance Worker to fill an existing vacancy.

NOW, THEREFORE, BE IT

RESOLVED, that Brian McKenzie be and is hereby appointed to the position of Maintenance Worker in the Town of Lancaster Highway Department, effective March 6, 2017, and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA Blue Collar Union and all applicable provisions of law, and

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

March 6, 2017

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

WHEREAS, **Thomas Schuster**, 360 Gould Avenue, Depew, New York 14043 has heretofore applied for approval of a three (3) single family home development to be known as "3-Lot Haskell Drive Subdivision" located on Haskell Drive at Harris Hill Road (SBL Nos. 93.07-01-11.1, 11.11, & 11.12) in the Town of Lancaster, and

WHEREAS, the plan was submitted to the Planning Board and was approved at their September 21, 2016 meeting, and

WHEREAS, the Town, acting as lead agency has completed an environmental review on February 6, 2017, in conformance with SEQR (State Environmental Quality Review) regulations and on February 21, 2017 a Negative Declaration was issued, and

WHEREAS, the Town Board of the Town of Lancaster has duly reviewed and considered the proposed subdivision;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby approves the proposed three (3) single family home development located on Haskell Drive at Harris Hill Road (SBL Nos. 93.07-01-11.1, 11.11, & 11.12) as prepared by Apex Consulting, P.C., dated August 22, 2016, with a revision date of January 6, 2017 and filed with the Town Clerk on February 15, 2017 for said development to be known as "3-Lot Haskell Drive Subdivision."

2. The approval of this subdivision by the Town Board will hereby grant a waiver from the condition requiring the installation of any public sidewalk along Haskell Drive.

3. That the Town Clerk be and is hereby directed to properly endorse the approval of the Town Board of the Town of Lancaster on the mylar copy thereof and to attend to the filing of said 3-lot single family home development subdivision map in the Erie County Clerk's Office.

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

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

March 6, 2017

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

WHEREAS, the Town of Lancaster's Highway Department currently has an agreement with Wendell WD Architecture Engineering Surveying & Landscape Architecture, P.C. ("Wendell"), 375 Essjay Road, Suite 200, Williamsville, New York 14221, to provide upgrades to the Town's Functional Geographic Information System (GIS) for the development and implementation of ArcGIS Server Web Mapping Application (WMA) Integration and Update of Culvert Layer, Drainage Analysis and GIS technical support and training, and

WHEREAS, the current ArcGIS Microsoft Silverlight API is no longer supported by Google Chrome or other internet browsers and therefore needs be converted to an ArcGIS JavaScript API framework through a contract with Wendell, and

WHEREAS, Daniel Amatura, Lancaster Town Highway Superintendent by letter dated March 1, 2017 has requested that the Town authorize acceptance of a proposal from Wendell to provide the Town of Lancaster's GIS Web Mapping Application Framework upgrade, and

WHEREAS, this is a one-time upgrade expense of $8,400.00 of which the Village of Lancaster will contribute $1,950.00 towards the cost to cover inclusion of their "tools" portion in the program, and

WHEREAS, The Town Board has reviewed the proposal and deems it in the public interest to authorize Wendell to provide the beforementioned update to the Town of Lancaster's GIS Web Mapping Application Framework;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute the upgrade proposal between the Town of Lancaster and Wendell to provide conversion to an ArcGIS JavaScript API framework for the Town of Lancaster's GIS Web Mapping Application Framework, for an amount not to exceed $8,400.00, of which $1,950.00 will be paid for by the Village of Lancaster bringing the total expenditure by the Town to $6,450.00 which will be paid for with funds available from the Highway Department's 2017 Budget line item 01-8540-0410.

