

**PRESENTATION OF PREFILED RESOLUTIONS:**

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

**RESOLVED**, that the minutes of the Joint Meeting of the Town Board and the Planning Board held September 6, 2016 and the Regular Meeting of the Town Board held September 6, 2016 be and are hereby approved.

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

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

September 19, 2016

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

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

Claim No. 45712 to Claim No. 45868 Inclusive

Total amount hereby authorized to be paid: \$636,631.96

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

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

September 19, 2016

File: Rclaims

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

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

**CODES:**

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

**NEW PERMITS:**

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
25804		Sahlems Roofing & Siding Inc.	530 Harris Hill Rd	Re-Roof	
25805		PM Peppermint Inc.	31 Peppermint Rd	Er. Comm. Add./Alt.	
25806		Robert Wolfe	5252 William St	Er. Fence	
25807		Mark & Christine Drews	546 Harris Hill Rd	Er. Shed	
25808		Roger & Amy Buchholz	295 Enchanted Forest N	Inst. Generator	
25809		Joseph & Marybeth Mills	127 Aurora St	Er. Garage	(V/L)
25810		Kevin Harman, Sr.	145 Hinchey Ave	Er. Shed	(V/L)
25811		Marrano/Marc Equity Corp.	2 Cherryfield Ln	Er. Dwlg-Sin.	
25812		Marrano/Marc Equity Corp.	46 Denton Dr	Er. Townhouses	
25813		Marrano/Marc Equity Corp.	48 Denton Dr	Er. Townhouses	
25814		Marrano/Marc Equity Corp.	50 Denton Dr	Er. Townhouses	
25815		Marrano/Marc Equity Corp.	52 Denton Dr	Er. Townhouses	
25816		Marrano/Marc Equity Corp.	54 Denton Dr	Er. Townhouses	
25817		Bartons & Sons Construction	6 Lucia Ct	Er. Res. Add.	
25818		Marrano/Marc Equity Corp.	56 Denton Dr	Er. Townhouses	
25819		Majestic Pools Inc.	15 Sterling Pl	Er. Pool-In Grnd	
25820		Majestic Pools Inc.	15 Sterling Pl	Er. Fence	
25821		Joseph Sobaszek	54 Trentwood Trl N	Re-Roof	
25822		Majestic Pools Inc.	52 Cedar Brook Dr	Er. Pool-In Grnd	
25823		Majestic Pools Inc.	52 Cedar Brook Dr	Er. Fence	
25824		Deborah J. Murawski	70 Wilma Dr	Dem. Bldg	(V/L)
25825		JHT Construction Inc.	3728 Bowen Rd	Re-Roof	
25826		Picket Fence & Exteriors Inc.	104 Woodlawn Ave	Er. Fence	(V/L)
25827		Chris T. Brunea	0 Harris Hill Rd	Er. Fence	
25828		Glenn & Laura Lista	505 Pleasant View Dr	Er. Fence	
25829		H & H Construction	14 Woodlawn Ave	Re-Roof	(V/L)
25830		Paul & Luann Crawford	5 Hemlock Ln	Er. Shed	
25831		Brownstone Builders	2 Blackstone Ct	Er. Res. Alt.	
25832		Brownstone Builders	2 Blackstone Ct	Er. Deck	
25833		Edward Krier, Jr.	615 Lake Ave	Er. Fence	
25834		Gerald Lewis DBA Castle Home	2000 Como Park Blvd	Re-Roof	(V/L)
25835		Eric M. Caprilla	1 Deerpath Dr	Er. Fence	
25836		Joseph L. Maggio	1 Deerpath Dr	Er. Pool-In Grnd	
25837		Leo M. Cudney Construction	135 Norris Ave	Re-Roof	(V/L)
25838		Aaron & Jennifer Geib	3640 Walden Ave	Er. Fence	
25839		Ryan Homes - NVR	700 Pleasant View Dr	Er. Dwlg.-Sin.	
25840		Jonathan E. Piersa	30 Erie St	Er. Res. Add.	(V/L)
25841		Bruce & Nicole Stutz	1 Jonquille Ct	Er. Shed	
25842		Q&M Contracting Inc.	1 Jonquille Ct	Er. Porch	
25843		Q&M Contracting Inc.	1 Jonquille Ct	Er. Deck	
25844		Harrison T. Barnes	81 Woodlawn Ave	Er. Fence	(V/L)
25845		Louis A. Becht	450 Pleasant View Dr	Er. Shed	
25846		US Bank National Assoc.	40 Kurtz Ave	Re-Roof	(V/L)
25847		Bonnie S. Barrey	18 Church St	Re-Roof	(V/L)
25848		Charles & DiAnne Snyder	28 Windcroft Ln	Er. Fence	
25849		Bill Bruton	509 Pleasant View Dr	Er. Fence	
25850		NOCO Express Properties LLC	3620 Walden Ave	Er. Res. Add.	
25851		Richard Nasca	398 Seneca Pl	Er. Fence	
25852		J-Cap Contractors LLC	4 Field Ave	Re-Roof	(V/L)
25853		Besroi Construction	19 Inwood Pl	Re-Roof	(V/L)
25854		Deborah J. Murawski	70 Wilma Dr	Er. Res. Add.	(V/L)
25855		Sun Enterprises Inc.	44 Middlebury Ln	Er. Shed	

