

Town Board Minutes

April 19, 2021

Meeting No. 8

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held via teleconference on the 19th day of April 2021 at 7:00 P.M. and there were

PRESENT: ADAM DICKMAN, COUNCIL MEMBER
ROBERT LEARY, COUNCIL MEMBER
DAVID MAZUR, COUNCIL MEMBER
MICHAEL WOZNIAK, COUNCIL MEMBER
RONALD RUFFINO, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
KEVIN LOFTUS, TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
MICHELLE BARBARO, PARK CREW CHIEF
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.

EXECUTIVE SESSION:

AT 7:55 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER MAZUR AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing a proposed, pending or current ligation.

At 8:22 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:

Chowaniec, Lee, spoke to the Town Board on the following matter:

- Asked for clarification of the resolutions for AC Power.

Lemaster, Kevin, spoke to the Town Board on the following matters:

- Spoke about well testing on the AC Power solar site.
- Commented on the conditions placed on the AC Power permit.

PRESENTATION OF PREFILED RESOLUTIONS:

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

RESOLVED, that the minutes of the Regular Meeting of the Town Board held
April 5, 2021 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 LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 19, 2021

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MAZUR, 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. 64701 to Claim No. 64820 Inclusive

Total amount hereby authorized to be paid: \$340,466.13

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 LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 19, 2021

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER MAZUR WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER DICKMAN, 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
32250		Daniel Palumbo	64 Pardee Ave	Inst. Generator	(V/L)
32258		Buccilli Construction	1391 Ransom Rd	Er. Garage	
32289		ProSigns	370 Central Ave	Er. Sign - Pole	
32342		Crist Construction	45 Pear Tree Ln	Er. Porch Cover	
32343		First Buffalo Total Basement	46 Wainwright Ct	Er. Res. Alt.	
32347		Franks Commercial & Home	268 Hall Rd	Inst. Res. Plumbing	
32352		Joseph Spears	42 Roosevelt Ave	Re-Roof	(V/L)
32360		LJ Construction WNY LLC	269 Pleasant View Dr	Re-Roof	
32361		Jason Stachowski	189 Nathan's Trl	Er. Pool-Abv Grnd	
32367		Mark Tillmans	590 Lake Ave	Er. Fence	
32369		Dale Pleuckhahn	138 Peppermint Rd	Er. Pool-Abv Grnd	
32372		Buffalo Pools LLC	8 Plumb Creek Trl	Er. Pool-Abv Grnd	
32373		JLB Installations	135 Avian Way	Er. Pool-In Grnd	
32377		Mark Soda	44 Lake Forest Pky E	Er. Pool-Abv Grnd	
32379		Franks Commercial & Home	491 Aurora St	Er. Res. Alt.	
32381		LJ Construction WNY LLC	25 Biscayne Dr	Re-Roof	
32382		LJ Construction WNY LLC	17 Biscayne Dr	Re-Roof	
32383		LJ Construction WNY LLC	11 Chestnut Corner	Re-Roof	
32384		Buffalo Roofing Co., LLC	23 Gordon Ave	Re-Roof	(V/L)
32385		Robert Dickey	108 Avian Way	Er. Shed	
32386		CIR Electrical Construction Co	9 E Drullard Ave	Inst. Solar Panels	(V/L)
32387		CIR Electrical Construction Co	1139 Penora St	Inst. Solar Panels	
32388		Marrano/Marc Equity Corp.	206B Peppermint Rd	Er. Dwlg.-Sin.	
32389		All Square Roofing	753 Aurora St	Re-Roof	
32390		Robert Kordylewski	21 Red Clover Ln	Er. Pool-Abv Grnd	
32391		Besroi Construction	5 Muirfield Ln	Re-Roof	
32392		Besroi Construction	19 Red Clover Ln	Re-Roof	
32393		Upper Deck Construction	50 St Marys St	Er. Comm. Bldg.	(V/L)
32394		John Bryant	40 Greenbriar Dr	Inst. Generator	
32395		Paul Petrusek	6 Joseph Dr	Er. Pool-Abv Grnd	
32396		Jason Mann	17 Crabapple Ln	Er. Pool-Abv Grnd	
32397		Paul Petrusek	6 Joseph Dr	Er. Fence	
32398		Superior Decks & Gazebos Inc.	429 Aurora St	Er. Deck	
32399		The Gutter People of WNY Inc.	42 St John St	Re-Roof	(V/L)
32400		Clayton Ferry	141 Aurora St	Er. Fence	(V/L)
32402		HDE Electric Inc.	1 Pleasant Ave W	Er. Comm. Add./Alt.	(V/L)
32403		Scott Chamberlain	36 Worthington Ln	Er. Fence	
32405		Marc Mutka	63 Williamsburg Ln	Er. Deck	
32407		Luther Enterprises	62 Tranquility Trl	Er. Pool-Abv Grnd	
32408		Michael Sticht	62 Tranquility Trl	Er. Fence	
32409		David Hoy	1124 Penora St	Inst. Generator	
32411		Brian McCadden	157 Hinchey Ave	Re-Roof	(V/L)
32412		Danny Sundell	5888 Broadway	Er. Res. Alt.	
32413		The Vinyl Outlet Inc.	6 Gale Dr	Er. Deck	
32414		Catherine Mailloux	68 Grant Ave	Er. Fence	(V/L)
32415		The Vinyl Outlet Inc.	6 Gale Dr	Er. Fence	
32416		Jeff Douglas	22 Country Pl	Er. Deck	
32417		The Vinyl Outlet Inc.	46 Summerfield Dr	Er. Deck	
32418		Donna Reitmeier	56 Erie St	Er. Fence	(V/L)
32419		Susan Dziwulski	360 Seneca Pl	Er. Fence	
32420		Superior Decks & Gazebos Inc.	6 Joseph Dr	Er. Deck	
32421		Will Hannon	10 Benson Dr	Er. Porch/Porch Cover	(V/L)
32422		City Fence	75 Country Pl	Er. Fence	
32423		Donald Staszczyk	38 Pear Tree Ln	Er. Fence	

