

Town Board Minutes

February 19, 2019

Meeting No. 4

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 19th day of February 2019 at 7:00 P.M. and there were

PRESENT: ADAM DICKMAN, COUNCIL MEMBER
DAWN GACZEWSKI, COUNCIL MEMBER
JOHANNA COLEMAN, SUPERVISOR

ABSENT: RONALD RUFFINO, COUNCIL MEMBER
MATTHEW WALTER, COUNCIL MEMBER

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
MICHELLE BARBARO, PARK CREW CHIEF
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
WILLIAM KARN, POLICE CAPTAIN

EXECUTIVE SESSION:

AT 7:44 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER GACZEWSKI, SECONDED BY COUNCIL MEMBER DICKMAN AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing a personnel matter leading to the appointment, employment or promotion of a particular person.

At 8:10 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Keller, Kathy, spoke to the Town Board on the following matter:

- Questions regarding trash pickup.

Rybacki, Lynn, Representing Legislator John Brusco, spoke to the Town Board on the following matter:

- Information regarding the Community Conversation Series, “Learn About Adolescent Vaping” on March 6, 2019 at the Lancaster Opera House.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: V & T Ordinance Summerfield Farms Subdivision.

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

At 7:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon a V & T Ordinance Summerfield Farms Subdivision, Stop Intersections; Non-Intersection Stops; Yield Intersection.

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

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT

**Proponent/
Opponent/
Comments/Question**

None

ON MOTION BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the public hearing was closed at 7:16 P.M.

Decision on this matter was reserved.

February 19, 2019

PRESENTATION OF PREFILED RESOLUTIONS:

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

RESOLVED, that the minutes of the Regular Meeting of the Town Board held February 4, 2019 be and are hereby approved.

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

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

February 19, 2019

File: RMIN (P1)

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

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

Claim No. 55717 to Claim No. 55898 Inclusive

Total amount hereby authorized to be paid: \$594,001.03

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

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

February 19, 2019

File: Rclaims

PREFILED RESOLUTION NO. 3 – MEETING OF 2/19/2019

Coleman / _____ Acknowledge Issuance Of Building Permits

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

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

WHEREAS, Governor's Cuomo's proposed 2020 NYS Budget includes unprecedented cuts to unrestricted State Revenue Sharing program known as Aid and Incentives to Municipalities (AIM) in the amount of 49 million for all municipalities in the State of New York, effectivity eliminating the program, and

WHEREAS, this proposed cut would result in a loss of \$121,895 from the Town of Lancaster's general budget, and

WHEREAS, funding has not been increased in the last several years as unfunded mandates and cost of Town and Village services have risen, and

WHEREAS, if these cuts go through, a shocking 91% of Towns and Villages will permanently lose their AIM funding, and

WHEREAS, incentives for shared services, consolidation, and infrastructure remediation directed by consent orders in no way replace the needed financial assistance to fund and manage the increasing costs of day to day services and capital projects needed in sustainable Town and Village planning and management, and

WHEREAS, the proposal to eliminate AIM funding unfairly punishes State residents, making financial planning aligned with the NYS Tax Cap virtually impossible and

WHEREAS, the Governor is proposing to make the Tax Cap permanent, discontinue the \$65 Million in Extreme Winter Recovery Program and proposes no increase for CHIPs funding, for which there has been widespread vocal support, and

WHEREAS, the proposal to eliminate AIM funding is not proactive, but a method to cut a small percent from the State Budget, yet a significant amount of revenue to Town and Village budgets.

NOW, THEREFORE,
BE IT RESOLVED, the Town of Lancaster strongly opposes the elimination of AIM funding, and

FURTHER RESOLVED, the AIM funding benefits all of our residents not only in the Town of Lancaster but throughout New York State and eliminating it could result in reduction of services, program cuts and layoffs. Every dollar that the State shared is a dollar that doesn't have to be levied on backs of local taxpayers, and

BE IT FURTHER,
RESOLVED that a certified copy of this resolution be forwarded to Honorable Governor Andrew M. Cuomo, Honorable Senator Patrick Gallivan and Honorable Assemblywoman Monica Wallace.

