

1 PRESENTATION OF PREFILED RESOLUTIONS:

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

RESOLVED, that the minutes of the Joint Meeting of the Town Board and the Planning Board held April 1, 2013 and the Regular Meeting of the Town Board held April 1, 2013 be and are hereby approved.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 6, 2013

File: RMIN (P1)

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

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held April 15, 2013 be and are hereby approved.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 6, 2013

File: RMIN (P1)

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

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

Claim No. 30452 to Claim No. 30661 Inclusive

Total amount hereby authorized to be paid: \$1,016,108.64

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 6, 2013

File: Reclaims

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

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

CODES:

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

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	Structure	Village
21294		David P. Zaidel	5 Heritage Dr	Er. Shed	
21295		Stephen & Kristin Cotter	32 Trentwood Trl N	Er. Deck	
21296		Jeff & Jennifer Sikora	97 Newberry Ln	Er. Pool-Abv Grnd	
21297		Jeff & Jennifer Sikora	97 Newberry Ln	Er. Fence	
21298		Nicolas Cavalleri	54 Lombardy St	Er. Fence	(V/L)
21299		Ellen Thompson	51 Country Pl	Er. Fence	
21300		Superior Decks & Gazebos	34 Creekwood Dr	Er. Deck	
21301		Superior Decks & Gazebos	30 Tranquility Trl	Er. Deck	
21302		Superior Decks & Gazebos	5526 Genesee St	Er. Deck	
21303		William & Rebecca Hirsch	15 Butler Dr	Er. Pool-Abv Grnd	
21304		Lisa R. Grad	1096 Townline Rd	Er. Fence	
21305		Daniel Kempf	1936 Como Park Blvd	Er. Fence	(V/L)
21306		Sturm Roofing LLC	847 Ransom Rd	Re-Roof	
21307		Alliance Homes	76 Simme Rd	Er. Dwlg.-Sin.	
21308		Alliance Homes	48 Nicholas Ln	Er. Dwlg.-Sin.	
21309		Surety Constnuction Co.	149N Maple Dr	Er. Garage	
21310		Patio Enclosures	644 Harris Hill Rd	Er. Res. Add.	
21311		Richard G. Fix II	3643 Bowen Rd	Er. Pool-Abv Grnd	
21312		Marrano/Marc Equity Corp.	14 Kent Pl	Er. Dwlg.-Sin.	
21313		Carolina Home Improvement	23 Signal Dr	Re-Roof	
21314		F&D Construction	62 Impala Pky	Re-Roof	
21315		Switala's Siding Center	56 Via Donato E	Re-Roof	
21316		Norman Michalek	57 Meadow Lea Dr	Er. Fence	
21317		Colley's Pool Sales, Inc.	130 Peppermint Rd	Er. Pool-In Grnd	
21318		Colley's Pool Sales, Inc.	130 Peppermint Rd	Er. Fence	
21319		Jeremy M. Cummins	7 Beatrix Cir	Er. Shed	
21320		Ralph E. Wasner	13 Ann Marie Dr	Er. Fence	
21321		Jennifer L. Anthony	5700 Broadway	Er. Shed	
21322		Eric D. Popken	43 Stephens Ct	Er. Pool-Abv Grnd	(V/L)
21323		Joshua Ball	31 Deerpath Dr	Er. Fence	
21324		Brian A. Schaal	6 Prairie Ln	Er. Deck	
21325		Kathleen M. McAlpine	124 Westwood Rd	Er. Porch	
21326		Michael & Ria Conway	662 Townline Rd	Er. Fence	
21327		H Cope Enterprises Inc.	2237 Como Park Blvd	Re-Roof	(V/L)
21328		H Cope Enterprises Inc.	1 Briggs Pl	Re-Roof	
21329		Douglas E. Bugenhagen	1312 Ransom Rd	Er. Fence	
21330		Kyle & Krista Brackett	76 Oxford Ave	Er. Shed	(V/L)
21331		Iroquois Fence Inc.	500 Lake Ave	Er. Fence	
21332		Timothy Babula	75 Oxford Ave	Er. Deck	(V/L)
21333		Sahlems Roofing & Siding Inc.	7 Summerfield Dr	Re-Roof	
21334		The Gutter People of WNY	23 Banner Ave	Re-Roof	(V/L)
21335		Lynn Woods	8 Thomas Dr	Er. Fence	
21336		Essex Homes of WNY Inc.	67 Middlebury Ln	Er. Dwlg.-Sin.	
21337		DJC Land Development	2 Branch Way	Er. Dwlg.-Sin.	
21338		Angiolina Passucci	156 Iroquois Ave	Re-Roof	
21339		Donald E. Mullen	33 Hill Valley Dr	Re-Roof	
21340		Jason Theurer	2 Summerfield Dr	Er. Fence	
21341		Martin P. Hannah	10 Briarwood Dr	Er. Fence	(V/L)
21342		William P. Schmitt, Jr.	74 Steinfeldt Rd	Er. Fence	
21343		Beauty Pools Inc.	74 Steinfeldt Rd	Er. Pool-In Grnd	
21344		William Marcus	191 St Marys St	Er. Pool-Abv Grnd	(V/L)
21345		Joan M. Osswald	133 Siebert Rd	Re-Roof	