32424	Donald Staszczyk	38 Pear Tree Ln	Er. Pool-Abv Grnd	
32429	Cynthia Maciejewski	14 Doris Ave	Re-Roof	(V/L)
32430	Zenner & Ritter Co. Inc.	185 Pavement Rd	Inst. Generator	
32431	Michael Davis	6 Darien Ct	Er. Fence	
32434	Steven Lippa	12 Ashwood Ct	Er. Shed	
32436	Brett Miller	5636 Broadway	Er. Pool-Abv Grnd	(V/L)
32437	Glamour Pools	6 Sweet Brier Ct	Er. Pool-In Grnd	
32438	The Vinyl Outlet Inc.	38 Saybrook Dr	Er. Deck	
32440	Marrano/Marc Equity Corp.	27 Sedge Run	Er. Patio Home	
32441	WNY Property Kings	12 Darien Ct	Er. Porch/Porch Cover	
32442	Antonino Manette	23 Henslow Way	Er. Deck	
32443	Kevin May	179 Nathan's Trl	Er. Deck	
32444	David Chrapa	17 Rose St	Er. Shed	
32445	Dorner Decking & Renovations	213 Enchanted Forest N	Er. Deck	
32446	Tamara Strasser	15 Burwell Ave	Re-Roof	(V/L)
32447	Neth & Son Inc.	33 Lake Forest Pky W	Re-Roof	
32449	Caleigh Phillips	4853 William St	Er. Fence	
32450	Essex Homes of WNY Inc.	552 Pavement Rd	Er. Dwlg.-Sin.	
32451	Essex Homes of WNY Inc.	28 Northfield Ln	Er. Dwlg.-Sin.	
32452	Gen-Tech Power Systems LLC	31 Denton Dr	Inst. Generator	
32454	Z Man Home Improvement	644 Harris Hill Rd	Re-Roof	
32455	Z Man Home Imporvement	69 Hinchey Ave	Re-Roof	(V/L)
32457	Buffalo Signmakers Inc.	15 Lancaster Pkwy	Er. Sign - Wall	
32469	Katie Kline	69 Gale Dr	Er. Fence	

BE IT FURTHER,

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

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

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 19, 2021

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

**RESOLUTION AND ORDER
AFTER PUBLIC HEARING APPROVING
THE INCREASE AND IMPROVEMENT OF
FACILITIES OF THE CONSOLIDATED WATER DISTRICT**

WHEREAS, the Town Board of the Town of Lancaster (herein called the “Town Board” and “Town”, respectively), in the County of Erie, New York, has, pursuant to Town Law, created the Town of Lancaster Consolidated Water District (the “District”); and

WHEREAS, the Town Board has directed Wm. Schutt & Associates, P.C., competent engineers licensed in New York, to prepare a map, plan and report, including an amendment No. 1 for Phase One of a water system capital improvements project within the District; and

WHEREAS, such water system capital improvements project (commonly referred to as Phase I) will generally consist of (but not be limited to), the installation of approximately 7,100 linear feet of water main along various roads in the Town, along with the installation of fire hydrants, valves and appurtenances, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report referred to above, all of the forgoing to include all necessary site work, equipment, apparatus and other preliminary work (including design and survey) as well as other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the “District Improvement”); and

WHEREAS, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board a preliminary map, plan and report for the District Improvement and has estimated the total cost thereof to be an estimated maximum amount of \$2,535,000; said cost to be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$2,535,000, offset by any federal, state, county and/or local funds received.