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

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

February 19, 2019

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

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated February 4, 2019, has requested the addition of one (2) members to the roster of said fire association.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the additions to the membership of the Town Line Volunteer Fire Department the following individuals:

ADDITIONS:

Charles Wilson Cheektowaga, New York	Kenneth F. Matynka Lancaster, New York
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The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

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

February 19, 2019

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

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning, Article VIII-Administration and Enforcement, Section 46 pursuant to Chapter 50, Section 20(B) of the Code of the Town of Lancaster, upon the application of James Basil, of **JBC Properties, LLC/Basil Chevrolet**, to authorize the selling and servicing of new and used motorized vehicles on premises located at 5077 Transit Road, in the Town of Lancaster, New York, and the Board issued such Special Use Permit on March 3, 2008, this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, Megen Schiffler, **Controller for Joe Basil Chevrolet, Inc.**, 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 the approval of this Special Use Permit renewal in his letter dated February 4, 2019;

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

1. That pursuant to Chapter 50-Zoning, Section 20 (B), 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 Renewal to **JBC Properties, LLC/Basil Chevrolet**, authorizing the selling and servicing of new and used motorized vehicles on premises located at 5077 Transit Road in the Town of Lancaster, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning March 3, 2019 and ending March 2, 2021, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Article VIII, Section 46, of the Code of the Town of Lancaster, and to any additional conditions listed herein, as long as the applicant continues to engage in the selling and servicing of new and used motor vehicles on the premises namely:

- A. Business must operate within all confines of the Town of Lancaster's Noise Ordinance.
- B. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal request is considered upon the property owner submitting a request in writing to the Town Clerk, on or before March 2, 2021.
- C. 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.
- D. Applicant to provide a copy of their 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.

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

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

February 19, 2019

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

WHEREAS, the Town Board of the Town of Lancaster entered into an agreement with New York State Industries for the Disabled to provide cleaning services for the Lancaster Police Headquarters and Court Building (Public Safety Building) located at 525 Pavement Road, Lancaster, New York, for the period of January 1, 2014 through December 31, 2014 through Southeast Works and K & K Janitorial Service, Inc., a Preferred Source Provider, and

WHEREAS, pursuant to the terms and conditions of the previous agreement, the contract can be extended annually by the Town for up to an additional five (5) years, subject to the approval of the Town Attorney and satisfaction of services provided to the Town, and

WHEREAS, the Town Board of the Town of Lancaster continues to be satisfied with the services provided at the Public Safety Building and deems it in the best interest of the community to exercise its right to extend the Cleaning Services Agreement with New York State Industries for the Disabled, a Preferred Source Provider whose services are provided through People Inc. and K & K Janitorial Service, Inc., for a fifth and final renewal year, beginning January 1, 2019 and terminating December 31, 2019.

NOW THEREFORE,

BE IT RESOLVED, that the Supervisor be and is hereby authorized and directed to execute the fifth and final Renewal Option and Price Concurrence with New York State Industries for the Disabled to provide cleaning services for the Lancaster Police Headquarters and Court Building (Public Safety Building) located at 525 Pavement Road, Lancaster, New York for a term commencing January 1, 2019 and terminating December 31, 2019 through services provided by People Inc. and K & K Janitorial Service, Inc., Preferred Source Providers, pursuant to the terms and conditions of the original contract from 2014.

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

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

February 19, 2019

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

WHEREAS, the Town Board has previously duly advertised for bids for one (1) new and unused **2019 Ford F-550 XL Reg Cab/Chassis Equipped with 11' Dump Body from Traded Vehicle, Rear Hitches and Components**, for the use by the Highway Department, and

WHEREAS, two bids were received, opened and reviewed on January 31, 2019, and

WHEREAS, by letter dated February 4, 2019, Highway Superintendent Daniel Amatura, has recommended awarding the bid for one (1) new and unused **2019 Ford F-550 XL Reg Cab/Chassis Equipped with 11' Dump Body from Traded Vehicle, Rear Hitches and Components**, to Dave Smith Ford, being the lowest responsible bidder in the amount of \$42,713.19, and

WHEREAS, the Highway Department will receive a trade-in allowance for a (1) 2005 Ford F-450 4 x 2 Dump Truck (VIN# 1FDXF46P75EA37965 w/78,000 mi.) in the amount of \$3,500.00 which will bring the total expenditure for the new and unused **2019 Ford F-550 XL Reg Cab/Chassis Equipped with 11' Dump Body from Traded Vehicle, Rear Hitches and Components**, to \$39,213.19;

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 **2019 Ford F-550 XL Reg Cab/Chassis Equipped with 11' Dump Body from Traded Vehicle, Rear Hitches and Components**, which includes a Trade-in Allowance for a 2005 Ford F-450 4 x 2 Dump Truck (VIN# 1FDXF46P75EA37965 w/78,000 mi.) in the amount of \$3,500.00, to Dave Smith Ford, 4045 Transit Road, Williamsville, New York 14221, 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 **\$39,213.19** and which will be paid for with funds available from the Town's 2019 Highway Equipment, Passenger Vehicles Budget Line Item 13-5110-0220.