21346	Besroi Construction	5265 William St	Re-Roof	
21347	Besroi Construction	3942 Walden Ave	Re-Roof	
21348	Besroi Construction	3944 Walden Ave	Re-Roof	
21349	Neth & Son Inc.	17 Sussex Ln	Re-Roof	
21350	Neth & Son Inc.	312 Enchanted Forest N	Re-Roof	
21351	Leveled Contracting Inc.	6407 Genesee St	Re-Roof	
21352	Aerial Roofing & Exterior	5256 William St	Re-Roof	
21353	Hometeck Roofing & Remodel.	932 Ransom Rd	Re-Roof	
21354	Stockmohr Col. Inc.	31 Squirrel Run	Re-Roof	
21355	Stockmohr Col. Inc.	48 Fox Hunt Rd	Re-Roof	
21356	Majestic Pools Inc.	34 Avian Way	Er. Pool-In Grnd	
21357	Daniel & Caterina Plotnicki	7 Michael's Walk	Er. Pool-Abv Grnd	
21358	Grau Builders	2 Dover Ct	Er. Dwlg.-Sin.	
21359	Gerald Lewis DBA	58 Impala Pky	Re-Roof	
21360	ES Construction	16 Inwood Pl	Re-Roof	(V/L)
21361	Classic Fence & Lumber Co.	290 Warner Rd	Er. Fence	
21362	Louis Salvatore, Jr.	15 Parkdale Dr	Er. Fence	
21363	Steven DeMarzio	18 Doris Ave	Er. Pool-Abv Grnd	(V/L)
21364	Darryl C. Gies	56 Sterling Pl	Er. Fence	
21365	Darryl C. Gies	56 Sterling Pl	Er. Pool-In Grnd	
21366	Donald Ripper	5 Meadow Lea Dr	Er. Pool-Abv Grnd	
21367	WD Senay & Rachel Ferry	71 Avian Way	Er. Fence	
21368	Paul & Sarah Stephan	51 Maple Dr	Er. Fence	
21369	Mark & Denise Szymusiak	5671 Broadway	Er. Sign - Temp	
21370	Sahlems Roofing & Siding	262 Enchanted Forest N	Re-Roof	
21371	Sahlems Roofing & Siding	12 Ryan St	Re-Roof	
21372	Sun Enterprises, Inc.	8 Sterling Pl	Er. Shed	
21373	Sturdi Built Sheds LLC	41 Lake Forest Pky E	Er. Shed	
21374	John Hadzicki	42 Creekwood Dr	Er. Shed	
21375	Janine V. Ghosen	153 Hinchey Ave	Er. Fence	(V/L)
21376	Gerome McLaughlin	45 Grant St	Re-Roof	(V/L)
21377	Timothy Huttenlocker	10 St Anthony St	Er. Fence	
21378	Majestic Pools Inc.	10 St Anthony St	Er. Pool-In Grnd	
21379	Majestic Pools Inc.	171 Nathan's Trl	Er. Fence	
21380	David A. Ziemba, Jr.	171 Nathan's Trl	Er. Pool-In Grnd	
21381	R and R Pros	13 Michael's Walk	Re-Roof	
21382	Jack & Jennifer Bieber	8 Deepwood Pl	Er. Fence	
21383	Adam & Joanne Matuszewski	676 Townline Rd	Er. Pool-Abv Grnd	
21384	Bishnu P. Kapri	20 Michael Anthony Ln	Re-Roof	
21385	James Murphy	24 Petersbrook Cir	Er. Deck	
21386	Dino J. Garrett	33 Hampton Ct	Er. Fence	
21387	Karen A. Woronowski	19 Iroquois Ave	Er. Shed	(V/L)
21388	Michael L. Warner	22 Lombardy St	Er. Fence	(V/L)
21389	Frances R. Mousaw	121 Erie St	Er. Shed	(V/L)
21390	L. Breton Construction	96 Bowen Ave	Er. Res. Alt.	(V/L)
21391	PRZ Property Holdings	5496 Broadway	Er. Fence	(V/L)
21392	Kenneth & Deborah Waiss	5 Overton Ct	Re-Roof	
21393	James Grieco	479 Lake Ave	Er. Fence	
21394	Buffalo Bungolow Inc.	24 Worthington Ln	Er. Dwlg.-Sin.	
21395	Marrano/Marc Equity	25 Denton Dr	Er. Townhouses	
21396	Richard E. Pratt	228 Peppermint Rd	Er. Garage	
21397	Marrano/Marc Equity	27 Denton Dr	Er. Townhouses	
21398	Marrano/Marc Equity	29 Denton Dr	Er. Townhouses	
21399	Marrano/Marc Equity	31 Denton Dr	Er. Townhouses	
21400	Nexius Solutions Inc.	6 St Marys St	Cell Tower Co-locate	(V/L)
21401	Joe Christ	141 Robert Dr	Re-Roof	(V/L)
21402	Marguerite Mitchell	53 Lake Forest Pky E	Er. Res. Add.	
21403	Joette M. Beato	53 Harvey Dr	Er. Shed	(V/L)

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

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

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

COUNCIL MEMBER ABRAHAM

VOTED

COUNCIL MEMBER ABRAHAM

VOTED

COUNCIL MEMBER AQUINO

VOTED

COUNCIL MEMBER RUFFINO

VOTED

COUNCIL MEMBER STEMPNIAK

VOTED

SUPERVISOR FUDOLI

VOTED

COUNCIL MEMBER RUFFINO

VOTED

COUNCIL MEMBER STEMPNIAK

VOTED

May 6, 2013

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

WHEREAS, the Consolidated Water District of the Town of Lancaster maintains hydrants along the southerly line of Wehrle Drive between Transit Road and David Road and the south boundary line of the Town of Clarence, and