WHEREAS, the Town determined that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act (“SEQRA”) are required; and

WHEREAS, the Town Board issued an Order at its March 15, 2021 meeting calling for a public hearing to be held via teleconference only by dialing 1-716-800-4267, access pin 1232, on April 5, 2021 at 7:15 p.m. (prevailing time) or shortly thereafter to consider the District Improvement and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law, and further ordered the Town Clerk to publish at least once in a newspaper designated as an official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten nor more than 20 days before the date of such public hearing; and

WHEREAS, said notices of the public hearing were properly published and posted and the public hearing duly held at the time and place stated in the notices.

NOW, THEREFORE,
BE IT RESOLVED AND DETERMINED BY THE TOWN BOARD OF THE TOWN OF LANCASTER, based on the information provided at the public hearing, as follows:

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to at the estimated maximum cost of \$2,535,000; and it is hereby

DETERMINED, that the parcels and lots of the District shall be benefited by said increase and improvement of facilities of the District; and it is hereby

DETERMINED, that all parcels and lots benefited by said increase and improvement of facilities are included in the District; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Engineer shall prepare plans and specifications and make a careful estimate of the expense for such increase and improvement of facilities, and with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of the District Improvement shall be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$2,535,000, said amount to be offset by any federal, state, county and/or local funds received, and unless paid from other sources or charges, the costs of said increase and improvement of facilities shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law; and it is hereby

FURTHER ORDERED, that within ten days after adoption of this Resolution and Order, the Town Clerk will record with the Clerk of the County of Erie a copy of this Resolution and Order, certified by said Town Clerk.

The adoption of the foregoing Resolution Approving the Increase and Improvement of Facilities of the Consolidated Water District was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 19, 2021

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

A BOND RESOLUTION, DATED APRIL 19, 2021, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT (PHASE I) WITHIN THE TOWN OF LANCASTER CONSOLIDATED WATER DISTRICT AT AN ESTIMATED MAXIMUM COST OF \$2,535,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,535,000 OF THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

WHEREAS, the Town Board of the Town of Lancaster, Erie County, New York (the "Town"), has established the Town of Lancaster Consolidated Water District (the "District"); and

WHEREAS, the Town Board has determined, by resolution, to undertake a certain water system capital improvements project; and

WHEREAS, the Town Board has determined to proceed with such project; and

WHEREAS, the Town Board desires to issue obligations of the Town to finance the costs of such project.

NOW, THEREFORE,

BE IT RESOLVED, by the Town Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Town is hereby authorized to undertake a water system capital improvements project (commonly referred to as Phase I) that will generally consist of (but not be limited to), the installation of approximately 7,100 linear feet of water main along various roads in the Town, along with the installation of fire hydrants, valves and appurtenances, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report prepared in connection with such project, all of the forgoing to include all necessary site work, equipment, apparatus and other preliminary work (including design and survey) as well as other improvements and costs incidental thereto and in connection with the financing thereof (the "Project"). The estimated maximum cost of said purpose is \$2,535,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of said purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$2,535,000 of the Town, hereby authorized to be issued therefore pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of such improvement is to be paid by the issuance of serial bonds and by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on such bonds as the same become due and payable, except as provided by law.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 40 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, the cost of the Project shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on such bonds as the same become due and payable, except as provided by law. Should the assessments upon benefited real property be insufficient to pay the principal of and interest on such bonds, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

SECTION 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution.

SECTION 9. This resolution shall constitute the declaration (or reaffirmation) of the Town's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the bonds, notes or other obligations authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 10. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 11. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 12. The Town Supervisor is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with Town officials and the Town’s municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the Town Clerk.

SECTION 13. To the extent applicable, the Town Supervisor is hereby authorized to execute and deliver in the name and on behalf of the Town a project financing agreement prepared by the New York State Environmental Facilities Corporation (“EFC”) (the “Project Financing Agreement”). To the extent applicable, the Town Supervisor and the Town Clerk and all other officers, employees and agents of the Town are hereby authorized and directed for and on behalf of the Town to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including, but not limited to, the Project Financing Agreement.

SECTION 14. The Town determined that the Project is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act (“SEQRA”) are required.

SECTION 15. In the absence or unavailability of the Town Supervisor, the Deputy Town Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 16. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or

(2) Said obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 17. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in the Town and designated as the official newspaper of the Town for such publication.

SECTION 18. This Resolution is effective immediately.

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

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 19, 2021

NOTICE OF BOND RESOLUTION

TOWN OF LANCASTER

NOTICE IS HEREBY GIVEN that a bond resolution, a summary of which is published herewith, has been adopted by the Town Board of the Town of Lancaster, County of Erie, on April 19, 2021 and the validity of the obligations authorized by such resolution may be hereafter contested only if:

(1) (a) such obligations were authorized for an object or purpose for which the Town of Lancaster is not authorized to expend money or

(b) the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of publication of this notice; or

(2) such obligations were authorized in violation of the provisions of the Constitution of New York.