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

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

February 19, 2019

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

WHEREAS, the Town Board has previously duly advertised for bids for one (1) new and unused **2019 Ford F-550 4WD Chassis/Cab Equipped with Dump Body Plow, Salter and Components from Traded Chassis**, for the use by the Highway Department, and

WHEREAS, two bids were received, opened and reviewed on January 31, 2019, and

WHEREAS, by letter dated February 4, 2019, Highway Superintendent Daniel Amatura, has recommended awarding the bid for one (1) new and unused **2019 Ford F-550 4WD Chassis/Cab Equipped with Dump Body Plow, Salter and Components from Traded Chassis**, to Dave Smith Ford, being the lowest responsible bidder in the amount of \$52,201.49, and

WHEREAS, the Highway Department will receive a trade-in allowance for a 2010 Ford F-450 4 x 4 Truck (VIN# 1FDAF4HY8AEA39911 w/38,000 mi.) in the amount of \$6,500.00 which will bring the total expenditure for the new and unused **2019 Ford F-550 4WD Chassis/Cab Equipped with Dump Body Plow, Salter and Components from Traded Chassis**, to \$45,701.49;

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 **2019 Ford F-550 4WD Chassis/Cab Equipped with Dump Body Plow, Salter and Components from Traded Chassis**, which includes a Trade-in Allowance for a 2010 Ford F-450 4 x 4 Truck (VIN# 1FDAF4HY8AEA39911 w/38,000 mi.) in the amount of \$6,500.00, to Dave Smith Ford, 4045 Transit Road, Williamsville, New York 14221, 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 \$45,701.49 and which will be paid for with funds available from the Town's 2019 Highway Equipment, Passenger Vehicles Budget Line Item 13-5110-0220.

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

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

February 19, 2019

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

WHEREAS, Real Property Tax Law § 925-e authorizes local governments to, by resolution, provide a 90 day extension from the close of the federal government shutdown to pay real property taxes without penalty for property taxpayers impacted by the federal government shutdown, and

WHEREAS, the Town Board has reviewed the legislation, and

WHEREAS, the Town has considered the difficulties furloughed and designated non-pay federal employees face in light of the shutdown, and

**NOW, THEREFORE,
BE IT RESOLVED,**

Section 1. The Town Board of the Town of Lancaster hereby temporarily extends the penalty-free period to pay all real property taxes that became due during the federal shutdown, including installment payments, to 90 days from the close of the federal shutdown. Any taxpayer seeking an extension must provide the collecting officer with a pay stub received during the federal shutdown, federal employee identification and/or a letter from the Federal Government stating the name of furloughed worker and any other such documents that demonstrate that the taxpayer and / or the taxpayer's spouse or domestic partner is / was furloughed or has been designated non-pay as a result of the federal government shutdown. Such documents must be submitted to the collecting officer no later than the thirtieth day following the last day to pay taxes interest free.

Section 2. That this resolution shall take effect immediately.

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

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

February 19, 2019

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

WHEREAS, according to New York State Election Law, effective January 1, 2006, the Erie County Board of Elections assumed the duties/responsibilities for conducting Primary and General Elections, and

WHEREAS, the Erie County Board of Elections has notified the Town Clerk that they have need of the use of certain Town of Lancaster buildings as polling places for the conduct of the June Primary and November General Election in 2019, and

WHEREAS, the Erie County Board of Elections has requested a lease agreement for such use.

NOW, THEREFORE,

BE IT RESOLVED, that the Supervisor is authorized to execute an agreement with the Erie County Board of Elections to permit use of certain buildings, namely the Youth Bureau, Senior Citizens Center, the Town Hall and the old Town Court Building as polling places for the conduct of the June Primary and November General Election in 2019.

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

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

February 19, 2019

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

WHEREAS, Louis Cacciotti, Deputy Highway Superintendent of the Town of Lancaster, by letter dated February 6, 2019 has requested authorization to solicit bids for the purchase of one (1) new and unused **2019 Ford F250 4 x 4 Crew Cab, 6 ¾ Foot Box Pick-up with Additional Options, plow from traded vehicle to be transferred to new truck**, for the use by the Highway Department, and

WHEREAS, the Highway Department will be considering a trade-in allowance for one (1) 2013 Chevrolet Silverado 2500 4 x 4 Extended Cab Short Bed Truck (VIN# 1GC2KVCG9DZ133074 w/approx. 63,000 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; and

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

1. That Bids be received in the Office the Town Clerk by February 28, 2019, 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 **2019 Ford F250 4 x 4 Crew Cab, 6 ¾ Foot Box Pick-up with Additional Options, plow from traded vehicle to be transferred to new truck**, for the use of the Highway 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 DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	WAS ABSENT	
SUPERVISOR COLEMAN	VOTED	YES

February 19, 2019

**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 **28th day of February, 2019**, for the purpose of providing to the Town of Lancaster one (1) new and unused **2019 Ford F250 4 x 4 Crew Cab, 6 ¾ Foot Box Pick-up with Additional Options, plow from traded vehicle to be transferred to new truck**, for the use by the Highway 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**

February 21, 2019

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

WHEREAS, Michelle Barbaro, Park Crew Chief of the Town of Lancaster, by letter dated February 6, 2019 has requested authorization to solicit bids for the purchase of **two (2) new and unused 2019 Gravely Pro-Turn 460 Mowers** for the use by the Department of Parks, Recreation & Forestry, and