25856	Scott & Kim Surovich	16 Middlebury Ln	Er. Shed	
25857	RJF Development JV	4 Darien Ct	Er. Dwlg.-Sin.	
25858	RFJ Development JV	6 Darien Ct	Er. Dwlg.-Sin.	
25859	Village of Lancaster Comm Dev.	11W Main St	Er. Comm. Add./Alt	(V/L)
25860	Premier Fence Inc.	20 Magrum Ln	Er. Fence	
25861	Sturdi Built Sheds LLC	20 Magrum Ln	Er. Shed	
25862	5007 Transit Road LLC	5007 Transit Rd	Er. Sign - Temp	
25863	C.Kelkenberg Construction Inc.	220 Schwartz Rd	Er. Garage	
25864	Paul Gustas	12 Lombardy St	Dem. Bldg	(V/L)
25865	Scott & Kim Surovich	16 Middlebury Ln	Er. Fence	
25866	Jay R. Welsted	51 Avian Way	Er. Res. Alt.	
25867	Swimco Manufacturing Inc.	18 Branch Way	Er. Pool-In Grnd	
25868	Swimco Manufacturing Inc.	18 Branch Way	Er. Fence	
25869	Swimco Manufacturing Inc.	2 Summerfield Dr	Er. Pool-In Grnd	
25870	Swimco Manufacturing Inc.	29 Sterling Pl	Er. Pool-In Grnd	
25871	Swimco Manufacturing Inc.	29 Sterling Pl	Er. Fence	
25872	Marc Beebe	105 Peppermint Rd	Er-Porch	
25873	Thomas Fitzpatrick	684 Ransom Rd	Dem. Bldg	
25874	Charles & DiAnne Snyder	28 Windcroft Ln	Er. Pool-In Grnd	
25875	Donald & Mary Curley	396 Seneca Pl	Er. Fence	
25876	Michele Philomena Schultz	23 Tranquility Trl	Er. Res. Alt.	
25877	Joe Titus	41 Middlebury Ln	Er. Fence	
25878	Stanley & Colleen Kopacz	65 Tomahawk Trl	Er. Shed	
25879	Donna Scheuerle	315 Lake Ave	Re-Roof	(V/L)
25880	Shed Express	64 Nichter Rd	Er-Shed	

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

**BE IT FURTHER**

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

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

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

September 19, 2016

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

**WHEREAS**, the Town of Lancaster intends to apply for Federal Community Development Funds, known as Community Development Block Grant Funds, for the year 2017-2018 and must identify eligible projects which would benefit low to moderate income persons within the Town, and

**WHEREAS**, the Town Board of the Town of Lancaster deems it in the public interest to hold a Public Hearing to provide an opportunity for citizens to express community development and housing needs and to discuss proposals to meet those needs to assist the Town Board in the development of the Town's application for Community Development Block Grant funds;

**NOW, THEREFORE**

**BE IT RESOLVED**, that a Public Hearing, to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate income persons in the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York on the 3<sup>rd</sup> day of October, 2016 at 7:15 o'clock P.M. Local Time, and the Notice of the Time and Place of such Hearing be published in the Lancaster Bee, a local newspaper of general circulation in said Town and be on the Town Bulletin Board, which Notice shall be in form attached hereto and made a part hereof.

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

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

September 19, 2016

**LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to a resolution of the Town Board of the Town of Lancaster adopted on September 19, 2016 a Public Hearing will be held on the 3<sup>rd</sup> day of October, 2016 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons regarding the use of Federal Community Development funds in the Town of Lancaster.

The Town of Lancaster is eligible for a Federal Community Development grant under Title I of the Housing and Community Development Act of 1974, as amended.

The purpose of the hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate income persons in the Town of Lancaster.

Citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Lancaster's selection of potential projects to be submitted for possible funding by the Federal Community Development Grant Program.

The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities. The meeting room is wheelchair accessible. Those needing special arrangements should call the Town at (716) 683-9028 by September 26, 2016.