WHEREAS, the Harris Hill Protection District of the Town of Clarence has heretofore contracted with the Consolidated Water District of the Town of Lancaster for the use of said hydrants, and

WHEREAS, the Town Board of the Town of Clarence has duly held a public hearing on behalf of the Harris Hill Fire Protection District to contract with the Consolidated Water District of the Town of Lancaster for the said hydrants in accordance with an Agreement approved by the Town Attorney and on file with the Town Clerk, which Agreement has been approved by the Town Board of the Town of Clarence;

NOW THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute an Agreement by and between the Town of Clarence on behalf of the Harris Hill Fire Protection District, and the Consolidated Water District of the Town of Lancaster, providing for rental of eleven (11) hydrants along the southerly line of Wehrle Drive between Transit Road and David Road and the south boundary line of the Town of Clarence, commencing April 1, 2013 and terminating March 31, 2018, all in accordance with the terms of said Agreement.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED

May 6, 2013

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

WHEREAS, a Public Hearing was held on April 1, 2013 for the purpose of amending the Town Code by enacting an Ordinance entitled “Alarm Systems” and designated as Chapter five (5) of the Code Book of the Town of Lancaster and persons for and against such Ordinance have had an opportunity to be heard, and

WHEREAS, a Notice of said Public Hearing was duly published and posted;

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

1. That Chapter five (5) of the Code of the Town of Lancaster be added in the form attached hereto and made a part hereof;
2. That said additions be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on May 6, 2013;
3. That a Certified Copy of this Ordinance be published in the Official Newspapers of the Town of Lancaster on May 9, 2013;
4. That a Certified Copy of this Ordinance be posted on the Town Bulletin Board;
5. That affidavits of Publication and Posting be filed with the Town Clerk;

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 6, 2013

LEGAL NOTICE
NOTICE OF ADOPTION
ADDITION OF ALARM SYSTEMS ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK

NOTICE IS HEREBY GIVEN that Chapter five (5) of the Code of the Town of Lancaster, Erie County, New York, is hereby added as follows:

Chapter 5

ALARM SYSTEMS

- §5 - 1. Legislative Intent
- §5 - 2. Definitions
- §5 - 3. Exemptions
- §5 - 4. Compliance Required
- §5 - 5. Automatic Cutoff System Required
- §5 - 6. Connection to 911 or 911 Emergency Service Restricted
- §5 - 7. Alarm Verification Calls Required
- §5 - 8. Avoidable Alarms
- §5 - 9. Enforcement
- §5 - 10. Penalties for Offenses
- §5 - 11. Applicability
- §5 - 12. Severability
- §5 - 13. Effective Date

§5 - 1. Legislative Intent.

It is the intent of this chapter to protect and promote the health, safety and general welfare of the residents of the Town of Lancaster by reducing the number of avoidable alarms of fire, intrusion, holdup or other emergencies which contribute to ineffective utilization of police, fire and medical emergency agencies; and which require emergency responses which are

susceptible to high accident rates, interfere with genuine emergencies (responses) and produce unnecessary alarm noise to the surrounding community.

§5 – 2. Definitions.

For the purpose of this chapter, the following terms shall have the meanings ascribed to them. All other words shall have the meanings normally ascribed to them in regular usage.

ALARM SYSTEM – A device or an assembly of equipment which is designated to detect smoke, abnormal rise in temperature, fire, medical emergency or an entry into or exit from a building, structure or facility and, by reason thereof, emits an audible response intended to alert persons outside of the premises and/or transmit a signal or message to an emergency agency either directly or through a private answering point.

AUTOMATIC DIALER – A device that automatically dials and relays a prerecorded message to an emergency agency.

AVOIDABLE ALARM – The activation of an alarm system through mechanical failure, malfunction, improper installation or the negligence or carelessness of the owner, user, custodian, operator or lessee of an alarm system or that person's employee(s), guests(s) or agent(s) requiring an emergency response from an emergency agency when in fact an emergency requiring such response does not exist. An avoidable alarm is also the intentional activation of an alarm system when the person activating it knows an emergency does not exist, as well as all alarm system activations in which an investigation by a police officer and/or fire district officer of the Town reveals no evidence of the existence of an emergency. An avoidable alarm is not deemed to include the activation of an alarm system by violent conditions of nature, acts of God or similar causes beyond the control of the owner, user, custodian, operator or lessee of an alarm system or that person's employee(s), guests(s), or agent(s) nor in as avoidable alarm deemed to be the activation of an alarm system under any circumstances in which the person activating the alarm system reasonably believes that an emergency situation exists.

EMERGENCY AGENCY – The Police Department, the Fire District, central fire dispatch and any other emergency dispatch center.

VERIFICATION – An attempt by the monitoring company, or its representative, to contact the alarm site and/or alarm user by telephone to determine whether an alarm signal is valid before requesting a law enforcement response, in an attempt to avoid an unnecessary alarm dispatch request. For the purpose of this Ordinance, telephone verification shall require, as a minimum that a second call be made to a different number if the first attempt fails to reach an alarm user who can properly identify themselves to determine whether an alarm signal is valid before requesting law enforcement dispatch.

§5 – 3. Exemptions.

Exempt from this chapter will be Town buildings, i.e., buildings owned or operated by the Town of Lancaster, Schools (both public and private) located within the Town and fire stations within the Town of Lancaster.

§5 – 4. Compliance Required.

The owners and lessees of premises having alarm systems shall comply with all provisions of this chapter on or before the first day of June 2013.

§5 – 5. Automatic Cutoff System Required.