SUMMARY OF BOND RESOLUTION

The following is a summary of a bond resolution adopted by the Town Board of the Town of Lancaster (the "Town") on April 19, 2021. The proceeds from the sale of the obligations authorized in said bond resolution will be used to finance a water system capital improvements project (commonly referred to as Phase I) that will generally consist of (but not be limited to), the installation of approximately 7,100 linear feet of water main along various roads in the Town, along with the installation of fire hydrants, valves and appurtenances, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report prepared in connection with such project, all of the forgoing to include all necessary site work, equipment, apparatus and other preliminary work (including design and survey) as well as other improvements and costs incidental thereto and in connection with the financing thereof, at an estimated maximum amount of \$2,535,000. Said bond resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of said serial bonds, in an aggregate principal amount not to exceed \$2,535,000 said amount to be offset by any federal, state, county and/or local funds received. The period of probable usefulness for said purpose is 40 years. A copy of the bond resolution summarized herein is available for public inspection during normal business hours at the Office of the Town Clerk, located in the Town Hall, 21 Central Avenue, Lancaster, New York.

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

WHEREAS, Town of Lancaster’s Police Chief, William Karn, Jr., has requested to purchase ammunition for use by the Town’s Law Enforcement personnel, and

WHEREAS, the equipment is available from the New York State Contract No. PC68734, Group 35200, and Award No. 23155, through authorized State Contractor Eagle Point Gun/T J Morris & Sons, in the amount of \$11,440.00 per their quote (#144106) dated February 24, 2021, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law.

NOW THEREFORE,

BE IT RESOLVED, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of **ammunition** under New York State Contract No. PC68734, Group 35200, and Award No. 23155 from authorized New York State Contractor Eagle Point Gun/T J Morris & Sons, 1707 Third Street, Thorofare, NJ 08086, as proposed by the Chief of Police, for an amount not to exceed \$11,440.00 per their quote (#144106) dated February 24, 2021, which will be paid for with funds from the Town’s 2021 Public Safety, Police Range Supplies Budget (Line Item 01-3120-443).

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 LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 19, 2021

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

WHEREAS, Johnbinh Vu, Executive Director, NextEra Energy Transmission New York, Inc., 700 Universe Boulevard, Juno Beach, Florida 33408 has applied to the Town Board of the Town of Lancaster for a permit for Private Improvements upon real property in the Town of Lancaster within 4330 Eastport Drive, and

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

NOW, THEREFORE,

BE IT RESOLVED, that Private Improvement Permit Application No. 828 for 4330 Eastport Drive, Lancaster, New York 14086 which is a permit for Private Improvements for:

- NextEra Energy Transmission New York, Inc. (NEETNY) is proposing to use 4330 Eastport Drive, Lancaster, New York for a temporary laydown and storage area for people, equipment and tools for construction of the Empire State Line Project. NextEra will also be installing temporary stabilized access points at various locations on Town of Lancaster roads for ingress and egress into the existing NYSEG utility corridor for construction of the Empire State Line Project. NextEra is entering into a lease agreement with the Landowner. A copy can be 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 LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 19, 2021

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

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER".

NOW, THEREFORE,

BE IT RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the proposed amendment to the Vehicle & Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held via teleconference (1-716-800-4267 Access Pin 1232), on the 3rd day of May, 2021, at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published pursuant to Town Law in the Lancaster Bee, the Official Newspaper of the Town, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, 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 LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 19, 2021

**LEGAL NOTICE
PUBLIC HEARING
AMENDMENT TO VEHICLE &
TRAFFIC ORDINANCE TOWN OF LANCASTER,
COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED AS CHAPTER 46 OF CODE OF TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to Section 130 of the Town Law of the State of New York, and pursuant to a resolution adopted by the Town Board of the Town of Lancaster on the 19th day of April, 2021, the said Town Board will hold a Public Hearing on the 3rd day of May, 2021, at 7:15 o'clock P.M., Local Time, via teleconference (1-716-800-4267 Access Pin 1232) to hear all interested persons upon the following amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

CHAPTER 46

ARTICLE IX - Speed Regulations

§46-9 Maximum Speed Limits.

H. A speed limit of 25 miles per hour shall be posted on the following designated highways.

.....

- (2) Pleasant View Drive for both eastbound and westbound traffic between lot numbers 235 through 337. The speed zone shall be effective only on school days between the hours of 7:00 AM and 6:00 PM.

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**

April 22, 2021

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

WHEREAS, in cooperation with the Erie County Shared Services Plan, the Town Board of the Town of Lancaster hereby approves the Intermunicipal Cooperation Agreement to share services, supplies and materials between the Town of Lancaster and the Village of Depew, as presented, allowing the Lancaster Highway Superintendent and the Depew Village Administrator, to rent, exchange, borrow, and lend Highway & Park equipment and necessary personnel to operate said equipment, to assist with the maintaining of Highway/Park properties in the respected municipalities.