**TOWN BOARD OF THE TOWN  
OF LANCASTER**

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

**September 22, 2016**

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

**WHEREAS**, Town of Lancaster's Park Crew Chief, Mark Lubera, of the Department of Parks, Recreation and Forestry of the Town of Lancaster by letter dated August 30, 2016 has requested the purchase of **one (1) new 96" Snow V-Blade (Item # 6958578)** for use by the Parks, Recreation and Forestry Department, and

**WHEREAS**, the above-referenced Snow V-Blade is available from the New York State Bid Contract No. PC67141, Award PGB #22792, Group 40625, Heavy Equipment, through authorized dealer Bobcat of Buffalo, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

**WHEREAS**, the Town Board deems it in the public interest to approve the purchase of one (1) new 96" Snow V-Blade;

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

The Town Board of the Town of Lancaster hereby approves the purchase of **one (1) new 96" Snow V-Blade (Item # 6958578)** from the 2016 authorized New York State Dealer Bobcat of Buffalo, 6511 South Transit Road, Lockport, New York under New York State Bid Contract No. NY PC67141, Award PGB #22792, Group 40625-Heavy Equipment as proposed by Park Crew Chief, Mark Lubera for an amount not to exceed the state contract price of \$3,306.00; this sum will be paid from the Parks, Recreation and Forestry Department's May 18, 2015 Vehicle and Equipment Acquisition Bond.

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

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

September 19, 2016

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

**WHEREAS**, the Executive Director of the Youth Bureau by letter dated September 1, 2016 recommends that the Town of Lancaster continue to participate in the collaborative effort with Lancaster Central School District by providing 50% of the annual compensation and 50% of the annual cost of health insurance coverage for the Program Coordinator for the jointly funded Family Support Center within the Lancaster Central School District, and

**WHEREAS**, the annual compensation cost is approximately \$52,182.00; and the annual health insurance cost is approximately \$17,735.48, and

**WHEREAS**, the Board deems it in the public's interest to provide 50% of the annual compensation cost and annual health insurance cost to the District to ensure this service is maintained for the community.

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

That the Supervisor of the Town of Lancaster is hereby authorized to enter into an Agreement with the Lancaster Central School District for the purpose of providing a Coordinator for the Family Support Center for the period of September 1, 2016 to June 30, 2017 with the Town paying 50% of the annual compensation (\$26, 091.00) and 50% of the annual health insurance (\$8,867.74) for a total contribution of \$34,958.74 for the jointly funded Program Coordinator to the Lancaster Central School District, to paid with funds from budget line A4320.411 Youth-At-Risk Programs.

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

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

September 19, 2016



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

**WHEREAS**, the Executive Director of the Youth Bureau by letter dated September 1, 2016 recommends that the Town of Lancaster continue to participate in the collaborative effort with Lancaster Central School District by providing 50% of the annual compensation and 50% of the annual cost of health insurance coverage for the Social Worker for the jointly funded Social Work Program within the Lancaster Central School District, and

**WHEREAS**, the annual compensation cost is approximately \$50,200.00; and the annual health insurance cost is approximately \$11,655.46, and

**WHEREAS**, the Board deems it in the public's interest to provide 50% of the annual compensation cost and annual health insurance cost to the District to ensure this service is maintained for the community.

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

That the Supervisor of the Town of Lancaster is hereby authorized to enter into an Agreement with the Lancaster Central School District for the purpose of providing a Social Worker for the Social Work Program the period of August 31, 2016 to June 30, 2017 with the Town paying 50% of the annual compensation (\$25,100.00) and 50% of the annual health insurance (\$5,827.73) for a total contribution of \$30,927.73 for the joint funding of the Social Worker to the Lancaster Central School District, to paid with funds from budget line A4240.411 School Social Worker/Counselor.

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

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

September 19, 2016

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

**WHEREAS**, the Town Board is considering the construction of a new 4,800 ± sq. ft. a single story metal building with three bays for truck repairs and a small office for miscellaneous business activities by Autowave, Inc., to be located at 1035 Ransom Road in the Town of Lancaster, and

**WHEREAS**, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on September 6, 2016 and recommended that a Negative Declaration be issued, and

**WHEREAS**, the Town Board has duly considered the plans for the building, the short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the 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. This project described as an applicant seeking necessary approvals and/or permits to develop and construct a 4,800 ± sq. ft. a single story metal building with three bays for truck repairs and a small office for miscellaneous business activities located on 2.08± acres located at 1035 Ransom Road in the Town of Lancaster, NY. The proposed development will also include 36,400 square feet to be used for a stone parking area. The proposed project (“action”) includes all discretionary approvals and/or permits from the Town of Lancaster and involved agencies. will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