- A. No person shall install or maintain an external audible alarm device which does not contain an operational automatic cutoff system which turns off the external audible alarm after a period not to exceed ten (10) minutes.
- B. An automatic dialer connected directly to an emergency agency shall automatically disconnect and/or terminate its message after the message has been transmitted a maximum of two (2) times.

§5 – 6. Connection to Enhanced 911 or 911 Emergency Service Restricted.

- A. No alarm system shall have an automatic dialer feature of other type of alarm alert which connects automatically to the enhanced 911 emergency telephone system.
- B. There shall be no automatic alarm system with direct communication of any type to an emergency agency without prior written authorization from the emergency agency where the alarms terminate.

§5 – 7. Alarm Verification Calls Required.

All burglary or intrusion alarm systems that have central monitoring shall have central monitoring make a verification telephone call to the alarm site, and then to an alternate contact number if the first phone call is unsuccessful, prior to the alarm monitoring personnel contacting the Lancaster Police Department for alarm dispatch. However, if the alarm has properly operating visual or auditory sensors that enable the monitoring company to verify the alarm signal, verification calling is not required. Failure by the alarm system contractor or alarm monitoring company to make verification calls may result in a \$125.00 fine.

§5 – 8. Avoidable Alarms.

A. General Provisions.

- (1) The activation of an alarm system, through mechanical failure, malfunction, improper installation or the negligence of the owner, user, custodian or lessee of an alarm system or of his employees, requiring an emergency response when, in fact, an emergency does not exist constitutes an avoidable alarm. An avoidable alarm also includes intentional activation of an alarm system when the activator knows an emergency situation does not exist.
- (2) Avoidable alarm does not include alarms activated by violent conditions of nature or similar cases beyond the control of the user, owner or operator of the alarm system. The activation of an alarm system under any

circumstance in which the activator reasonably believes that an emergency situation exists shall not be deemed to be an avoidable alarm.

B. Charges. An owner or lessee of real property to which an emergency agency responds as a result of avoidable alarm shall pay a fee for each such response within a revolving calendar year (365 days) as follows:

(1) Police Department Response:

- (a) First (1st) through third (3rd) avoidable alarm responses: no charge.
- (b) Fourth (4th) and fifth (5th) avoidable alarm responses: fifty dollars (\$50.) for each.
- (c) Sixth (6th) and over avoidable alarm responses: one hundred dollars (\$100.) for each.

(2) Fire District Response:

- (a) First (1st) avoidable alarm response: no charge
- (b) Second (2nd) through fifth (5th) avoidable alarm responses: fifty dollars (\$50.)
- (c) Sixth and over avoidable alarm responses: one hundred dollars (\$100.) for each.

C. Notice of Excessive Use. The owner or lessee of real property, which received an emergency response by reason of an avoidable alarm, shall be notified in writing by means of first class mail of all avoidable alarms up to three (3) police alarms and/or one (1) fire alarm in a calendar year. The letter shall inform the owner or lessee of the times and types of emergency responses provided to the address location and shall contain with it a copy of the Alarm Systems Code.

D. Administrative Review. The Chief of Police and the Supervising Code Enforcement Officer shall establish a policy and procedures whereby an owner of real property or lessee thereof on which an alarm system has been installed and who has been notified of an avoidable alarm may present evidence as to why any such alarm should not be classified as an avoidable alarm. The Chief of Police and the Fire Inspector shall designate members of their departments, not to exceed five (5) in total, to receive such evidence and make recommendations and finding of fact concerning such classification. The Chief of Police and Fire Inspector shall make the final determination concerning a classification, which determination shall be reviewed only pursuant to procedures under Article 78 of the Civil Practice Law and Rules. To challenge the classification of an alarm as an avoidable alarm, the real property owner or lessee thereof shall, in writing, notify the Chief of Police and/or the Fire Inspector within twenty (20) days after receipt of notice of the avoidable alarm. The failure to give timely notice shall be deemed a waiver of the right to review the determination.

E. Payment of Charges. Avoidable alarm charges shall be paid to the Town Clerk of the Town of Lancaster at 21 Central Avenue, Lancaster, New York 14086.

F. Failure to remit fee. Upon the failure of a real property owner or lessee of property on which an alarm system is installed to pay the avoidable alarm charge within thirty (30) days from notice of the amount due, he shall be served with a summons and shall be deemed in violation of this code.

§5 – 9. Enforcement.

The Chief of Police shall enforce this chapter for alarm systems which detect medical emergencies and entry or exit from a building, structure or facility. The Fire Inspector shall enforce this chapter for alarm systems which detect smoke, fire or abnormal rise in temperature.

§5 – 10. Penalties for Offenses.

Any person, business, firm, corporation, partnership, association or other entity that does not pay the fee as established in this code or who violates any other provisions of this code shall be subject to a civil penalty, not to exceed one thousand dollars (\$1,000.) for each offense. A separate offense shall be deemed committed upon each day during which a violation occurs, continues or is permitted.

§5 – 11. Applicability.

The provisions of this law shall be applicable within the boundaries of the Town of Lancaster, excluding the Villages of Lancaster and Depew.

§5 – 12. Severability.

If any section, clause or provision of this chapter or the application thereof to any person is adjudged invalid, the adjudication shall not affect other sections, clauses or provisions or the application thereof which can be sustained or given effect without the invalid section, clause or provision or application, and to this end the various sections, clauses or provisions of this chapter are declared to be severable.

§5 – 13. Effective Date.

This chapter shall become effective immediately upon filing with the Secretary of State pursuant to the municipal Home Rule Law.

