

PRESENTATION OF PREFILED RESOLUTIONS:

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

RESOLVED, that the minutes of the Regular Meeting of the Town Board held November 21, 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

December 5, 2016

File: RMIN (P1)

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

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

Claim No. 46550 to Claim No. 46661 Inclusive

Total amount hereby authorized to be paid: \$3,068,364.56

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

December 5, 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
26170		Jason Pfeffer	591 Lake Ave	Er. Fence	
26171		David & Carmen Hangauer	166 Nichter Rd	Er. Res. Alt.	
26172		David & Eileen Marzo	8 Regency Ct	Er. Fence	
26173		John W. Ferris	6490 Broadway	Er. Fence	
26174		Frederick Werts	3508 Bowen Rd	Er. Fence	
26175		Bob Veal Corp.	3805 Walden Ave	Er. Comm. Add./Alt.	(V/L)
26176		Timothy & Carolyn Wanat	30 Greenmeadow Dr	Er. Fence	
26177		DKM Sales LLC	4471 Walden Ave	Er. Sign - Ground	
26178		Gregory & Kari Maslak	7 Forestream Dr	Er. Res. Alt.	
26179		Douglas Mattingly	780 Townline Rd	Er. Fence	
26180		Jerome Boyd	676 Pleasant View Dr	Er. Fence	
26181		Windsor Ridge Partners LLC	36 Worthington Ln	Er. Dwlg.-Sin.	
26182		Dave Kellner	29 Hess Pl	Re-Roof	
26183		Dave Kellner	29 Hess Pl	Dem. Bldg	
26184		Mary Ellen McNeill	5524 Broadway	Re-Roof	(V/L)
26185		Young Development Inc.	5828 Broadway	Er. Res. Apartment	
26186		Young Development Inc.	5828 Broadway	Er. Garages	
26187		Young Development Inc.	5828 Broadway	Er. Garages	
26188		Deborah J. Rogers	13 Hill Valley Dr	Er. Fence	
26189		Norman & Shirley Kloc	76 Holland Ave	Re-Roof	(V/L)
26190		Dean DeAnthony	22 Nicholas Ln	Er. Deck	
26191		6335 Transit Rd. LLC	6337 Transit Rd	Er. Sign – Ground	
26192		James & Donna Potter	1887 Como Park Blvd	Er. Fence	(V/L)
26193		Joseph Ligammare	11 Worthington Ln	Er. Res. Alt.	
26194		Marrano/Marc Equity Corp.	00 Pleasant View Dr	Er. Fence	
26195		Richard Lesch	283 Enchanted Forest N	Er. Shed	
26196		Jason Hena	6 Magrum Ln	Er. Shed	
26197		City Fence Inc.	225 Erie St	Er. Fence	(V/L)
26198		Linda Walsh	284 Pavement Rd	Inst. Generator	

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

BE IT FURTHER

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

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

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

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

WHEREAS, Advantage Trucks.com LLC, 933 Ransom Road, Lancaster, New York 14086 has applied for a renewal license to conduct a salvage yard on premises situate at 933 Ransom Road within the Town of Lancaster, pursuant to Chapter 4-3 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Town Board for review, and

WHEREAS, the Building Inspector, by letter dated November 18, 2016, has notified the Town Board that he has completed his review and made a favorable recommendation thereto.

NOW, THEREFORE, BE IT

RESOLVED, that Advantage Trucks.com LLC, 933 Ransom Road, Lancaster, New York be and is hereby authorized to conduct a salvage yard on premises situate at 933 Ransom Road, Lancaster, New York for the period January 1, 2017 to December 31, 2017 in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk.

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

December 5, 2016

File: rsalvage yard license (P5)

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

WHEREAS, Alfreda Haniszewski, d/b/a Ed Henning Inc., 911 Ransom Road, Lancaster, New York 14086 has applied for a renewal license to conduct a salvage yard on premises situate at 911 Ransom Road within the Town of Lancaster, pursuant to Chapter 4-3 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Town Board for review, and

WHEREAS, the Building Inspector, by letter dated November 18, 2016 has notified the Town Board that he has completed his review and made a favorable recommendation thereto.