WHEREAS, the Parks Department will be considering trade-in allowances for one (1) Wright mower (Serial No. 28557 w/approx. 1,723 hrs) and two (2) Scag mowers (Serial No. H7600068 w/approx. 750 hrs. and Serial No. K0900114 w/approx. 800 hrs.) 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; and

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

1. That all Sealed Bids for the purpose of purchasing **two (2) new and unused 2019 Gravely Pro-Turn 460 Mowers**, for the use of the Parks Department, shall be received in the Office the Town Clerk by March 7, 2019, at 10:00 A.M. Local Time and opened thereafter in the Council Chamber of the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York 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 DICKMAN	VOTED YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER WALTER	WAS ABSENT
SUPERVISOR COLEMAN	VOTED YES

February 19, 2019

**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 her office located at 21 Central Avenue, Lancaster, New York, up to **10:00 A.M.**, Local Time, on the **7th day of March, 2019**, for the purpose of providing to the Town of Lancaster **two (2) new and unused 2019 Gravely Pro-Turn 460 Mowers**, for use by the Parks, Recreation & Forestry Department, in accordance with specifications on file in the Town Clerk's Office.

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**

February 21, 2019

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GACZEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER DICKMAN, 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 2019 Tree Planting Program in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, two (2) bids were duly received, opened and reviewed on February 7, 2019, and

WHEREAS, CHESTNUT RIDGE NURSERY, INC., 7160 Serpentine Drive, Orchard Park, New York 14127, has submitted the lowest responsible bid in the amount of \$9,000.00 for furnishing said trees to the Town of Lancaster, and

WHEREAS, the Park Crew Chief, by letter dated February 8, 2019 has recommended awarding the bid for furnishing trees for the Town’s 2019 Tree Planting Program to Chestnut Ridge Nursery, Inc., and

WHEREAS, by same letter, the Park Crew Chief has requested that she be authorized to purchase additional trees at the 2019 bid prices from Chestnut Ridge Nursery, Inc. at her discretion for whatever other tree plantings the Town may incur in 2019.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for furnishing to the Town of Lancaster the necessary trees for the 2019 Tree Planting Program to **CHESTNUT RIDGE NURSERY, INC.**, 7160 Serpentine Drive, Orchard Park, New York 14127, being the lowest responsible bid in conformance with the specifications on file, in the amount of \$9,000.00 which will be paid for with funds from the Town’s 2019 Tree Planting Fee Fund, Budget Line 37-8000-400, and

BE IT FURTHER,

RESOLVED, that the Park Crew Chief be and is hereby authorized to purchase additional trees at the 2019 bid prices from Chestnut Ridge Nursery, Inc., at her discretion for whatever other tree plantings the Town may incur in 2019.

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

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

February 19, 2019

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

WHEREAS, in February 2008, the Town of Lancaster (Town) and the Lancaster Central School District (District) entered into an agreement for the assignment of up to two town Police Officers to serve as School Resource Officers (SRO) at Lancaster High School and Lancaster Middle School, and

WHEREAS, based on the success of the program, the Town and the District wish to provide for the assignment of up to a third SRO to a school mutually agreed upon between the District and the Lancaster Police Department,

NOW THEREFORE,

BE IT RESOLVED that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute the agreement with the Lancaster Central School District, as presented, for the provision of up to three SROs in District schools.

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

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

February 19, 2019

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

WHEREAS, the Town of Lancaster has been awarded a grant through the Dormitory Authority of New York State (DASNY), for the Replacement of the Roof at the Town Highway Department Building located at 525 Pavement Road, Lancaster, New York, and

WHEREAS, Town Engineer, Edward Schiller, P.E. is requesting that the Town Board authorize an invitation to bid for the Town of Lancaster's Replacement of the Roof at the Town Highway Department Building Project at 525 Pavement Road within the Town of Lancaster, and

WHEREAS, the Town Board has given due review and consideration to the request and deems it in the interest of the Town to invite public bids for the Town of Lancaster's Replacement of the Roof at the Town Highway Department Building Project at 525 Pavement Road in conformance with General Municipal Law § 103 of the State of New York;

**NOW, THEREFORE,
BE IT RESOLVED,**

1. that the Town Board of the Town of Lancaster hereby invites public bids for the Town of Lancaster's Replacement of the Roof at the Town Highway Department Building Project at 525 Pavement Road, said bids are to be in conformance with the plans and specifications which are available at the office of the Town Engineer, Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 and to be received in the office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on March 21, 2019 and opened thereafter; and
2. That the Town Clerk be and is hereby authorized to have a Notice to Bidders published in the Lancaster Bee and to have said Notice posted as required by Law, which Notice shall be in the form attached hereto and made a part hereof; and
3. That the Town Engineer is hereby authorized to attend to having the Notice to Bidders published in the State Contract Reporter and Construction Exchange; and
4. That funding of this project is being made available through DASNY. Minority and Women-Owned Business Enterprises ("MWBE") are encouraged to submit responses. No formal MWBE goals have been established for this project.