May 6, 2013

STATE OF NEW YORK :
COUNTY OF ERIE : **SS:**
TOWN OF LANCASTER :

This is to certify that I, **Johanna M. Coleman**, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have filed the original ordinance in my office at Lancaster, New York, on the 6th day of May, 2013,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 6th day of May, 2013.

Johanna M. Coleman, Town Clerk

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

WHEREAS, the Town of Lancaster, is interested in updating the current Town of Lancaster website (<http://www.lancasterny.gov/>) as it inadequately reflects the Town's growth due to its outdated design and communication management, and, and

WHEREAS, Supervisor Fudoli requested that AURORA Consulting Group, Inc., provide the Town with a proposal to perform and provide professional services to for the redesigning of the Town of Lancaster website as outlined in their Proposal for Website Redesign Services, dated April 17, 2013 to include but not limited to: Enhanced User Interaction, Enhanced Resident Communication, Content Management and Analytics capabilities, and

WHEREAS, the above-referenced proposal has been duly reviewed and considered by the Town Attorney, and

WHEREAS, the Town Board deems it in the public interest to move forward with the engagement of AURORA Consulting Group, Inc., to provide the Professional Website Redesign Services as beforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute on behalf of the Town of Lancaster the Proposal between the Town and AURORA Consulting Group, Inc., 7625 Seneca Street, East Aurora, New York in order to provide Professional Website Redesign Services, for the Town of Lancaster's website (<http://www.lancasterny.gov/>), for an amount not to exceed \$8,484,

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

COUNCIL MEMBER ABRAHAM

VOTED

COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 6, 2013

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

WHEREAS, Wm. Schutt & Associates, P.C., the Town of Lancaster's consulting engineer, has requested that the Town Board authorize and invitation to bid for the Lancaster Police Headquarters & Court Building Communications Equipment and Cabling, 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 bid for Lancaster Police Headquarters & Court Building Communications Equipment and Cabling, said bids 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 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 May 29, 2013 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 ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 6, 2013

NOTICE TO BIDDERS

FOR THE

**LANCASTER POLICE HEADQUARTERS & COURT BUILDING
COMMUNICATIONS EQUIPMENT & CABLING**

Sealed bids for the proposed installation of communications equipment and cabling for the Lancaster Police Headquarters & Court Building the Town of Lancaster 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 May 29, 2013, 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 upon deposit of \$50.00 per set [two (2) checks of \$25.00 each payable to the ENGINEER]. If requested in writing, the ENGINEER will mail the Contract Documents to those wishing to obtain a set upon receipt of the \$50.00 deposit plus a non-refundable mailing charge of \$25.00 per set, made payable to the ENGINEER. Bidders will receive a refund of the entire deposit upon returning plans and specifications in good condition within thirty (30) days of the bid award; non-bidders will be refunded one-half of the deposit upon the return of such plans and specifications in good condition within the thirty (30) days following the award of the Contract.

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 percentum (5%) of the total amount of the Bid, or a bond with sufficient sureties in a penal sum equal to five percentum (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: May 9, 2013

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

Johanna Coleman
Town Clerk

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

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letters dated April 23, 2013, has requested the appointment of three (3) part-time temporary seasonal laborers to work in the Highway Department for the 2013 Summer season.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be appointed to the position of part-time temporary seasonal laborer for the 2013 Summer season, for a period not to exceed five (5) months, in the Highway Department, and that these being part time positions provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>PAY RATE/HR.</u>	<u>EFFECTIVE DATE</u>
Justin Michel (re-hire) Lancaster, NY	\$8.25	May 13, 2013
Zacherie Geary (re-hire) Lancaster, NY	\$8.25	May 20, 2013
Steven Cook (new hire) Lancaster, NY	\$8.00	May 20, 2013

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED

COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 6, 2013

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

WHEREAS, the General Crew Chief Terrence McCracken, by letter dated April 30, 2013, has requested the appointment of part-time temporary seasonal laborers to work in the Parks, Recreation and Forestry Department of the Town of Lancaster for the summer of 2013.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals are hereby appointed to the position of part-time temporary seasonal laborer for the 2013 summer season, for a period not to exceed five (5) months, in the Parks, Recreation and Forestry Department effective May 13, 2013, and that these being part-time positions provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE/HR.</u>
Andrea Baccari (rehire) Lancaster, NY	Laborer	\$7.25
Adam Bertucci (rehire) Lancaster, NY	Laborer	\$7.25
Matthew Bertucci (rehire) Lancaster, NY	Laborer	\$7.25
Brian Clark (rehire) Depew, NY	Laborer	\$7.25
Geoffrey Franger (rehire) Lancaster, NY	Laborer	\$7.25
Steven Goehle (rehire) Lancaster, NY	Laborer	\$7.90
Donald J. Hibbs (rehire) Lancaster, NY	Laborer	\$11.25
Zachary Kozlowski (rehire)	Laborer	\$7.25

Lancaster, NY		
Thomas Krickovich (rehire) Lancaster, NY	Laborer	\$7.25
Scott Lawniczak (rehire) Lancaster, NY	Laborer	\$8.40
Christopher Lommer (rehire) Lancaster, NY	Laborer	\$7.25
Joseph Lucarelli (rehire) Lancaster, NY	Laborer	\$7.25
Patrick Schunk (rehire) Lancaster, NY	Laborer	\$8.40
Kevin Schwach (rehire) Lancaster, NY	Laborer	\$7.25
John Suchy (rehire) Lancaster, NY	Laborer	\$7.25
Trevor Was (rehire) Lancaster, NY	Laborer	\$7.25