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

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

March 6, 2017

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

WHEREAS, the Town of Lancaster approved a map, plan and report for the increase to and improvement of facilities of the Consolidated Water District, located on Westwood Road, Schlemmer Road, Stutzman Road and Pavement Road on May 16, 2016, and

WHEREAS, a bond resolution was adopted for a maximum amount not to exceed $4,500,000, and

WHEREAS, the Town Board has previously duly advertised for bids for the Consolidated Water District, TLN-7, located on Westwood Road and Schlemmer Road, and

WHEREAS, bids were received, opened and reviewed on February 28, 2017, and

WHEREAS, Wm. Schutt & Associates, the project's consulting engineer, by letter dated March 1, 2017, has recommended awarding the bid to Sergi Construction, Inc., being the lowest responsible bidder in the amount of $910,350.00;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for the Consolidated Water District System Improvement Contract No. TLN-7, to Sergi Construction, Inc., 775 Jewett Holmwood Road, East Aurora, New York 14052, in the amount of $910,350.00, being the lowest responsible bidder in conformance with the specifications on file in the Office of Wm. Schutt & Associates.

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

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

March 6, 2017

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

WHEREAS, the Chief of Police of the Town of Lancaster, by letter dated February 28, 2017, has recommended the appointment of Andrew Speyer of Depew, New York, to the position of Police Officer to fill an existing vacancy, and

WHEREAS, Andrew Speyer is eligible for appointment as a result of his placement on the applicable Erie County Department of Personnel Eligible List, and

NOW, THEREFORE, BE IT

RESOLVED, that Andrew Speyer be and is hereby appointed to the position of Police Officer in the Town of Lancaster Police Department effective March 20, 2017, contingent upon approval by Erie County Department of Personnel; and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the Cayuga Club Police Benevolent Association and all applicable provisions of law, and

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

March 6, 2017

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

WHEREAS, the Town Board of the Town of Lancaster has duly advertised for bids for furnishing to the Town of Lancaster the necessary trees for the 2016 Tree Planting Program in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, an M/WBE waiver has been obtained from the New York State Department of Environmental Conservation for this project, and

WHEREAS, two (2) bids were duly received and opened on February 9, 2017, and

WHEREAS, SCHICHTEL'S NURSERY, INC., 7420 Peters Road, Springville, New York 14141, has submitted the lowest responsible bid in the amount of $27,820.00 for furnishing said trees to the Town of Lancaster, and

WHEREAS, the Park Crew Chief, by letter dated February 13, 2017 requests the Town Board to accept the bid of Schichtel's Nursery, Inc., and

WHEREAS, by same letter, the Park Crew Chief has requested that he be authorized to purchase additional trees at the 2017 bid prices from Schichtel's Nursery Inc. at his discretion for whatever other tree plantings the Town may incur in 2017.

NOW, THEREFORE, BE IT

RESOLVED, that the bid of **SCHICHTEL'S NURSERY, INC.,** 7420 Peters Road, Springville, New York 14141, being the lowest responsible bid in conformance with the specifications relating thereto, be and hereby is accepted, and

BE IT FURTHER

RESOLVED, that the Park Crew Chief be and is hereby authorized to place orders with Schichtel's Nursery, Inc. for those trees which the Town of Lancaster needs for its 2017 Tree Planting Program, and

BE IT FURTHER

RESOLVED, that the Park Crew Chief be and is hereby authorized to purchase additional trees at the 2017 bid prices from Schichtel's Nursery, Inc. at his discretion for whatever other tree plantings the Town may incur in 2017.

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

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

March 6, 2017

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

WHEREAS, Town of Lancaster's Park Crew Chief, Mark Lubera, of the Department of Parks, Recreation and Forestry of the Town of Lancaster by letter dated February 28, 2017 has requested the purchase of **one (1) New and unused 2017 Ford F-150 Supercrew 4 x2 Pickup Truck** and **one (1) New and unused 2017 Ford F-150 XL Regular Cab 4 x 2 Pickup Truck** for use by the Parks, Recreation and Forestry Department, and

WHEREAS, the above-referenced Pickup Trucks are available from the Chautauqua County Department of Purchasing, Bid No. E-11-14 PFTH 2017, Group 5, Item 2, through authorized vehicle dealer Van Bortel Ford, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law， and