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

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

February 19, 2019

NOTICE TO BIDDERS

FOR THE

TOWN OF LANCASTER HIGHWAY DEPARTMENT OFFICE BUILDING ROOF REPLACEMENT

Sealed bids for the replacement of the roof system at the Town of Lancaster Highway Department Office Building will be received by the Town Clerk at her office in the Town Hall, 21 Central Avenue, Lancaster, New York on or before 10:00 A.M. local time on March 21st, 2019, at which time they will be publicly opened and read aloud.

Contract Documents may be examined at the office of the Town Clerk and at the office of the ENGINEER, Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 between the hours of 9:00 A.M. and 4:00 P.M., except Saturdays, Sundays and Holidays.

Contract Documents may be obtained at the office of the ENGINEER.

Proposals shall be made and received upon the following conditions:

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

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

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

Consulting Engineers:
William Schutt & Associates, P.C.
37 Central Avenue
Lancaster, NY 14086-2143
(716) 683-5961
Date: February 21st, 2019

By the Order of the Town Board of
Lancaster, Erie County, New York

Diane Terranova
Town Clerk

PREFILED RESOLUTION NO. 17 MEETING OF 2/19/2019

Coleman/_____ Approve Purchase Solar School Zone 85-1 BlinkerSigns Time Clock
Activation 2180-System To 2019 Authorized Contractor TAPCO, Safe
Travels

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

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

WHEREAS, by letter dated February 13, 2019, Michelle Barbaro, Town of Lancaster's Park Crew Chief, has requested that the Town Board authorize an invitation to bid for the rehabilitation of the pitched portions of the roof systems at Keysa Park's Pool House and Meadow Lea Park's Building within the Town of Lancaster, and

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

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby invites public bids for the rehabilitation of the pitched portions of the roof systems at Keysa Park's Pool House and Meadow Lea Park's Building, said bids are to be in conformance with the plans and specifications which are available at the office of Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086, bid submissions are to be received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on March 21, 2019 and opened thereafter.

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

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

February 19, 2019

NOTICE TO BIDDERS

FOR THE

**TOWN OF LANCASTER
KEYSA PARK POOL HOUSE & MEADOW LEA PARK BUILDING
PITCHED ROOF REHABILITATION**

Sealed bids for the rehabilitation of the pitched roof systems at Keysa Park's Pool House and Meadow Lea Park's Building will be received by the Town Clerk at her office in the Town Hall, 21 Central Avenue, Lancaster, New York on or before 10:00 A.M. local time on March 21, 2019, at which time they will be publicly opened and read aloud.

Contract Documents may be examined at the office of the Town Clerk and at the office of the ENGINEER, Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 between the hours of 9:00 A.M. and 4:00 P.M., except Saturdays, Sundays and Holidays.

Contract Documents may be obtained at the office of the ENGINEER.

Proposals shall be made and received upon the following conditions:

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

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

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

Consulting Engineers:
William Schutt & Associates, P.C.
37 Central Avenue
Lancaster, NY 14086-2143
(716) 683-5961
Date: February 21, 2019

By the Order of the Town Board of
Lancaster, Erie County, New York

Diane Terranova
Town Clerk

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

WHEREAS, the Town of Lancaster's Department of Parks, Recreation & Forestry's Park Crew Chief, Michelle Barbaro, by letter dated February 12, 2019 as advised the Town Board that the Parks, Recreation & Forestry Department no longer has use for six (6) Echo Trimmers and has requested that the Town Board deem these items to be surplus equipment, and

WHEREAS, the Park Crew Chief would like to dispose of these items as they have no value and will be stripped for parts, and

WHEREAS, the Town Board has given due consideration to the request of the Park Crew Chief and deems it judicious to declare the beforementioned Echo Trimmers to be surplus equipment;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby declares the beforementioned six (6) Echo Trimmers to be surplus equipment and authorizes the Park Crew Chief of the Parks, Recreation and Forestry Department, Michelle Barbaro, to dispose of these items by stripping them for parts as the Parks Department no longer has use for them.

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

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

February 19, 2019

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

WHEREAS, by resolution adopted on January 7, 2019 the Town of Lancaster approved the contract for refuse collection and disposal, and recyclable materials collection and processing with Waste Management thereby eliminating the need for the remaining 18-gallon recycle bins that were previously used within the Town (approximately 400), and

WHEREAS, the Supervisor has requested that the Town Board deem the 18-gallon recycle bins to be surplus equipment as they are no longer of any use to the Town and make them available for purchase to the public at a cost of \$6.50 each, and

WHEREAS, the Town Board has given due consideration to the request of the Supervisor and deems it judicious to declare the beforementioned 18-gallon recycle bins to be surplus equipment;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby declares the beforementioned 18-gallon recycle bins (approximately 400) to be surplus equipment as the Town no longer has use for them and authorizes that they be made available for public purchase from the Town in the amount of \$6.50 each.