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

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

**NEGATIVE DECLARATION**  
**Determination of Non-Significance**

**Town of Lancaster Town Board**

**Dated: September 19, 2016**

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"), has reviewed the proposed construction of a 4,800 ± sq. ft. a single story metal building with three bays for truck repairs and a small office for miscellaneous business activities by Autowave, Inc., to be located at 1035 Ransom Road. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** New Truck Repair Center

**Location of Action:** 1035 Ransom Road, Lancaster, New York 14086, Erie County.

**SEQR Status:** Unlisted Action.

**Description of Action:** Applicant seeking necessary approvals and/or permits to develop and construct a 4,800 ± sq. ft. a single story metal building with three bays for truck repairs, a small office for miscellaneous business activities. Approximately 36,400 square feet will be used for stone parking area. The original topography will be minimally altered. New drainage will direct storm water to front ditch on 2.08 ± acres.

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

1. The proposed action will not create a material conflict with an adopted land use plan or zoning regulations.
2. The proposed action will not result in a change in the use or intensity of use of land.
3. The proposed action will not impair the character or quality of the existing community.
4. The Town of Lancaster has not established a Critical Environmental Area (CEA).
5. The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.
6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.
7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.
8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.

9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).
10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.
11. The proposed action will not create a hazard to environmental resources or human health.

**For Further Information:**

Contact Person: Kevin E. Loftus, Town Attorney

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

Telephone Number: (716) 684-3342

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

**WHEREAS**, §1660 (18) Vehicle and Traffic Law of the State of New York authorizes the Town to restrict and prohibit the parking of vehicles on all roads within the Town except State Highways, and

**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 proposed amendments to the Vehicle and Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 3<sup>rd</sup> day of October, 2016, at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published in the Lancaster Bee newspaper, 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 ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

September 19, 2016

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

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 19<sup>th</sup> day of September, 2016, the said Town Board will hold a Public Hearing on the 3<sup>rd</sup> day of October, 2016 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments 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 X – Parking, Standing, and Stopping**

**46-14.** Parking time limited in designated locations; is hereby amended by adding thereto the following:

**D. The parking of a vehicle is hereby prohibited in the following locations between the hours of 6:00 a.m. and 5:00 p.m. on school days:**

**(1) Hidden Pines Subdivision**

**(a) On both sides of Silent Meadow Lane from lot number 19 to the dead end.**

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**

September 22, 2016

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

**WHEREAS**, the Assessor of the Town of Lancaster has recommended to the Town Board the reappointment of Joyce Molino as a member of the Town of Lancaster Assessment Review Board.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Joyce Molino, Lancaster, New York be and is hereby appointed a member of the Town of Lancaster Assessment Review Board for the term of October 1, 2016 through September 30, 2021.

**BE IT FURTHER,**

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

**BE IT FURTHER,**

**RESOLVED**, that according to Section 523 of the Real Property Tax Law, the Clerk shall notify the Erie County Director of Real Property Services within twenty (20) days of this appointment.

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

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

September 19, 2016

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

**WHEREAS**, the Supervising Code Enforcement Officer, Matthew Fischione, has received information that the building located at 29 Hess Place in the Town of Lancaster, has become dangerous, unfit and unsafe to the general public; and

**WHEREAS**, said building has been inspected and a written report of the condition has been completed by the Supervising Code Enforcement Officer for the Town of Lancaster, setting forth his findings and recommendations in regard to the repair or demolition and removal of the building, and said written report describes extensive deterioration and damage to the building and premises and recommends that the building be demolished and removed as it has become a safety and health problem; and

**WHEREAS**, the Supervising Code Enforcement Officer posted a thirty (30) day notice to remedy on said property on July 28, 2016; and

**WHEREAS**, pursuant to Town Code §44-1C repair or removal of said building shall commence within a period of thirty (30) days from the date of said notice; and

**WHEREAS**, the Town Board has fully considered such written report and has determined that the building is dangerous and unsafe to the general public and unfit for the purpose for which it may lawfully be used; and

**WHEREAS**, a public hearing was held by the Town Board of the Town of Lancaster on September 6, 2016 to elicit from the owner and/or public comments relative to the repair or demolition and removal of said building; and

**WHEREAS**, due process was completed to locate any interested persons.

**NOW THEREFORE**

**BE IT RESOLVED**, that pursuant to the Town of Lancaster Code, specifically §44-4 the said property located at 29 Hess Place (SBL No. 104.07-6-29.1) in the Town of Lancaster shall be removed and the cost attributed to that removal shall be attached to said property and/or tax roll.