WHEREAS, the cost of the 2017 Ford F-150 Supercrew 4 x2 Pickup Truck is $30,404.70 and the cost of the 2017 Ford F-150 XL Regular Cab 4 x 2 Pickup Truck is $25,950.80 per the quotes (24083 & 24084 respectively) dated February 10, 2017, and

WHEREAS, the Town Board deems it in the public interest to approve the purchase of the above-referenced Pickup Trucks;

NOW, THEREFORE, BE IT RESOLVED, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of **one (1) New and unused 2017 Ford F-150 Supercrew 4 x2 Pickup Truck** and **one (1) New and unused 2017 Ford F-150 XL Regular Cab 4 x 2 Pickup Truck** from the 2017 authorized Chautauqua County Bid Contractor, Van Bortel Ford, 71 Marsh Road, East Rochester, New York 14445 under Bid No. E-11-14 PFTH 2017, Group 5, Item 2, as proposed by Park Crew Chief, Mark Lubera for an amount not to exceed the quotes (24083 & 24084 respectively) for a total combined price of $56,355.50; this sum will be paid with funds available 2017 the Town's Recreation Filing Fees Fund.

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

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

March 6, 2017

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

WHEREAS, the Town Board of the Town of Lancaster has held a public hearing on November 21, 2016, pursuant to Chapter 50-Zoning, Section 46 entitled Special use permits, of the Code of the Town of Lancaster upon the application of **Paul Marinaccio**, the President of **PM Peppermint, Inc.,** for a Special Use Permit to allow **Mining Operations** on premises locally known as 31 Peppermint Road, Lancaster, New York, currently zoned Sand, Gravel and Aggregates (SGA), in the Town of Lancaster, Erie County, New York, and

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

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 18, Article IV, Section 29(A) of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to of **Paul Marinaccio**, the President of **PM Peppermint, Inc.,** for mining operations at the property locally known as 31 Peppermint Road, in the Town of Lancaster, New York, upon the conditions as set forth in the Zoning Ordinance and the following conditions:

1. Property address to be posted at main entrance.
2. Truck Traffic is prohibited east of the main entrance.
3. Proper screening from dust is to be installed to the east of the property protecting the residential areas.
4. Conformance with all conditions set forth in the Consent Order and Judgement issued by Hon. Mark J. Grisanti, A.J.S.C. (Index No. 808576/2016), which is attached hereto and incorporated herein by reference. To be clear, no mulching, composting, or solid waste disposal is permitted to occur at the Property.
5. Conformance with all conditions set forth in the Site Plan Approval resolution dated October 17, 2016.
6. Conformance to the specified hours of operation as stated in the Consent Order and Judgement.
7. Permit shall expire on an annual basis. The original applicant can renew the permit at no additional cost provided it is for the same location that the original permit was issued under.

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

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

March 6, 2017

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

PM PEPPERMINT, INC.

Petitioner,

v.

Index No.: 808576/2016
Hon. Mark J. Grisanti, A.J.S.C.

MATTHEW FISCHIONE, TOWN OF LANCASTER
CODE ENFORCEMENT OFFICER,

Respondent.

CONSENT ORDER AND JUDGMENT

Petitioner PM PEPPERMINT, Inc. (the "Petitioner" or "PM"), Respondent MATTHEW FISCHIONE ("Fischione"), and the Town of Lancaster, New York (the "Town") through their respective counsel, agree as follows, which agreement shall have the force and effect of an Order of the New York Supreme Court, Erie County:

WHEREAS, the Petitioner is the owner in fee simple of certain property located in the Town of Lancaster, County of Erie, State of New York, more particularly, +/- 47 acres of land at 31 Peppermint Road, having SBL No. 94.00-3-11.1 (the "Property"); and

WHEREAS, the Property is located within the Town of Lancaster's Sand, Gravel and Aggregates ("SGA") District; and

WHEREAS, the Petitioner has received a New York State Department of Environmental Conservation permit (permit number 9-1452-00028/00003) (the "Mining Permit") to mine at the Property and has commenced activity pursuant to the Mining Permit; and

WHEREAS, the Petitioner has commenced a topsoil shredding operation at the Property; and