WHEREAS, the previous contract expired according to its terms on April 30, 2020 and due to the COVID-19 pandemic and precautions in place it was allowed to remain in effect as an emergency services necessity.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute this agreement which will commence retral to May 1, 2020 and terminate April 30, 2023.

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 LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 19, 2021

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

WHEREAS, various outside Law Enforcement agencies contact the Town of Lancaster Police Chief to request permission to rent the Lancaster Police Department's Gun Range for mandatory training and to rent storage space for police property and equipment, and

WHEREAS, agreements are required to be executed on behalf of the Town and any agency to outline expectations for both parties, protect both parties if those expectations aren't met and lock in the price that will be paid for services.

NOW, THEREFORE,

BE IT RESOLVED, as follows:

1. The Chief of Police be and is hereby authorized to execute Agreements and Memorandum of Understandings between the Town of Lancaster and any Law Enforcement Agency for the rental of the Police Department's Gun Range and the storage of outside Law Enforcement Agencies' equipment and property for the year 2021, and

2. When applicable, the Chief shall obtain and provide proof of liability coverage from said agencies, and

3. Any funds received for said rentals shall be deposited into the appropriate Police Budget Account by the Town's Administration and Finance Director.

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 LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 19, 2021

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

WHEREAS, the current piano at the Town of Lancaster’s Senior Center located at 100 Oxford Avenue is broken and beyond repair due to its age and current condition , and

WHEREAS, Joan Chatham has offered to donate one used piano valued at approximately five-hundred dollars (\$500.00) for use at the Senior Center, and

WHEREAS, by letter dated April 6, 2021, Marybeth Gianni, Recreation Supervisor, has requested that the Town accept the donation of a used piano from Joan Chatham as it will provide enjoyment for the members of the Center, and

WHEREAS, after due consideration, the Town Board of the Town of Lancaster has determined that it can make use of such a donation and that it is the interest of the community to accept this generous gift.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby accepts the donation of one used piano by Joan Chatham, valued at not more than approximately five-hundred dollars (\$500.00), for placement and use within the Town of Lancaster’s Senior Center, located at 100 Oxford Avenue.

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 LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 19, 2021

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

WHEREAS, the Town Board of the Town of Lancaster has held a public hearing on March 1, 2021, pursuant to Chapter 50-Zoning, Article XIV. Administration and Enforcement, 50-78 of the Code of the Town Lancaster, upon the application of Andrea DeBernardis of AC Power 14, LLC for a Special Use Permit to install two (2) Co-located Ballasted Community Solar PV Facilities to be located on two (2) parcels on Gunnville Road, locally identified as SBL Nos. 83.00-5-6.1 and 84.3-1.1, 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, Article XL Solar Energy Facilities, §50-57(B) of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to Andrea DeBernardis of AC Power 14, LLC for a Special Use Permit to install two (2) Co-located Ballasted Community Solar PV Facilities to be located on two (2) parcels on Gunnville Road, locally identified as SBL Nos. 83.00-5-6.1 and 84.3-1.1, in the Town of Lancaster, New York, upon the conditions as set forth in Chapter 50-Zoning, Article XL, §50-57 Major solar systems and Article XIV, §50-78 Special use permits, and ratifies the prior April 5, 2021 resolution approving this special use permit with the following conditions:

1. 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 18, 2023.
2. 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.
3. That the applicant, AC Power 14, LLC or Landowner satisfactorily address and remedy all of the concerns or deficiencies found as a result of the NYSDEC's investigation and assessment of the proposed property including but not limited to performing remedial work to deficiencies in the landfill cap and any impacts to wildlife, prior to the start of any work associated with the construction of Solar Facility.
4. The applicant, AC Power 14, LLC shall post a Decommission Surety Bond ensuring the proper removal of all equipment associated with this solar facility project and restoration of the landfill to its present pre-existing state. The Decommission Surety Bond shall be in the amount of all factors including but not limited to environmental liabilities, decommissioning costs, and reclamation costs as outlined in a Reclamation Cost Estimate which shall be submitted by the applicant and the estimate shall take into account the costs associated with inflation, changes in recycling standards, returning the land to its original contour and establishing sustainable vegetation. The Decommission Surety Bond and Reclamation Cost Estimate shall be

submitted to the Town Attorney's Office prior to the start of any work associated with this solar facility.

5. The applicant, AC Power 14 LLC shall provide to the Lancaster Town Board the name of the supplier of all Solar Panels to be used in the Lancaster Solar project(s) which will identify what country the Solar Panel parts came from and what country the Solar Panels were assembled in before they are installed.
6. The applicant AC Power 14 LLC will provide to the Lancaster Town Board a complete list of the entities and individuals who are financing the Solar Project and their percentage of ownership in the Lancaster Solar Project(s) and all agreements entered into with these entities/individuals before construction begins.