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

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

September 19, 2016



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

**WHEREAS, Igor Los** has submitted a site plan prepared by Tommaso Briatico Architects, dated July 2, 2016 and received July 19, 2016, for the proposed construction of a 4,800 +/- sq. ft. single story metal building by Autowave, Inc. for the operation of a truck repair facility and small business office to be located at 1035 Ransom Road, in the Town of Lancaster, and

**WHEREAS,** the site plan for this project was submitted to the Planning Board and was approved at their August 3, 2016 meeting, and

**WHEREAS,** the Town, acting as lead agency has completed an environmental review on September 6, 2016, in conformance with SEQR (State Environmental Quality Review) regulations and on September 19, 2016 a Negative Declaration was issued;

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster hereby approves the site plan submitted by **Igor Los** prepared by Tommaso Briatico Architects, dated July 2, 2016 and received July 19, 2016, for the proposed construction of a 4,800 +/- sq. ft. single story metal building by Autowave, Inc. for the operation of a truck repair facility and small business office to be located at 1035 Ransom Road in the Town of Lancaster with the following condition:

- Approval by the Erie County Department of Public Works of the road cut and drainage discharge plan.

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

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

September 19, 2016

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

**WHEREAS**, Daniel Amatura, Highway Superintendent of the Town of Lancaster, by letter dated September 9, 2016 has requested the purchase of **one (1) new and unused 2016 Caterpillar AP-500F Rubber Tired Asphalt Paver** for the use of the Highway Department, and

**WHEREAS**, this loader is available under New York State Bid Contract PC66988, NJPA Contract 032515-CAT Award No. 22792, from authorized State reseller Milton Cat, for a cost of \$347,445.00, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

**WHEREAS**, the Highway Department will receive a trade-in allowance for their 1996 Barber Greene BG210B/SN 9XJ00216 (2770 hours) in the amount of \$22,500.00 which will bring the total expenditure for the new loader to \$324,945.00.

**WHEREAS**, the Town Board deems it in the public interest to approve the purchase of the **2016 Caterpillar AP-500F Rubber Tired Asphalt Paver** from Milton Cat;

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of **one (1) new and unused 2016 Caterpillar AP-500F Rubber Tired Asphalt Paver** from the 2016 authorized state reseller Milton Cat, 4610 Saile Drive, Batavia, New York 14020 under State Bid Contract PC66988, NJPA Contract 032515-CAT Award No. 22792, as proposed by the Superintendent of Highways of the Town of Lancaster in the sum not to exceed \$324,945.00 which sum shall be paid with funds from the Bond authorized on May 2, 2016 for Highway Equipment.

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

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

September 19, 2016

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

**WHEREAS**, grant funds in the amount of \$10,000 are available via New York State Senator Patrick Gallivan through the New York State Division of Criminal Justice Services for the purchase of a License Plate Reader, and

**WHEREAS**, the Town Police Department is in need of a new License Plate Reader to help identify vehicles and drivers that should not be on the roads and detract from the safe travels of law abiding citizens;

**NOW THEREFORE BE IT**

**RESOLVED**, that the Supervisor and Chief of Police be and hereby are authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

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

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

September 19, 2016

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

**WHEREAS**, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated September 13, 2016 has recommended the appointment of the following individual(s) to the following part-time permanent position(s).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individual(s) are hereby appointed to the following part-time permanent position(s) in the Parks, Recreation and Forestry Department, working not more than nineteen and three-quarter hours per week, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time permanent employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Kirstin Heffler (rehire) Lancaster, NY	Lifeguard	\$13.00	September 20, 2016
Josette Franzone (rehire) Lancaster, NY	Lifeguard	\$10.00	September 20, 2016
Corinne Glauber (rehire) East Aurora, NY	Lifeguard	\$12.00	September 20, 2016
Berkeley Kozuch (rehire) Depew, NY	Lifeguard	\$10.00	September 20, 2016
Alexis Petit (rehire) Lancaster, NY	Lifeguard	\$10.00	September 20, 2016
Erin Sullivan (rehire) Depew, NY	Lifeguard	\$10.00	September 20, 2016
Robert Wilkowski (rehire) Lancaster, NY	Lifeguard	\$10.00	September 20, 2016
Connor Blizzard (rehire) Lancaster, NY	Lifeguard	\$12.00	September 20, 2016
Brianna Bartholomew (rehire) Depew, NY	Lifeguard	\$10.00	September 20, 2016
Jordon Chaves (rehire) Elma, NY	Lifeguard	\$11.00	September 20, 2016
Madeline Kamats (rehire) Lancaster, NY	Lifeguard	\$10.00	September 20, 2016
Braden Kwasniewski (rehire) Lancaster, NY	Lifeguard	\$10.00	September 20, 2016
Olivia Prusaczyk (rehire) Lancaster, NY	Lifeguard	\$10.00	September 20, 2016