WHEREAS, the Petitioner has commenced with the erection of a tensioned membrane canopy (the "Canopy") at the Property; and

WHEREAS, as a result of the foregoing, the Town commenced enforcement action against Petitioner for violation of the Town of Lancaster Code; and

WHEREAS, pursuant to Section 50-26(1)(a) of the Town of Lancaster Zoning Code, "[e]xcavations as permitted and regulated by Chapter 18 of the Town of Lancaster Code" are permitted uses; and

WHEREAS, Fischione and the Town determined that pursuant to Chapter 18 of the Town of Lancaster Code, mining at the Property requires a special use permit from the Town Board of the Town of Lancaster, on an annual basis, which permit shall expire on January 1 of each year (Town of Lancaster Code § 18-29(A)) (a "Special Use Permit"); and

WHEREAS, it is the position of Petitioner that no Special Use Permit is required for mining at the Property; and

WHEREAS, pursuant to the Town of Lancaster Code, the topsoil shredding operation is specially permitted as a "use[] customarily incidental" to the excavation (Town of Lancaster Code § 50-26(B)(2)(a)); and

WHEREAS, Fischione and the Town have determined that the erection of the Canopy requires site plan review and approval ("Site Plan Approval") pursuant to Town of Lancaster Code § 50-43(A)(2)-(4); and

WHEREAS, it is the position of Petitioner that the erection of the Canopy does not require Site Plan Approval; and

WHEREAS, Fischione and the Town have determined that erection of the Canopy requires a building permit, pursuant to, among other provisions, Town of Lancaster Code Chapter 8 and the New York Uniform Fire Prevention and Building Code; and

WHEREAS, it is the position of Petitioner that no building permit is required for the erection of the Canopy; alternatively, it is the position of Petitioner that if a building permit is required, its issuance cannot be conditioned upon either the issuance of a Special Use Permit or upon Site Plan Approval; and

WHEREAS, Respondent Matthew Fischione, the Code Enforcement Officer for the Town of Lancaster, issued a stop work order with respect to the operations at the Property and the construction of the Canopy at the Property because no special use permit, site plan approval, or building permit had been received; and

WHEREAS, Petitioner submitted an application to the Town of Lancaster Zoning Board of Appeals (the "ZBA") seeking an interpretation that a Special Use Permit, Site Plan Approval, and building permit are not required (the "ZBA Appeal"); and

WHEREAS, Petitioner contended that the stay provided by Section 267-a(6) of the New York Town Law permitted continued construction of the Canopy pending the ZBA Appeal; and

WHEREAS, pursuant to Section 267-a(6) of the New York Town Law, Respondent Fischione issued a certification to the ZBA that the stay would cause imminent peril to life or property, rendering the stay inapplicable (the "Certification"); and

WHEREAS, Petitioner commenced this proceeding, seeking to annul the Certification;

NOW, it is hereby **ORDERED, ADJUDGED, AND DECREED** as follows:

1. The Verified Petition/Complaint is hereby dismissed, with prejudice, in its entirety.

2. Petitioner's ZBA Appeal is hereby withdrawn.

3. Petitioner has submitted applications seeking the Special Use Permit and Site Plan Approval. Upon receipt of notification from Respondent Fischione and/or the Town of any deficiencies in either or both applications, Petitioner shall promptly correct the same, such that said applications shall comply fully with the requirements of the Town of Lancaster Code. Petitioner shall further pay all required fees, as set forth in the Code and any applicable fee schedule. The Town of Lancaster, upon receipt of complete applications, shall process those applications in accordance with applicable law. Upon receipt of a Special Use Permit, annual reapplication is required pursuant to Chapter 18 of the Town of Lancaster Code.