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 6, 2013

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

WHEREAS, the Town Board is considering the construction of an approximately 16,200 gross sq. ft. indoor baseball training facility (14,100 sq. ft. building footprint) at Westwood Park (SBL No.: 105.00-4-65), with an associated parking area and appropriate utilities and fixtures (the “Project”) located in Lancaster, New York, and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the construction request and recommended its approval at their meeting of May 6, 2013, and

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

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

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

NOW, THEREFORE,

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

1. The Project will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment.
2. The attached negative declaration, incorporated herein by reference, is issued and adopted for the reasons stated in the attached negative declaration.
3. This resolution is effective immediately.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED

COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 6, 2013

**NEGATIVE DECLARATION
Determination of Non-Significance**

Lead Agency: Town of Lancaster Town Board

Date: May 6, 2013

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

The Town of Lancaster Town Board (the "Town Board"), as lead agency, has reviewed the proposed project ("action") and determined that it will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Lancaster-Depew Baseball Complex.

Location of Project Site: Westwood Park, Lancaster, New York (SBL No.: 105.00-4-65).

SEQR Status: Unlisted Action.

Description of Action: The Town proposes to construct an approximately 16,200 gross sq. ft. indoor baseball training facility (14,100 sq. ft. building footprint) at Westwood Park (SBL No.: 105.00-4-65), with an associated parking area and appropriate utilities and fixtures (the "Project").

Reasons Supporting this Determination:

The Town Board has identified the relevant areas of environmental concern and has taken a hard look at each of the identified areas as required by the State Environmental Quality Review Act ("SEQRA"). The Town Board compared the proposed project ("action") with the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below in the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

(i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;

a. Traffic Impacts

The park is currently used by the public for recreational activities, including baseball and softball. The indoor facility allows the park to be used as a training facility during poor weather and in the off-season. To the extent the facility allows for use of the park during these additional periods, there will be an increase in traffic at the site. However, any such increase is deemed not to be significant. The Project includes the addition of approximately 56 parking spaces, which will be adequate for the facility.

There may be a very minor increase in truck and equipment traffic during construction. But any such impacts will be temporary and minor, and are deemed not to be significant. The use of Best Management Practices by the contractors will ensure that any such additional construction traffic will be mitigated to the maximum extent practicable.

b. Noise Impacts

Any noise impacts resulting from the facility's use will be minor and will not have a significant adverse impact on the environment. The noise levels will be consistent with the park's current use (recreation and baseball games/practice). Because activities will necessarily occur indoors, noise levels may actually decrease. Any construction noise impacts will be temporary, and will not be significant.

c. Air Quality Impacts

There may be minor impacts from any additional traffic at the site due to the proposed facility. However, those impacts are not deemed significant. However, there may be minor, temporary air quality impacts from construction activity (e.g., construction equipment and truck use, dust). These minor, temporary impacts will be mitigated to the maximum extent practicable using Best Management Practices, and are deemed not to be significant. Any air quality impacts from heating the facility will be minor and not significant.

d. Wetland Impacts

The proposed parking area will not impact any wetlands.

e. Erosion, Flooding and Drainage Impacts

The increase in impervious surfaces will only be approximately 0.9 acres. Stormwater will be directed to two dry detention ponds to attenuate the peak runoff. This will meet the Town's standard so that the 10-year post-construction discharge will not exceed the pre-development 100-year discharge. Stormwater management will comply with all applicable Federal, State, and local laws.

There may be minor short-term construction (grading mainly) impacts, but they will not be significant.

f. Solid Waste Production

There will be a minor increase in solid waste production as the result of the facility. The total of such waste amounts to approximately 400 lbs. per month. Existing refuse collection systems will be more than adequate to deal with this additional solid waste. This impact is deemed not to be significant. However, there may be construction and demolition debris resulting from the construction of the facility. But any such solid waste will not be significant and will be disposed of according to all applicable laws and regulations.

(ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;

The site currently consists of mowed grass. There will not be removal or destruction of large quantities of vegetation or fauna, nor will there be substantial interference with the movement of any resident or migratory fish or wildlife species. There will not be impacts on a significant habitat area, nor will there be substantial adverse impacts on a threatened or endangered species of animal or plant. Similarly, there will not be any impacts on the habitat of an endangered species, or any other significant adverse impacts to natural resources.

There will be removal of the mowed grass and wild vegetation in favor of impervious surfaces (parking lot, building). Some green space will be restored after construction, and landscaping will be implemented. This minor loss does not include any important habitat. The approximate project site is 0.9 acres, and removal of this grass is deemed not to be significant.

(iii) the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;

The Project Site is not located within or in close vicinity to a Critical Environmental Area as designated under 6 NYCRR § 617.14(g). Therefore, there will be no impairment of the environmental characteristics of a Critical Environmental Area.

(iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted;

Construction of the baseball complex is in conformance with the Town's current plans and goals. The facility will be constructed on municipal parkland, which is used by the community for recreational purposes. The facility will augment and enhance this use, and will allow the use of the park for baseball and softball year-round.

(v) the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;

The Project will not result in the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or existing community or neighborhood character. The construction of the facility in parkland will have an aesthetic impact, but it will not be significant, nor will it impair the public's ability to enjoy the parkland views. The facility has an approximately 14,100 square feet building footprint, but is only 25 feet in height. Any impact from construction of the facility is deemed not to be significant.

(vi) a major change in the use of either the quantity or type of energy;

There will be a minor increase in electricity and natural gas use at the site, consistent with a recreational building of its size. However, this increase is not deemed to be significant.