NOW, THEREFORE, BE IT

RESOLVED, that Alfreda Haniszewski, d/b/a Ed Henning, Inc., 911 Ransom Road, Lancaster, New York be and is hereby authorized to conduct a salvage yard on premises situate at 911 Ransom Road, Lancaster, New York for the period January 1, 2017 to December 31, 2017 in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk.

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

December 5, 2016

File: rsalvage yard license (P4)

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

WHEREAS, Erie County has submitted a proposed three (3) year agreement whereby they will reimburse the Town of Lancaster for maintaining snow and ice removal on County highways within its jurisdiction, and

WHEREAS, the Town Attorney and the Highway Superintendent have reviewed the terms and conditions of the proposed agreement and recommend approval of same, and

WHEREAS, the Town Board of the Town of Lancaster has given due consideration to this request and deems it in the interest of public safety to enter into a Snow Removal and Ice Control Agreement with the County of Erie, New York;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized and directed to execute a three (3) year Snow Removal and Ice Control Agreement, commencing September 1, 2016 and terminating August 31, 2019 between the Town of Lancaster and the County of Erie, whereby the County will reimburse the Town for removing snow and controlling ice from County Highways located within the Town's jurisdiction, in accordance with the terms and conditions contained therein.

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

December 5, 2016

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

WHEREAS, the Highway Superintendent has submitted a proposed Agreement to the Town Board of the Town of Lancaster for the expenditure of highway funds for the year 2017, pursuant to the requirements of the Highway Law of the State of New York, and

WHEREAS, the Highway Superintendent has advised that the allocation of money in the proposed Agreement for general repairs to be carried out includes the cost of labor and materials, and

WHEREAS, the Town Board of the Town of Lancaster has reviewed the proposal by the Highway Superintendent;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster does hereby authorize the execution of the proposed Agreement to Spend Town Highway Funds for the year 2017, as submitted by the Superintendent of Highways.

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

December 5, 2016

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

WHEREAS, the Town of Lancaster has previously negotiated a Lease with the Lancaster New York Historical Society, a duly chartered not-for-profit educational corporation under the laws of New York, for the leasing of the Fanny Potter Eaton Home, a Town-owned building, located at 40 Clark Street in the Village of Lancaster, and

WHEREAS, said Lease will expire according to its terms on December 31, 2016, and

WHEREAS, the Historical Society desires to continue to use said leased premises as the Town of Lancaster Historical Museum, and

WHEREAS, it is the intention of the Town Board of the Town of Lancaster, on behalf of the Town of Lancaster to jointly maintain said historical edifice for public use and enjoyment with the Historical Society;

NOW THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized and directed to execute a lease with the Lancaster New York Historical Society leasing the Fanny Potter Home at 40 Clark Street in the Village of Lancaster for use as the Town of Lancaster Historical Museum for a term commencing January 1, 2017 and terminating December 31, 2021, and further subject to the terms and conditions contained therein.

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

December 5, 2016

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

WHEREAS, the Town of Lancaster has heretofore provided a Congregate Dining Program Site for the Elderly, and

WHEREAS, it is necessary to execute an Agreement between the Town of Lancaster and the County of Erie for the continuance of this program in 2017, and

WHEREAS, the Town Attorney has reviewed the proposed contract with the County of Erie;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Supervisor be and is hereby authorized to execute an Agreement between the Town of Lancaster and the County of Erie for the operation of a Congregate Dining Site located at 100 Oxford Place, Lancaster, New York for the Elderly for the year 2017, and

2. That the Director of Administration and Finance be and is hereby authorized to sign vouchers with funds to be received by the Supervisor.

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

December 5, 2016

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

WHEREAS, the County of Erie Department of Senior Services has heretofore provided a van to the Town of Lancaster for the purpose of providing transportation to senior citizens in the Town of Lancaster, and

WHEREAS, it is necessary to enter into a contractual arrangement with the County of Erie for the continuance of this program in 2017, and

WHEREAS, the Town Attorney has reviewed the proposed contract with the County of Erie;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute the Agreement with Erie County's Department of Senior Services to use said van to provide transportation for the Town of Lancaster's senior citizens for the year 2017.