4. Petitioner has submitted an application for a building permit for the Canopy. Said application is complete and Petitioner has paid all applicable fees therefor. Respondent Fischione shall process such application and, if the application and plans are in compliance with the Town of Lancaster Code and the New York Uniform Fire Prevention and Building Code, he shall issue a building permit while the applications for a special use permit and site plan review are pending. If such application is determined not to be in compliance with the Town of Lancaster Code and/or the New York Uniform Fire Prevention and Building Code, Petitioner shall immediately be notified. Upon receipt of a building permit, Petitioner may

proceed with construction of the Canopy while the applications for a special use permit and site plan review are pending, but it does so at its own risk, pending the Town's review of the Special Use Permit and Site Plan applications. If either the Special Use permit Application or the Site Plan Application is not approved (or is approved with modifications and/or conditions), Respondent Fischione and/or the Town shall have the right to revoke the building permit, and Petitioner shall have the right to oppose such revocation pursuant to applicable law.

5. Petitioner shall not withdraw its applications for a Special Use Permit and Site Plan Approval and continue operations at the Property. Any withdraw of Petitioner's applications or failure to comply with the Town's reasonable requests to process those applications requires operations at the Property to cease.

6. No mulching, composting, or solid waste disposal is permitted to occur at the Property. This limitation may be modified, in writing, executed by all parties, provided all applicable permits, consents, or approvals have been obtained from the Town.

7. The hours of operation at the Property shall be limited to Monday through Saturday, 7:00 a.m. to 6:00 p.m., and shall be further limited to sunrise and sunset on Monday through Saturday, where sunrise occurs later than 7:00 a.m. and/or when sunset occurs earlier than 6:00 p.m. These hours of operation are already existing conditions set forth in the Mining Permit. *See* Mining Permit, p. 2, Condition 1 and Mined Land Use Plan, dated March 22, 2013, pp. 5-6.

8. Water or other approved dust palliatives must be applied to haulageways and other parts of the Property, as often is necessary, to prevent visible dust from leaving the Property.

9. The obligations set forth in this Consent Order and Judgment shall run with the land and shall be binding on Petitioner's successors and/or assigns.

Dated: August 31, 2016

HODGSON RUSS LLP
Attorneys for the Respondent and the Town of Lancaster, New York

By: _____
Charles W. Malcomb, Esq.
The Guaranty Building
140 Pearl Street, Suite 100
Buffalo, New York 14202
(716) 856-4000

THE GARAS LAW FIRM, LLP
Attorneys for the Petitioner

By: _____
John C. Garas, Esq.
8203 Main Street, Suite 13
Williamsville, New York 14221
(716) 842-6200

SO ORDERED:

_____
Hon. Mark J. Grisanti, A.J.S.C.

GRANTED

SEP 1 2016

BY _____
WENDY K. HASELEY
COURT CLERK

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

WHEREAS, the Town Board of the Town of Lancaster has held a public hearing on November 21, 2016, pursuant to Chapter 50-Zoning, Section 46 entitled Special use permits, of the Code of the Town of Lancaster upon the application of **Paul Marinaccio**, the President of **PM Peppermint, Inc.,** for a Special Use Permit to allow an accessory use operation not authorized within a current zoning classification **(Topsoil Shredding)** on premises locally known as 31 Peppermint Road, Lancaster, New York, currently zoned Sand, Gravel and Aggregates (SGA), in the Town of Lancaster, Erie County, New York, and

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

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 50, Article VI, Section 26(B)(2) of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to of **Paul Marinaccio**, the President of **PM Peppermint, Inc.,** for a topsoil shredding operation on the property locally known as 31 Peppermint Road, in the Town of Lancaster, New York, upon the conditions as set forth in the Zoning Ordinance and the following conditions:

1. Property address to be posted at main entrance.
2. Truck Traffic is prohibited east of the main entrance.
3. Proper screening from dust is to be installed to the east of the property protecting the residential areas.
4. Conformance with all conditions set forth in the Consent Order and Judgement issued by Hon. Mark J. Grisanti, A.J.S.C. (Index No. 808576/2016), which is attached hereto and incorporated herein by reference. To be clear, no mulching, composting, or solid waste disposal is permitted to occur at the Property.
5. Conformance with all conditions set forth in the Site Plan Approval resolution dated October 17, 2016.
6. Conformance to the specified hours of operation as stated in §38-4(I) and days of operation are limited to Monday through Saturday.
7. Permit shall expire on an annual basis. The original applicant can renew the permit at no additional cost provided it is for the same location that the original permit was issued under.