(vii) the creation of a hazard to human health;

There will be no such negative impacts.

(viii) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;

There will not be a substantial change in the use of agricultural land, open space, or recreational resources. The facility will be constructed on parkland, but it will augment and enhance the recreational use of the space. Baseball and softball activities can occur year-round. This change is not substantial, and is a net positive change.

(ix) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;

There may be additional people attracted to the new facility, and the facility will allow the park to be used year-round. However, any increase will be minor and not significant.

(x) the creation of a material demand for other actions that would result in one of the above consequences;

There will be no such impacts.

(xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or

There will be no such impacts.

(xii) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

There will be no such impacts.

For Further Information:

Contact Person: John Dudziak, Esq.

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

Telephone Number: (716) 683-9028

**NOTICE OF ADOPTION OF BOND RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM
AUTHORIZING THE CONSTRUCTION OF AN INDOOR
PRACTICE FACILITY IN THE TOWN'S WESTWOOD PARK**

Notice is hereby given that at its May 6, 2013 meeting the Town Board of the Town of Lancaster adopted a bond resolution authorizing a capital improvements project primarily consisting of the construction of an indoor practice facility in the Town's Westwood Park as substantially described in (but not limited to) an architect's report prepared for the Town by Premier Presentations, PLLC (the "Report"), such project to generally include the construction of an approximately 16,200 square foot building and the installation of an associated parking area, including all preliminary work and necessary equipment, materials and related site work and all preliminary costs and other improvements and costs incidental thereto, in an amount not to exceed \$1,700,000, said amount to be offset by any federal, state, county and/or local funds received. Such resolution is subject to permissive referendum pursuant to New York law.

BY ORDER OF THE TOWN BOARD OF
TOWN OF LANCASTER, ERIE COUNTY,
NEW YORK

1THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER RUFFINO WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

A BOND RESOLUTION, DATED MAY 6, 2013, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE "TOWN") AUTHORIZING THE CONSTRUCTION OF AN INDOOR PRACTICE FACILITY AND ASSOCIATED IMPROVEMENTS IN THE TOWN'S WESTWOOD PARK, AT AN ESTIMATED MAXIMUM COST OF \$1,700,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,700,000, 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, in the County of Erie, New York (the "Town") desires to undertake a capital improvements project primarily consisting of the construction of an indoor practice facility in the Town's Westwood Park.

NOW THEREFORE,

BE IT RESOLVED, by the Town Board of the Town (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 capital improvements project primarily consisting of the construction of an indoor practice facility in the Town's Westwood Park as substantially described in (but not limited to) an architect's report prepared for the Town by Premier Presentations, PLLC (the "Report"), such project to generally include the construction of an approximately 16,200 square foot building and the installation of an associated parking area, including all preliminary work and necessary equipment, materials and related site work and all preliminary costs and other improvements and costs incidental thereto (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$1,700,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate amount not to exceed \$1,700,000 of the Town, hereby authorized to be issued therefor 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 improvements is be paid by the levy and collection of taxes on all real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that the Purpose is an object or purpose described in subdivision 11 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is 30 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 such 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, 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, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of such notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 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 the sale of such bonds, and the renewals of such 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 Section 1 of this resolution. The Town then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). To the extent applicable, this resolution shall constitute the declaration of the Town's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. To the extent applicable, 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 to 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)(B)(i) of the Code.

SECTION 10. 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 11. The Town has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act (“SEQRA”), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under the State Environmental Quality Review Act is necessary.

SECTION 12. In the absence or unavailability of the Town Supervisor, the Deputy Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 13. 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 were authorized for an object or purpose for which the Town is not authorized to expend money, or
 - (b) if the provisions of the law which should be 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 twenty (20) days after the date of such publication of this notice, or
- 2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 14. This resolution is subject to permissive referendum pursuant to Section 35.00 of the Local Finance Law. The Town Clerk is hereby authorized and directed to publish (one time) and post on the sign-board of the Town, this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 15. If no petitions are filed in the referendum period, 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 the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

* * *

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 6, 2013

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

WHEREAS, a vacancy exists in the Office of Emergency Management of the Town of Lancaster for the position of Natural Disaster Services Coordinator, part-time, due to the retirement of Robert MacPeck on May 3, 2013.

WHEREAS, the Supervisor of the Town of Lancaster, by letter dated May 6, 2013, has requested the appointment of _____, Lancaster, New York to the position of Natural Disaster Services Coordinator, part-time, under the direct supervision of the Supervisor of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that _____, Lancaster, New York, be and is hereby appointed to the position of Natural Disaster Services Coordinator, part-time, under the direct supervision of the Supervisor, working not more than nineteen and three-quarter hours per week, and

BE IT FURTHER

RESOLVED, that _____ be compensated bi-weekly in the amount of \$704.38 in accordance with the 2013 budgeted appropriation of \$18,314.00 annually, and

BE IT FURTHER

RESOLVED, that this appointment be effective Tuesday, May 7, 2013, and

BE IT FURTHER

RESOLVED, that this being a part-time position, provides no health insurance, sick days, vacation, or other fringe benefits not specifically mandated for part-time employees, and

BE IT FURTHER

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

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 6, 2013

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

WHEREAS, the General Crew Chief of the Town of Lancaster, by letter dated May 1, 2013 has requested authorization to accept a proposal from Mr. William Snyder, Consulting Arborist, to perform an analysis of the trees located along Glendale and Parkdale Drive in the Town of Lancaster to assess the health of trees on these roadways.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute and accept on behalf of the Town of Lancaster the Proposal between the Town of Lancaster and William Snyder, Consulting Arborist, in order to provide a conditions report for each of the trees located along Glendale and Parkdale Drive, at a fee of ninety-five dollars (\$95.00) per hour not to exceed \$855.00.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 6, 2013