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	NO
COUNCIL MEMBER LEARY	VOTED	NO
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 19, 2021

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

WHEREAS, Rebecca Baker, Lancaster Town Assessor, is requesting to replace her department's Online Assessment Information Software System as the current system inadequately serves the needs of that department and Town Residents due to its outdated design and lack of support, and

WHEREAS, Rebecca Baker, obtained a proposal from GAR Associates, LLC, to provide new Online Assessment Information Software to include Services, Software and Documentation for use by the Assessor's Department and by the residents on the Town of Lancaster's website for an annual cost of \$2047.50 per the order form previously provided to the Board, in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, the software Lease agreement's terms and conditions have been duly reviewed and approved by the Town Attorney, and

WHEREAS, the Town Board deems it in the public interest to lease the new online assessment software through GAR Associates, LLC.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Assessor to execute the Lease Agreement between the Town of Lancaster and GAR Associates, LLC, 5500 Main Street, Suite 347, Williamsville, New York, 14221 to provide new Online Assessment Information Software to include Services, Software and Documentation for use by the Assessor's Department and by the residents on the Town of Lancaster's website in accordance with their proposal and order form and which will be paid for with funds from the Town's 2021 Assessment Internet Access/Web Hosting Budget (Line Item 1355-460).

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 LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 19, 2021

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

WHEREAS, by resolution adopted on April 5, 2021 the Town Board of the Town of Lancaster approved a Special Use Permit Application submitted by Andrea DeBernardis of AC Power 14, LLC for a Special Use Permit to install two (2) Co-located Ballasted Community Solar PV Facilities to be located on two (2) parcels on Gunnville Road, locally identified as SBL Nos. 83.00-5-6.1 and 84.3-1.1, and

WHEREAS, the AC Power 14, LLC Special Use Permit resolution was introduced and voted on as a Pre-filed resolution at the Lancaster Town Board meeting held on April 5, 2021, in violation of Rule 7 of the Town of Lancaster's Rules of Order for 2020 and 2021; which sets forth specific time requirements for Pre-Filed resolutions to be submitted for placement on meeting agendas, and because the AC Power 14, LLC Special Use Permit was not filed within those requirements it should not have been allowed to be treated as a Pre-filed resolution and therefore should not have been voted on as one, it is therefore requested that the resolution adopted April 5, 2021 be rescinded.

NOW, THEREFORE,

BE IT RESOLVED, that the resolution adopted by the Town Board on April 5, 2021, granting a Special Use Permit to Special Use Permit to Andrea DeBernardis of AC Power 14, LLC for a Special Use Permit to install two (2) Co-located Ballasted Community Solar PV Facilities to be located on two (2) parcels on Gunnville Road, locally identified as SBL Nos. 83.00-5-6.1 and 84.3-1.1 in the Town of Lancaster is hereby rescinded.

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 LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	NO
COUNCIL MEMBER WOZNIAK	VOTED	NO
SUPERVISOR RUFFINO	VOTED	NO

April 19, 2021

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

WHEREAS, by bond resolution dated March 15, 2021, the Town Board of the Town of Lancaster authorized a Capital Improvements Project consisting of the replacement and/or reconstruction of various culverts within the Town of Lancaster and authorized application for Federal and State Aid with the New York State Department of Transportation, and

WHEREAS, the initial undertaking for this project requires the Town to fund the Preliminary Engineering Phase which consists of professional services for the design specifications and construction management of the various culverts, and

WHEREAS, on March 18, 2019 the Town created a pre-approved list of professional supplemental engineering firms to address specific engineering needs that may arise within the Town, and

WHEREAS, by memo dated March 26, 2021 Town Engineer, Edward Schiller, PE solicited proposals from the five (5) pre-qualified Highway Bridge Firms and has recommended DiDonato Engineering & Architectural Professionals be selected to provide professional services which includes design specifications and construction management of the various culverts within the Town for an amount not to exceed \$249,112.00 per their proposal dated March 26, 2021.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute the Agreement, as presented, between the Town of Lancaster and DiDonato Associates, to provide the Preliminary Engineering Design phase for Capital Improvements Project consisting of the replacement and/or reconstruction of various culverts within the Town of Lancaster in the amount not to exceed \$249,112.00 based on terms outlined in Article 3 of their agreement and to be paid for with funds appropriated by the adopted March 15, 2021 Town Board Bond Resolution.