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

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

March 6, 2017

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

PM PEPPERMINT, INC.

Petitioner,

v.

Index No.: 808576/2016
Hon. Mark J. Grisanti, A.J.S.C.

MATTHEW FISCHIONE, TOWN OF LANCASTER
CODE ENFORCEMENT OFFICER,

Respondent.

CONSENT ORDER AND JUDGMENT

Petitioner PM PEPPERMINT, Inc. (the "Petitioner" or "PM"), Respondent MATTHEW FISCHIONE ("Fischione"), and the Town of Lancaster, New York (the "Town") through their respective counsel, agree as follows, which agreement shall have the force and effect of an Order of the New York Supreme Court, Erie County:

WHEREAS, the Petitioner is the owner in fee simple of certain property located in the Town of Lancaster, County of Erie, State of New York, more particularly, +/- 47 acres of land at 31 Peppermint Road, having SBL No. 94.00-3-11.1 (the "Property"); and

WHEREAS, the Property is located within the Town of Lancaster's Sand, Gravel and Aggregates ("SGA") District; and

WHEREAS, the Petitioner has received a New York State Department of Environmental Conservation permit (permit number 9-1452-00028/00003) (the "Mining Permit") to mine at the Property and has commenced activity pursuant to the Mining Permit; and

WHEREAS, the Petitioner has commenced a topsoil shredding operation at the Property; and

WHEREAS, the Petitioner has commenced with the erection of a tensioned membrane canopy (the "Canopy") at the Property; and

WHEREAS, as a result of the foregoing, the Town commenced enforcement action against Petitioner for violation of the Town of Lancaster Code; and

WHEREAS, pursuant to Section 50-26(1)(a) of the Town of Lancaster Zoning Code, "[e]xcavations as permitted and regulated by Chapter 18 of the Town of Lancaster Code" are permitted uses; and

WHEREAS, Fischione and the Town determined that pursuant to Chapter 18 of the Town of Lancaster Code, mining at the Property requires a special use permit from the Town Board of the Town of Lancaster, on an annual basis, which permit shall expire on January 1 of each year (Town of Lancaster Code § 18-29(A)) (a "Special Use Permit"); and

WHEREAS, it is the position of Petitioner that no Special Use Permit is required for mining at the Property; and

WHEREAS, pursuant to the Town of Lancaster Code, the topsoil shredding operation is specially permitted as a "use[] customarily incidental" to the excavation (Town of Lancaster Code § 50-26(B)(2)(a)); and

WHEREAS, Fischione and the Town have determined that the erection of the Canopy requires site plan review and approval ("Site Plan Approval") pursuant to Town of Lancaster Code § 50-43(A)(2)-(4); and

WHEREAS, it is the position of Petitioner that the erection of the Canopy does not require Site Plan Approval; and

WHEREAS, Fischione and the Town have determined that erection of the Canopy requires a building permit, pursuant to, among other provisions, Town of Lancaster Code Chapter 8 and the New York Uniform Fire Prevention and Building Code; and

WHEREAS, it is the position of Petitioner that no building permit is required for the erection of the Canopy; alternatively, it is the position of Petitioner that if a building permit is required, its issuance cannot be conditioned upon either the issuance of a Special Use Permit or upon Site Plan Approval; and

WHEREAS, Respondent Matthew Fischione, the Code Enforcement Officer for the Town of Lancaster, issued a stop work order with respect to the operations at the Property and the construction of the Canopy at the Property because no special use permit, site plan approval, or building permit had been received; and

WHEREAS, Petitioner submitted an application to the Town of Lancaster Zoning Board of Appeals (the "ZBA") seeking an interpretation that a Special Use Permit, Site Plan Approval, and building permit are not required (the "ZBA Appeal"); and