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

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

February 19, 2019

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

WHEREAS, PM Peppermint, Inc. is a corporation with property in the Town of Lancaster (“Town”) (and, together with PM Peppermint, Inc., the “Parties”) located at 31 Peppermint Road (the “Property”); and

WHEREAS, on August 2, 2016, PM Peppermint, Inc., commenced a lawsuit in Erie County Supreme Court against the Town under Index No. 808576/2016 seeking, among other things, to have the stop work order issued by the Town concerning the Property, as upheld by the Zoning Board of Appeals, overturned as arbitrary and capricious (the “Action”); and

WHEREAS, the Action was resolved with a Consent Order and Judgment (“Consent Order”) granted by the Court and entered in the Clerk’s Office on September 1, 2016; and

WHEREAS, the Consent Order expressly prohibited PM Peppermint, Inc. from mulching, composting, or disposing solid waste at the Property unless that provision was otherwise modified in writing by the parties after appropriate permits were obtained; and

WHEREAS, Paragraph 6 of the Consent Order has not been modified in writing by the parties; and

WHEREAS, PM Peppermint, Inc. has not obtained any permits or approvals from the Town concerning such activity; and

WHEREAS, on July 17, 2018, a complaint was made indicating that PM Peppermint, Inc. was performing mulching activities, which violated the Consent Order; and

WHEREAS, the Town desires to retain Hodgson Russ LLP as counsel for the purpose of bringing any and all necessary legal action to ascertain whether PM Peppermint, Inc. violated or continues to violate the Consent Order, and any and all necessary legal action to punish PM Peppermint, Inc. for such violations, as well as to cease further violations of the Consent Order.

NOW THEREFORE

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

1. Any and all legal action necessary to determine whether PM Peppermint, Inc. violated the Consent Order, to punish PM Peppermint, Inc. for any such violations, and to have PM Peppermint, Inc. cease any further violations of the Consent Order or any other Order issued by the Court concerning PM Peppermint, Inc. is hereby authorized and approved, including the commencement of additional actions.
2. The retention of Hodgson Russ LLP as outside counsel is hereby authorized for the purposes set forth in Paragraph 1 above.
3. Authorizes the Supervisor and other appropriate Town officials to commence with the implementation of all steps reasonably necessary and appropriate to execute these proceedings.
4. This Resolution shall be effective immediately upon its adoption.

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

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

February 19, 2019

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER DICKMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, 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 **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 the Board issued such Special Use Permit on March 6, 2017, this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, **James J. Macken** 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 January 23, 2019;

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 the renewal of 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 for the period beginning March 6, 2019 and ending March 5, 2021, 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, 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 March 5, 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 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.
- E. Only persons residing on the premises shall be engaged in such an occupation.

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

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

February 19, 2019

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

WHEREAS, Town of Lancaster Police Patrol Captain, Marco Laurienzo has requested the purchase of one (1) new 2019 Chevrolet Tahoe 4WD Police vehicle, for the use within the Police Department, and

WHEREAS, the above-referenced vehicle is available for purchase under New York State “Piggybacking” Law through the Delaware, Chenango, Madison, Otsego (DCMO) BOCES Cooperative Purchasing Arrangement, Vehicle Bid No. 2018-132, from authorized vehicle dealer Joe Basil Chevrolet, Inc., which qualifies as an accepted exception for competitive bidding pursuant to the requirements of New York State General Municipal Law 103, and

WHEREAS, Captain Laurienzo, by letter dated February 12, 2019, has recommended the purchase of the 2019 Chevrolet Tahoe 4WD, in accordance with said specifications, be made from authorized vehicle vender, Joe Basil Chevrolet, Inc., 5111 Transit Road, Depew, New York 14043 in the amount of \$35,554.20, and

WHEREAS, the Police Department will receive a trade-in allowance for their 2014 Chevy Tahoe (VIN# 1GNSK2E06ER173118 w/approx. 72,515 mi.) in the amount of \$11,500.00, which will bring the total expenditure for the 2019 Chevrolet Tahoe 4WD, to **\$24,054.20**, and

WHEREAS, the Town Board deems it in the public interest to approve the purchase of said vehicle;

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 **2019 Chevrolet Tahoe 4WD** through the Delaware, Chenango, Madison, Otsego (DCMO) BOCES Cooperative Purchasing Arrangement, Vehicle Bid No. 2018-132; from authorized vehicle vendor Joe Basil Chevrolet, 5111 Transit Road, Depew, New York 14043 as proposed by the Town of Lancaster Patrol Captain, Marco Laurienzo, in the amount of \$24,054.20, per their quote dated February 4, 2019, which includes a trade-in allowance of \$11,500.00 and which will be paid for with funds from the Town’s 2019 Public Safety Police Passenger Vehicle Budget, Line Item 3120-220.