Dana Santasiero (rehire) Lancaster, NY	Lifeguard	\$10.00	September 20, 2016
Meagan Streck (rehire) Lancaster, NY	Lifeguard	\$10.00	September 20, 2016
Erin Weigand (rehire) Lancaster, NY	Lifeguard	\$12.00	September 20, 2016
Samantha Wozniak (rehire) Lancaster, NY	Lifeguard	\$10.00	September 20, 2016
Nicholas Smith (new hire) Depew, NY	Recreation Attendant	\$9.00	November 5, 2016

**BE IT FURTHER,**

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

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

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

September 19, 2016

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

**WHEREAS**, Mark Lubera, Park Crew Chief of the Parks Recreation & Forestry Department of the Town of Lancaster, has requested that the fencing be replaced around the wading pool and on Vandenberg Street at Keysa Park, within the Town of Lancaster, and

**WHEREAS**, Mark Lubera, Park Crew Chief of the Parks Recreation & Forestry Department, has obtained three price quotes for replacing the fencing in accordance with the Town of Lancaster's Procurement Policy, and

**WHEREAS**, by letter dated September 14, 2016, Mark Lubera, has recommended that the Town of Lancaster award the contract for replacing the fencing around the wading pool and on Vandenberg Street at Keysa Park to Armor Fence Company of WNY, Inc., P.O. Box 745, Orchard Park, New York 14127, in the amount of \$11,529.00, per their quote dated June 16, 2016, and

**WHEREAS**, funding for the roofing and fencing improvements is available, from the Town's Recreation Filing fees.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to award the contract for replacing the fencing around the wading pool and on Vandenberg Street at Keysa Park to Armor Fence Company of WNY, Inc., P.O. Box 745, Orchard Park, New York 14127, in accordance with their quote dated June 16, 2016 in the amount not to exceed \$11,529.00 and to be paid for with funds available from the Town's Recreation Filing fees.

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

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

September 19, 2016

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

**WHEREAS**, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated September 15, 2016, has recommended the appointment of the following individual(s) to the following part-time temporary position(s).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individual(s) are hereby appointed to the following part-time temporary position(s) in the Parks, Recreation and Forestry Department, working not more than nineteen hours per week, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Kevin Kelleher through	Recreation Director	\$18.00	October 3, 2016  December 31, 2016

**BE IT FURTHER,**

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

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

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

September 19, 2016

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

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

**WHEREAS**, New York State General Municipal Law Section 103(1) allows the Town to authorize, by local law, the award of certain purchase contracts, including contracts for service work subject to competitive bidding General Municipal Law Section 103 on the basis of either lowest responsible bidder or “best value” as defined in Section 163 of New York State Finance Law or any State law superseding or amending said Provision,, and

**WHEREAS**, before resorting to the Best Value option, the Town is required first to authorize the use of the Best Value award by Local Law, and

**WHEREAS**, the Attorney for the Town has prepared a proposed Local Law which, if adopted, would permit the Town to make awards of purchase contracts, including contracts for service work subject to competitive bidding under Municipal Law Section 103, on the basis of either lowest responsible bidder or best value as defined in Section 163 of the New York Finance Law or any State law amending or superseding said provisions, and

**WHEREAS**, the Town Board has reviewed and modified the proposed Local Law and the Town of Lancaster believes it is in the public interest to consider creating in part Chapter 6, PROCUREMENT. ARTICLE I. BEST VALUE CONTRACTS. by enacting a Local Law of the year 2016 which reads as follows:

A LOCAL LAW OF THE YEAR 2016 which will amend the Town code of the Town of Lancaster by enacting CHAPTER 6. PROCUREMENT. ARTICLE I. BEST VALUE CONTRACTS. to the Code of the Town of Lancaster.

## **Chapter 6 – Procurement.**

### **Article I. Best Value Contracts.**

#### **§6-1. Legislative Intent.**

New York State General Municipal Law §103(1) allows the Town to authorize, by Local Law, the award of certain purchase contracts, including contracts for service work subject to competitive bidding and/or competitive request for proposals under General Municipal Law §103 on the basis of either lowest responsible bidder or “best value” as defined in §163 of the New York State Finance Law. The “best value” option may be used, for example, if it is more cost efficient over time to award the good or service to other than the lowest responsible bidder or offerer if factors such as lower cost of maintenance, durability, higher quality and longer product life can be documented.

#### **§6-2. Award Based on Low Bid or Best Value Procurement.**

The Town Board may award purchase and service contracts pursuant to competitive bidding and/or competitive request for proposals under General Municipal Law §103 on the basis of either lowest responsible bidder or “best value”, as the term is defined in New York State Finance Law §163. All awards based on lowest bidder or best value shall require Town Board approval.