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 LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 19, 2021

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

WHEREAS, Lancaster, NY (5255 Genesee) LLC, 1400 16th Street, Suite 300, Oakbrook IL 60253 has applied to the Town Board of the Town of Lancaster for a permit for Private Improvements upon real property in the Town of Lancaster within 5255 Genesee Street, and

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

NOW, THEREFORE,

BE IT RESOLVED, that Private Improvement Permit Application No. 827 for 5255 Genesee Street, Bowmansville, New York 14026 which is a permit for Private Improvements for:

- Improvements associated with new automotive tenant at 5255 Genesee Street in Lancaster, New York. Improvements to include seal coat and re-stripe existing asphalt parking lot. Install ADA signage on site parking spaces. Re-Route existing onsite storm sewer due to access and maintenance issue.

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 LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 19, 2021

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

WHEREAS, by Organizational Resolution adopted on January 4, 2021, Section 1, the Town Board of the Town of Lancaster authorized department heads, officials and/or their representatives to attend luncheon/dinner meetings of the various official organizations relating to their official duties as employees of the Town and the cost of such meals would not exceed \$35.00, and

WHEREAS, the Association of Erie County Governments has advised the Town that the cost of such meals may be increased above \$35.00, and

WHEREAS, the Town Board of the Town of Lancaster requests that the amount be changed to \$45.00 to effectively cover the meals of Town officials and/or their representatives at various official organization meetings going forward;

NOW, THEREFORE,
BE IT RESOLVED, that Section 1 of the Organizational Resolution adopted January 4, 2021, setting the allowable cost of meals for department heads, officials and/or their representatives attending various official organization meetings relating to their official duties as employees of the Town be and is hereby amended to reflect the amount to not be exceeded as \$45.00.

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

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 19, 2021

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

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning, Article XIV-Administration and Enforcement, §50-78 Special use permits, of the Code of the Town of Lancaster, upon the application of **Igor Los**, for a Special Use Permit for a three (3) bay truck and trailer repair shop and small office to be known as **Autowave, Inc.**, on premises located at 1035 Ransom Road, in the Town of Lancaster, New York, and the Board issued such Special Use Permit on May 15, 2017, which is subject to renewal bi-annually upon application by the property owner, and

WHEREAS, by letter dated **March 24, 2021**, **Igor Los**, President of Autowave, 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 April 7, 2021.

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

1. That pursuant to Chapter 50-Zoning, Article VI. Industrial District, §50-20(B)(n), entitled "Light Industrial District (LI)", 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 **Igor Los**, for **Autowave, Inc.**, for a three (3) bay truck and trailer repair shop and small office on premises located at 1035 Ransom Road in the Town of Lancaster, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning May 15, 2021 and ending May 14, 2023, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Article VI, §50-22, Article VIII. Regulations Applying to All Districts, and Article XIV-Administration and Enforcement, §50-78 Special use permits of the Code of the Town of Lancaster, and to any additional conditions listed herein namely:

1. Must comply with Town Code Noise Ordinance.
2. 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 May 14, 2023.
3. Applicant to provide a copy of the business' New York State Tax/Federal Employer Identification Number and, where required, a copy of a valid State License issued by the appropriate regulatory agency for the service being provided.
4. This Special Use Permit terminates when the applicant no longer owns the business.

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 LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 19, 2021

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

WHEREAS, the Town Board of the Town of Lancaster has entered into a project for the codification of local laws, ordinances, and certain resolutions of the Town of Lancaster for the purposes of increasing the effectiveness of town governmental administration, providing for greater public awareness of and access to town legislation, and protecting the health, safety, and welfare of town inhabitants; and

WHEREAS, the proposed codification has been published in loose-leaf form, and the Town Board now desires to formally adopt said codification by enactment of a local law; and

WHEREAS, the Town Board will consider the proposed Local Law No. 1 of 2021 to codify the Code of the Town of Lancaster; and

WHEREAS, the Town Board is declared Lead Agency for the purposes of environmental review with respect to the proposed resolution, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, and the regulations promulgated thereunder at 6 NYCRR Part 617 (collectively, "SEQRA"); and

WHEREAS, the Town Board, as Lead Agency, has advised that the proposed action meets the criteria of a "Type II Action" under SEQRA, and no further action is required.

NOW, THEREFORE,

BE IT RESOLVED, a Public Hearing on the enactment of the following local law will be held via teleconference (1-716-800-4267 Access Pin 1232), on the 3rd day of May, 2021 at 7:15 o'clock P.M. Local Time, and the notice of the time and place of such hearing be published in a newspaper of general circulation in said Town, and posted on the Town Bulletin Board; and that the Town Clerk is hereby directed and authorized to cause public notice of said hearing to be given in accordance with the Municipal Home Rule Law, the Open Meetings Law, and Sections 264 and 265 of the Town Law of the State of New York. The proposed local law to be considered is as follows:

Local Law No. 1 of 2021

A Local Law to Provide for the Codification of the Local Laws, Ordinances, and Certain Resolutions of the Town of Lancaster into a Municipal Code to be Designated the "Code 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 DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 19, 2021