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

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

February 19, 2019

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

WHEREAS, Town of Lancaster Police Patrol Captain, Marco Laurienzo has requested the purchase of **one (1) new 2019 Chevrolet Equinox AWD 4door** Police Vehicle, for the use within the Police Department, and

WHEREAS, the above-referenced vehicle is available for purchase under New York State “Piggybacking” Law through the Delaware, Chenango, Madison, Otsego (DCMO) BOCES Cooperative Purchasing Arrangement, Vehicle Bid No. 2018-132, from authorized vehicle dealer Joe Basil Chevrolet, Inc., which qualifies as an accepted exception for competitive bidding pursuant to the requirements of New York State General Municipal Law 103, and

WHEREAS, Captain Laurienzo, by letter dated February 12, 2019, has recommended the purchase of the **new 2019 Chevrolet Equinox AWD 4door**, in accordance with said specifications, be made from authorized vehicle vender, Joe Basil Chevrolet, Inc., 5111 Transit Road, Depew, New York 14043 in the amount of \$26,485.75, and

WHEREAS, the Police Department will receive a trade-in allowance for their 2008 Chevy Tahoe (VIN# 1GNFK03078R277839 w/approx. 125,255 mi.) in the amount of \$3,000.00, which will bring the total expenditure for the 2019 Chevrolet Equinox AWD 4dr, to **\$23,485.75**, and

WHEREAS, the Town Board deems it in the public interest to approve the purchase of said vehicle;

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 **2019 Chevrolet Equinox AWD 4dr** through the Delaware, Chenango, Madison, Otsego (DCMO) BOCES Cooperative Purchasing Arrangement, Vehicle Bid No. 2018-132; from authorized vehicle vendor Joe Basil Chevrolet, 5111 Transit Road, Depew, New York 14043 as proposed by the Town of Lancaster Patrol Captain, Marco Laurienzo, in the amount of \$23,485.75, per their quote dated February 5, 2019, which includes a trade-in allowance of \$3,000.00 and which will be paid for with funds from the Town’s 2019 Public Safety Police Passenger Vehicle Budget, Line Item 3120-220.

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

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

February 19, 2019

COMMUNICATIONS & REPORTS

94. **Lancaster Dog Control Officer to Town Board –
Dog Control Report for January 2019. Disposition = Received & Filed**
95. **James N. Robinson, Sr. to Supervisor and Town Board –
Notice of intent to retire from the Lancaster Police Department effective
March 2, 2019. Disposition = Received & Filed**
96. **Town Clerk to Various News Media –
Notice of rescheduled meeting of the Lancaster Town Board from Monday,
February 18, 2019 to Tuesday, February 19, 2019 due to the observance of
Presidents' Day. Disposition = Received & Filed**
97. **NYS Town Clerks Association to Town Clerk –
Announcement from the NY Governor's Office.
Disposition = Resolution 2/19/19**
98. **Code Enforcement Officer to Drainage & Storm Sewer Committee –
MS4 Report for January 2019. Disposition = Received & Filed**
99. **Erie County Legislator John Brusco to Town Clerk –
Update on ongoing projects and review of last year's highlights.
Disposition = Received & Filed**
100. **Town Clerk to Town Board –
Town Clerk Monthly Report for January 2019. Disposition = Received & Filed**
101. **Planning Board Secretary to Various News Media –
Notice of SEQR Review at the Planning Board Meeting of the Town of Lancaster
on February 6, 2019, for Preliminary Plat Plan: Edwards Minor 2-lot
Subdivision, 6466 Broadway, Proj. #6268. Disposition = Planning Committee**
102. **Supervising Code Enforcement Officer to Town Board –
Recommend renewal of Special Use Permit for Joe Basil Chevrolet, Inc.,
5077 Transit Road. Disposition = Resolution 2/19/19**
103. **Town Line Volunteer Fire Department to Town Clerk –
Change in roster. Disposition = Resolution 2/19/19**
104. **Town Attorney to NYSDEC, US Army Corp of Engineers, Erie County Water
Authority, Erie County Health Dept., Division of Sewerage Management,
NYSDOT, Erie County DEP –
Request for lead agency designation regarding Site Plan Coordinated Review,
Robert James Sales, Inc., Warehouse & Office, 4543 Walden Ave., Proj. #8109.
Disposition = Planning Committee**
105. **Town Attorney to NYSDEC, US Army Corp of Engineers, Erie County Water
Authority, Erie County Health Dept., Division of Sewerage Management,
NYSDOT, Erie County DEP – Request for lead agency designation
regarding Site Plan Amendment Coordinated Review, NLHS Greenfields,
5959 Broadway, Child Care & Wellness Center, Proj. #4163.
Disposition = Planning Committee**
106. **Highway Superintendent to Town Board –
Request for resolution to purchase one new and unused 2019 Ford F-550 XL
Regular Cab/Chassis from Dave Smith Ford, 4045 Transit Rd., Williamsville,
NY. Disposition = Resolution 2/19/19**
107. **Highway Superintendent to Town Board –
Request for resolution to purchase one new and unused 2019 Ford F-550 Four
Wheel Drive Chassis/Cab from Dave Smith Ford, 4045 Transit Rd.,
Williamsville, NY. Disposition = Resolution 2/19/19**