#### **§6-3. Applicability.**

The provisions of this chapter apply to Town purchase contracts involving an expenditure of more than \$20,000.00 and Town contracts for services involving an expenditure of more than \$35,000.00 but excludes purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the State Labor Law and any other contract that may in the future be excluded under the state law from the best value option. If the dollar thresholds of General Municipal Law §103 are increased or decreased in the future by the State Legislature, the dollar thresholds set forth herein shall be deemed simultaneously amended to match the new General Municipal Law thresholds.



**§6-4. Standards for Best Value.**

Goods and services procured and awarded on the basis of best value are those that the Town Board determines optimizes quality, cost and efficiency among responsive and responsible bidder or offerer. The determination shall be based on an objective analysis of clearly described and documented criteria as they apply to the rating of bids of offers. Where possible, such determination shall also be based upon and include a quantifiable analysis of the same. The criteria may include, but shall not be limited to, any or all of the following: cost of maintenance, proximity to the end use if distance or response time is a significant term; durability; availability or replacement parts or maintenance contractors; and longer product life; product performance criteria; and quality of craftsmanship.

**§6-5. Basis for Determination.**

Whenever any contract is awarded on the basis of best value instead of lowest responsible bidder, the basis for determining best value shall be thoroughly and accurately documented.

**§6-6. Severability.**

If any section, paragraph, clause, phrase or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgement made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

**§6-7 Effective Date.**

This local law shall take effect immediately upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

**WHEREAS**, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required on the proposed Local Law;

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

1. A public hearing for the proposed Local Law is hereby set for the 3<sup>rd</sup> day of October, 2016 at 7:15 o'clock P.M.
2. The Town Clerk is directed to provide notice of the public hearing as required by law.
3. This resolution is effective immediately.

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

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

September 19, 2016

**LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted September 19, 2016, the said Town Board will hold a Public Hearing on the 3<sup>rd</sup> day of October, 2016 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons for the purposes of considering and possibly adopting a Local Law of the year 2016 which enacts Chapter 6. Procurement. Article I. Best Value Contracts. to the Town of Lancaster Code. Copies of the proposed Local Law of the year 2016 are available at the office of the Town Clerk for inspection at Town Hall at its address listed above, between the hours of 9:00 A.M. and 4:00 P.M.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

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

**September 22, 2016**

**Town of Lancaster**  
**Local Law No. \_\_\_ of 2016**

**A Local Law Amending the Town of Lancaster Code to Enact Chapter 6. Procurement. Article I. Best Value Contracts.**

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

**Section 1:** Chapter 6. Procurement. Article I. Best Value Contracts.is hereby added to the Town of Lancaster Town Code to read in its entirety as follows:

**Chapter 6 – Procurement.**

**Article I. Best Value Contracts.**

**§6-1. Legislative Intent.**

New York State General Municipal Law §103(1) allows the Town to authorize, by Local Law, the award of certain purchase contracts, including contracts for service work subject to competitive bidding and/or competitive request for proposals under General Municipal Law §103 on the basis of either lowest responsible bidder or “best value” as defined in §163 of the New York State Finance Law. The “best value” option may be used, for example, if it is more cost efficient over time to award the good or service to other than the lowest responsible bidder or offerer if factors such as lower cost of maintenance, durability, higher quality and longer product life can be documented.

**§6-2. Award Based on Low Bid or Best Value Procurement.**

The Town Board may award purchase and service contracts pursuant to competitive bidding and/or competitive request for proposals under General Municipal Law §103 on the basis of either lowest responsible bidder or “best value”, as the term is defined in New York State Finance Law §163. All awards based on lowest bidder or best value shall require Town Board approval.

**§6-3. Applicability.**

The provisions of this chapter apply to Town purchase contracts involving an expenditure of more than \$20,000.00 and Town contracts for services involving an expenditure of more than \$35,000.00 but excludes purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the State Labor Law and any other contract that may in the future be excluded under the state law from the best value option. If the dollar thresholds of General Municipal Law §103 are increased or decreased in the future by the State Legislature, the dollar thresholds set forth herein shall be deemed simultaneously amended to match the new General Municipal Law thresholds.

**§6-4. Standards for Best Value.**

Goods and services procured and awarded on the basis of best value are those that the Town Board determines optimizes quality, cost and efficiency among responsive and responsible bidder or offerer. The determination shall be based on an objective analysis of clearly described and documented criteria as they apply to the rating of bids of offers. Where possible, such determination shall also be based upon and include a quantifiable analysis of the same. The criteria may include, but shall not be limited to, any or all of the following: cost of maintenance, proximity to the end use if distance or response time is a significant term; durability; availability or replacement parts or maintenance contractors; and longer product life; product performance criteria; and quality of craftsmanship.

**§6-5. Basis for Determination.**

Whenever any contract is awarded on the basis of best value instead of lowest responsible bidder, the basis for determining best value shall be thoroughly and accurately documented.