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

WHEREAS, the Town operates and maintains public parks and recreational programs for the benefit of the Town's residents, and

WHEREAS, the Lancaster Depew Baseball League, Inc., has served the Town's youth for many years by operating a little league program, and

WHEREAS, the Town and the Lancaster Depew Baseball League, Inc., have discussed entering into a partnership to further enhance the recreational programs available to Town residents through the construction and operation of an indoor baseball training facility at the Town's Westwood Park, and

WHEREAS, the Lancaster Depew Baseball League, Inc., through partnership agreement with the Town, will commit to providing financial and other support to the Town for the construction and operation of such a facility, and

WHEREAS, the Town and the Lancaster Depew Baseball League, Inc., have continued to refine the scope and cost of such a facility.

NOW THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to enter into a partnership agreement, in substantially the form presented and subject to the approval of the Town Attorney, between the Town of Lancaster and the Lancaster Depew Baseball League, Inc., for the construction and operation of an indoor baseball training facility at the Town's Westwood Park.

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

COUNCIL MEMBER ABRAHAM VOTED

COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 6, 2013

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

RESOLVED, that the Town Board of the Town of Lancaster hereby approves and authorizes the Supervisor to execute sponsorship agreements with (a) Russell J. Salvatore, (b) Basil Chevrolet, (c) Brown Chiari Law Firm and (d) Intense Milk, which are entered into in support of the construction and operation of an indoor baseball training facility at the Town's Westwood Park.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 6, 2013

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

WHEREAS, the William Town of Lancaster's Department of Parks and Recreation's General Crew Chief, Terrence McCracken, in a letter dated May 1, 2013 as advised the Town Board that the Parks and Recreation Department no longer has use for the following items:

Vehicles:

1991	Ford Van	Vin#1FDKF37H6MKA63372
1996	Ford Van	Vin# 1FTJS34G2THB13882
1991	Ford Ambulance	Vin# 1FDKE30M3MHA62090
1995	Chevy Tahoe	Vin# 1GNEK18K6SJ413816
2002	Chevy Pickup	Vin# 1GCHK24182E219239
1997	Dodge Pickup	Vin# 1B7MF3651VJ580042

All terrain vehicles:

1996	Polaris 4x4 Quad	Vin# 2924193
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Lawn Mowers: _____ QTY: _____

1997	Exmark Turf Ranger	(1)
1998	Exmark Turf Ranger	(2)
2002	Exmark Turf Ranger	(2)
1999	Toro 2 Master	(1)
2001	Toro 2 Master	(1)

Baseball Diamond Equipment:

1988	Smith Co. Field Conditioner
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Konica Minolta Copy Machines: _____ QTY: _____

Bizhub B-250	2
Bizhub B-350	3
Bizhub C-353	1

and has requested that the Town Board therefore deem these items to be surplus equipment and permit the General Crew Chief of the Parks and Recreation Department to offer these items at an online auction, and

WHEREAS, the Town Board has given due consideration to the request of the General Crew Chief of the Parks and Recreation Department and deems it in the public interest to declare the beforementioned items to be surplus equipment and permit placement of said items on an online auction;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby declares the beforementioned items to be surplus equipment and authorizes the General Crew Chief of the Parks and Recreation Department to place said items up for public bid at an online auction with Auctions International, 808 Borden Road, Buffalo, New York 14227 on May 13, 2013 with the funds received from auction to be made payable to the Town of Lancaster and delivered to the Town Supervisor's Office.

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

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 6, 2013

PUBLIC AUCTION
OF TOWN OWNED SURPLUS EQUIPMENT

Notice is hereby given that the Town Board of the Town of Lancaster has deemed the following equipment as surplus equipment:

Vehicles:

1991	Ford Van	Vin#1FDKF37H6MKA63372
1996	Ford Van	Vin# 1FT534G2THB13882
1991	Ford Ambulance	Vin# 1FDKE30M3MHA62090
1995	Chevy Tahoe	Vin# 1GNEK18K65J413816
2002	Chevy Pickup	Vin# 1GCHK24182E219239
1997	Dodge Pickup	Vin# 1B7MF3651VJ580042

All terrain vehicles:

1996	Polaris 4x4 Quad	Vin# 2924193
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Lawn Mowers: QTY

1997	Exmark Turf Ranger	(1)
1998	Exmark Turf Ranger	(2)
2002	Exmark Turf Ranger	(2)
1999	Toro 2 Master	(1)
2001	Toro 2 Master	(1)

Baseball Diamond Equipment:

1988	Smith Co. Field Conditioner
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Konica Minolta Copy Machines: QTY:

Bizhub B-250	2
Bizhub B-350	3
Bizhub C-353	1

This surplus equipment and will be auctioned at an online auction with Auctions International, 808 Borden Road, Buffalo, New York 14227 on May 13, 2013

Successful bidders must provide a payment of 100% of the bid price offered payable to the Town of Lancaster prior to taking possession of the equipment.

The surplus equipment may be inspected at the Town of Lancaster's Department of Parks and Recreation, 525 Pavement Road, Lancaster, New York by

contacting the General Crew Chief, Terrence McCracken at 684-3320 to make an appointment.

TOWN BOARD
TOWN OF TOWN OF LANCASTER

By: JOHANNA M. COLEMAN
TOWN CLERK

May 6, 2013