108. Deputy Highway Superintendent to Town Board –
Request for authorization to publish for bids for a new and unused 2019 F250 4X4 Crew Cab, 6 ¾ Foot Box Pickup. Disposition = Resolution 2/19/19
109. Park Crew Chief to Town Board –
Request for authorization to publish for bids for two new and unused 2019 Gravely Pro-Turn 460 Mowers. Disposition = Resolution 2/19/19
110. Town Clerk to Town Board –
Transmittal of Special Use Permit Application for Topsoil Removal, Shredding & Processing for Thomann Asphalt Paving Corp., 56 Gunnville Rd.
Disposition = For Resolution
111. Park Crew Chief to Supervisor and Town Board –
Request for resolution awarding the bid for the purchase of street trees for the 2019 tree planting program to Chestnut Ridge Nursery, Inc., 7160 Serpentine Drive, Orchard Park, NY. Disposition = Resolution 2/19/19
112. Lt. Col. Matt Urban VFW Post 7275 to Supervisor –
Information regarding 6th Annual Chili Chowder Soup & Dessert Cook Off to be held on March 2, 2019, and 4th Annual Mac'n Cheese Cook Off to be held on March 23, 2019. Disposition = Received & Filed
113. Town Engineer to Town Board –
Application for Special Use Permit for Thoman Asphalt, 56 Gunnville Rd. for Topsoil Processing has been reviewed; recommendation noted.
Disposition = For Resolution
114. Park Crew Chief to Town Board –
Request for resolution deeming six Echo trimmers as surplus equipment.
Disposition = Resolution 2/19/19
115. Town Clerk to Various News Media –
Notice of rescheduled meeting of the Lancaster Zoning Board from Thursday, February 14, 2019 to Thursday, February 21, 2019.
Disposition = Received & Filed
116. Reserve Gas Company Inc. to Public Service Commission –
Copy of letter with After Hours Emergency Notification List and information regarding annual training for volunteer fire and police departments.
Disposition = Received & Filed
117. Park Crew Chief to Town Board –
Request for resolution to have two new 12' x 12' white insulated steel garage doors installed by Hamburg Overhead Door, Inc., 5659 Herman Hill Road, Hamburg, NY. Disposition = For Resolution
118. Highway Superintendent to Town Board –
Request for resolution to purchase one new and unused 2180-System Solar School Zone S5-1 BlinkerSigns Time Clock Activation from TAPCO US Communities Wisconsin Contract #2013-100. Disposition = For Consideration
119. Patrol Captain Marco Laurienzo to Supervisor –
Request for resolution authorizing the purchase of one new and unused 2019 Chevrolet Tahoe PPV, AWD 4-door vehicle from Joe Basil Chevrolet, 5111 Transit Road, Depew, NY. Disposition = Resolution 2/19/19
120. Patrol Captain Marco Laurienzo to Supervisor –
Request for resolution authorizing the purchase of one new and unused 2019 Chevrolet Equinox, AWD 4-door vehicle from Joe Basil Chevrolet, 5111 Transit Road, Depew, NY. Disposition = Resolution 2/19/19

- 121. Park Crew Chief to Town Board –**
Request for authorization to publish for a bid for rehabilitation of the roof systems at Keysa Park Pool House and Meadow Lea Park Building.
Disposition = Resolution 2/19/19
- 122. Chief of Police Gerald J. Gill, Jr. to Town Board –**
Notice of intent to retire effective March 1, 2019, and endorsement of Captain Marco Laurienzo to succeed him as Chief of Police.
Disposition = Received & Filed
- 123. Town Clerk to Various News Media –**
Press Release announcing that the Lancaster Town Clerk will be bringing Clerk On The Go Outreach to the Town of Lancaster on Monday, March 4, 2019 from Noon to 2:00PM. Disposition = Received & Filed

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER GACZEWSKI AND SECONDED BY
COUNCIL MEMBER DICKMAN AND CARRIED,** the meeting was adjourned in
memory of Charlotte Narloch at 8:11 P.M.

Signed _____

Diane M. Terranova, Town Clerk