WHEREAS, Petitioner contended that the stay provided by Section 267-a(6) of the New York Town Law permitted continued construction of the Canopy pending the ZBA Appeal; and

WHEREAS, pursuant to Section 267-a(6) of the New York Town Law, Respondent Fischione issued a certification to the ZBA that the stay would cause imminent peril to life or property, rendering the stay inapplicable (the "Certification"); and

WHEREAS, Petitioner commenced this proceeding, seeking to annul the Certification;

NOW, it is hereby **ORDERED, ADJUDGED, AND DECREED** as follows:

1. The Verified Petition/Complaint is hereby dismissed, with prejudice, in its entirety.

2. Petitioner's ZBA Appeal is hereby withdrawn.

3. Petitioner has submitted applications seeking the Special Use Permit and Site Plan Approval. Upon receipt of notification from Respondent Fischione and/or the Town of any deficiencies in either or both applications, Petitioner shall promptly correct the same, such that said applications shall comply fully with the requirements of the Town of Lancaster Code. Petitioner shall further pay all required fees, as set forth in the Code and any applicable fee schedule. The Town of Lancaster, upon receipt of complete applications, shall process those applications in accordance with applicable law. Upon receipt of a Special Use Permit, annual reapplication is required pursuant to Chapter 18 of the Town of Lancaster Code.

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proceed with construction of the Canopy while the applications for a special use permit and site plan review are pending, but it does so at its own risk, pending the Town's review of the Special Use Permit and Site Plan applications. If either the Special Use permit Application or the Site Plan Application is not approved (or is approved with modifications and/or conditions), Respondent Fischione and/or the Town shall have the right to revoke the building permit, and Petitioner shall have the right to oppose such revocation pursuant to applicable law.

5. Petitioner shall not withdraw its applications for a Special Use Permit and Site Plan Approval and continue operations at the Property. Any withdraw of Petitioner's applications or failure to comply with the Town's reasonable requests to process those applications requires operations at the Property to cease.

6. No mulching, composting, or solid waste disposal is permitted to occur at the Property. This limitation may be modified, in writing, executed by all parties, provided all applicable permits, consents, or approvals have been obtained from the Town.

7. The hours of operation at the Property shall be limited to Monday through Saturday, 7:00 a.m. to 6:00 p.m., and shall be further limited to sunrise and sunset on Monday through Saturday, where sunrise occurs later than 7:00 a.m. and/or when sunset occurs earlier than 6:00 p.m. These hours of operation are already existing conditions set forth in the Mining Permit. *See* Mining Permit, p. 2, Condition 1 and Mined Land Use Plan, dated March 22, 2013, pp. 5-6.

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9. The obligations set forth in this Consent Order and Judgment shall run with the land and shall be binding on Petitioner's successors and/or assigns.

Dated: August 31, 2016

HODGSON RUSS LLP
Attorneys for the Respondent and the Town of Lancaster, New York

By: _____
Charles W. Malcomb, Esq.
The Guaranty Building
140 Pearl Street, Suite 100
Buffalo, New York 14202
(716) 856-4000

THE GARAS LAW FIRM, LLP
Attorneys for the Petitioner

By: _____
John C. Garas, Esq.
8203 Main Street, Suite 13
Williamsville, New York 14221
(716) 842-6200

SO ORDERED:

_____
Hon. Mark J. Grisanti, A.J.S.C.

GRANTED

SEP 1 2016

BY _____
WENDY K. HASELEY
COURT CLERK

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

RESOLVED, that the Town Board of the Town of Lancaster hereby terminates, effective at the expiration of the current Succeeding Term on April 30, 2017, the Administrative Services Agreement entered the first day of May, 2008 by and between the Town of Lancaster and BlueCross BlueShield of Western New York pursuant to section 6.2 of said agreement, and

BE IT FURTHER RESOLVED, that the Supervisor be and hereby is authorized and directed to provide written notice by certified mail to BlueCross BlueShield of Western New York termination of the agreement at least forty-five (45) days prior to the expiration of the current Succeeding Term which is April 30, 2017.

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

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

March 6, 2017