**§6-6. Severability.**

**If any section, paragraph, clause, phrase or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgement made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.**

**§6-7 Effective Date.**

**This local law shall take effect immediately upon filing with the Secretary of State pursuant to Municipal Home Rule Law.**

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

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

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

**WHEREAS**, On November 16, 2015, the Town Board approved the purchase of two (2) 2016 ODB Truck Mounted Vacuum Debris Collectors (model SCL800SM-25) from Old Dominion Brush Co., Inc., 5118 Glen Alden Drive, Richmond, VA 23231, at a cost of \$339,814.10 for use by the Town of Lancaster's Highway Department, and

**WHEREAS**, due to an administrative error in the procurement process the wrong vender supplying the debris collectors and the wrong model year of the debris collectors were provided, and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the resolution adopted November 16, 2015, approving the purchase of two (2) 2016 ODB Truck Mounted Vacuum Debris Collectors (model SCL800SM-25) from Old Dominion Brush Co., Inc., 5118 Glen Alden Drive, Richmond, VA 23231, at a cost of \$339,814.10 is hereby rescinded.

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

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

September 19, 2016

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

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

**WHEREAS**, on June 24, 2011 the New York State Legislature enacted Chapter 97 of the NYS Laws of 2011, hereinafter referred to as the “General Municipal Law §3-c”, and

**WHEREAS**, General Municipal Law §3-c expressly authorizes local governments to override the tax levy limit by the adoption of a Local Law approved by a vote of at least sixty percent (60%) of the total voting power of the governing body (in this case, the “Lancaster Town Board”), and

**WHEREAS**, the Attorney for the Town has prepared a proposed Local Law to Override the Tax Levy Limit established in General Municipal Law §3-c, and

**WHEREAS**, the Town Board has reviewed and modified the proposed Local Law and the Town of Lancaster believes it is in the public interest to consider amending in part Chapter 40, TAXATION, by enacting a Local Law of the year 2016 which reads as follows:

A LOCAL LAW OF THE YEAR 2016 which will amend the town code of the town of Lancaster by enacting a new ARTICLE VII. TAX LEVY LIMIT OVERRIDE to Chapter 40. Taxation of the Code of the Town of Lancaster.

Chapter 40– Taxation.

Article VII. Tax Levy Limit Override.

§40-35. Legislative Intent.

It is the intent of this local law to allow the Town of Lancaster to adopt a budget for the fiscal year commencing January 1, 2017 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

§40-36. Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

§40-37. Tax Levy Limit Override.

The Town Board of the Town of Lancaster, County of Erie, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2017 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

§40-38. Severability.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgement shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

§40-39. Effective Date.

This local law shall take effect immediately upon filing and publication as required by law.

**WHEREAS**, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required on the proposed Local Law;

**NOW, THEREFORE,**

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

1. A public hearing for the proposed Local Law is hereby set for the 3<sup>rd</sup> day of October, 2016 at 7:15 o'clock P.M.
2. The Town Clerk is directed to provide notice of the public hearing as required by law.
3. This resolution is effective immediately.

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

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

September 19, 2016

**LEGAL NOTICE**  
**PUBLIC HEARING**  
**TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted September 19, 2016, the said Town Board will hold a Public Hearing on the 3<sup>rd</sup> day of October, 2016 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons for the purposes of considering and possibly adopting a Local Law of the year 2016 which enacts a new Article of the Town of Lancaster Code, Chapter 40.Taxation, Article VII. Tax Levy Limit Override. Copies of the proposed Local Law of the year 2016 are available at the office of the Town Clerk for inspection at Town Hall at its address listed above, between the hours of 9:00 A.M. and 4:00 P.M.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

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

**September 22, 2016**



**Town of Lancaster**  
**Local Law No. \_\_\_ of 2016**

**A Local Law Amending the Town of Lancaster Code to Amend Chapter 40. Taxation and Enact Article VII. Tax Levy Limit Override.**

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

**Section 1:** Chapter 40. Taxation. of the Town of Lancaster Town Code, is hereby amended to read in its entirety the enactment of new Article VII as follows:

Chapter 40– Taxation.

**Article VII. Tax Levy Limit Override.**

**§40-35. Legislative Intent.**

**It is the intent of this local law to allow the Town of Lancaster to adopt a budget for the fiscal year commencing January 1, 2017 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.**

**§40-36. Authority.**

**This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.**

**§40-37. Tax Levy Limit Override.**

**The Town Board of the Town of Lancaster, County of Erie, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2017 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.**

**§40-38. Severability.**

**If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgement shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.**

**§40-39. Effective Date.**

**This local law shall take effect immediately upon filing and publication as required by law.**

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

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