**LEGAL NOTICE IS HEREBY GIVEN, TOWN OF LANCASTER, NEW YORK
NOTICE OF PUBLIC HEARING
ON PROPOSED LOCAL LAW CODIFYING
TOWN OF LANCASTER TOWN CODE**

PLEASE TAKE NOTICE that, for the purpose of adopting a codification of the local laws, ordinances, and certain board resolutions; and pursuant to a resolution adopted by the Town Board of the Town of Lancaster on April 19, 2021, a public hearing will be held by the Town Board via teleconference (1-716-800-4267 Access Pin 1232) on the 3rd day of May, 2021, at 7:15 p.m., to consider the enactment of the proposed local law codifying the Town of Lancaster Town Code to be known as the “Code of the Town of Lancaster,”

Copies of the text of the above-named local law shall be filed in the Office of the Town Clerk and is available for public inspection during regular office hours.

An opportunity to be heard will be given to all interested members of the public.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**By: Diane M. Terranova
Town Clerk**

April 22, 2021

COMMUNICATIONS & REPORTS

- 249. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**
- 250. National Fuel Engineering Services to Supervisor –
Request for information on projects planned in the Town of Lancaster.
Disposition = Town Engineer, Highway**
- 251. Carolyn Spisiak to Town Clerk and Town Board –
Thank you for the Memorial Resolution in honor of Dan Spisiak.
Disposition = Received & Filed**
- 252. Town Clerk to Various News Media –
Press Release with information regarding Yard Sale permits for residents of the
Town of Lancaster. Disposition = Received & Filed**
- 253. Town Attorney to Corey Auerbach, Barclay Damon –
E-mail communications regarding AC power. Disposition = Received & Filed**
- 254. Georgia Schlager to Town Board –
Request for Town Board to consider amending Code 50, Article VIIB Solar
Energy Facilities Special Use Permits (7) Decommissioning Plan.
Disposition = Received & Filed**
- 255. Dog Control Officer to Town Board –
Monthly Dog Report for March 2021. Disposition = Received & Filed**
- 256. Town Clerk to Town Board –
Town Clerk Monthly Report for March 2021. Disposition = Received & Filed**
- 257. Code Enforcement Officer to Drainage & Storm Sewer Committee –
MS4 Report for March 2021. Disposition = Received & Filed**
- 258. Code Enforcement Officer to Town Board –
Recommend renewal of Special Use Permit for Autowave, 1035 Ransom Road.
Disposition = Resolution 4/19/21**
- 259. Supervising Code Enforcement Officer to Town Clerk –
Recommend not authoring issuance of 2021 License to Conduct a Salvage
Yard to Ransom Auto Parts, Inc., 867 Ransom Road until hearing is completed
per Town Code. Disposition = For Resolution**
- 260. Erie County Clerk to Supervisor –
2020 Annual Report on the accomplishments and status of the work done
by the Erie County Clerk's Office. Disposition = Received & Filed**
- 261. Code Enforcement Officer to Town Board –
Occupancy must be identified to determine validity of the Special Use Permit
request for Pavement Rd. Storage Facility, 0 Pavement Rd.
Disposition = Planning Committee**
- 262. Recreation Supervisor to Supervisor and Town Board –
Request for resolution allowing for a donation of a piano to the Lancaster
Senior Center. Disposition = Resolution 4/19/21**
- 263. Town Clerk to Code Enforcement Officer –
Copy of letter from Joshua Strell requesting a renewal of his Special Use
Permit for 5898 Broadway. Disposition = For Resolution, Code Enforcement**
- 264. Kevin Lemaster to Town Board –
Comments concerning the 4/15/2021 Town Board meeting and request for
answers to questions regarding AC Power-14. Disposition = Received & Filed**

- 265. VFW Post 7275 to Supervisor –
Information regarding Drive-Thru & Dine-In Polish Platter Feast, May 2, 2021.
Disposition = Received & Filed**
- 266. Planning Board Chairman to Planning Board, Town Board, Town Engineer,
Town Attorney, Highway Superintendent and Building Inspector –
Draft copy of minutes from April 7, 2021 Planning Board meeting.
Disposition = Received & Filed**
- 267. Planning Board to Town Board –
Memo recommending approval of Amended Site Plan Review for Rolite
Manufacturing, Inc., 10 Wendling Ct., Proj. #1703.
Disposition = Planning Committee**
- 268. Planning Board to Town Board –
Memo recommending approval of Amended Site Plan Review for The Rock
Child Care Center, 3970 Walden Ave., Proj. #1709.
Disposition = Planning Committee**
- 269. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER DICKMAN AND SECONDED BY
COUNCIL MEMBER MAZUR AND CARRIED,** the meeting was adjourned in memory
of Ann Ciszewski, Joanne Curran, Michael J. Curran Jr., Judith Greene and Denise Pesta
at 8:23 P.M.

Signed _____

Diane M. Terranova, Town Clerk