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

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

December 5, 2016

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

WHEREAS, the Twin District Volunteer Fire Company, Inc., by letter dated November 21, 2016, has requested the deletion of two members from the active roster of said fire association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby deletes from the membership of the Twin District Volunteer Fire Company, the following individuals:

DELETIONS:

Jillian Zymanek
Brandon Kryzak

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

December 5, 2016

File: RFIRE (P6)

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

WHEREAS, four fire companies have previously entered into contracts with the Town of Lancaster to furnish fire protection within the Town of Lancaster, and;

WHEREAS, the Town and each of the four fire companies desire to enter into successor contracts to extend the duration of the fire protection provided by each of the four fire companies;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 184 (2) of the Town Law of the State of New York, separate public hearings will be held on the 19th day of December, 2016, at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, in accordance with the following schedule:

7:15 o'clock P.M. Local Time	Bowmansville Volunteer Fire Association, Inc.
7:15 o'clock P.M. Local Time	Millgrove Volunteer Fire Department, Inc.
7:15 o'clock P.M. Local Time	Town Line Volunteer Fire Department, Inc.
7:15 o'clock P.M. Local Time	Twin District Volunteer Fire Company, Inc

and that Notice of such hearings shall be published in the Lancaster Bee on the 8th day of December, 2016, and posted on the Town Bulletin Board, which Notice shall specify the time and place where said separate hearings will be held and describe in general terms the proposed separate contracts and said 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

December 5, 2016

**LEGAL NOTICE
PUBLIC HEARING
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 5th day of December, 2016, the Town Board will hold separate public hearings on the 19th day of December, 2016, at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on proposed contracts for fire protection services, in accordance with the following schedule:

7:15 o'clock P.M. Local Time	Bowmansville Volunteer Fire Association, Inc.
7:15 o'clock P.M. Local Time	Millgrove Volunteer Fire Department, Inc.
7:15 o'clock P.M. Local Time	Town Line Volunteer Fire Department, Inc.
7:15 o'clock P.M. Local Time	Twin District Volunteer Fire Company, Inc.

for the purpose of hearing all interested persons for or against a separate contract to be entered into by each of said parties in accordance with Section 184 of the Town Law, for fire protection to be furnished by each of said fire companies, to the Fire Protection District established in the Town of Lancaster, upon the following general terms, to wit:

- A. The term of the contract with each fire company shall be for three (3) years.
- B. Each fire company shall answer and attend upon all calls in said Fire Protection District, and provide emergency first aid and rescue services as defined in Section 184 of the Town Law and Section 209-b of the General Municipal Law, as more fully described in each respective contract, in that territory described in each respective contract filed in the Town Clerk's office.
- C. For such services, each fire company shall receive an annual payment from the Town as set forth in each respective contract.
- D. Such other incidental terms as may be necessary or proper, as more fully set forth in each respective contract.

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 TERRANOVA**
Town Clerk

December 8, 2016

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

WHEREAS, A Public Hearing was held on November 21, 2016, on the petition of **Daniele Family Companies**, 2851 Monroe Avenue, Rochester, New York 14618, for the rezone of a parcel of land locally known as 6645 Transit Road (SBL No. 82.03-1-51.11), Lancaster, New York from a General Business District (GB) to Commercial Motor Service District (CMS), and

WHEREAS, the Planning Board of the Town of Lancaster recommended approval of the rezone at its September 7, 2016 meeting, and

WHEREAS, a SEQR review was completed on the proposed rezone on October 17, 2016 and on November 7, 2016 a Negative Declaration was issued, and

WHEREAS, notices of said Hearings were duly published and posted, and

WHEREAS, in accordance with Section 239 (m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto;

**NOW, THEREFORE
BE IT RESOLVED,**

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from a General Business District (GB) to Commercial Motor Service District (CMS) with the following condition:

- That Site Plan (#2260) be approved. Should extensive changes be indicated on subsequent site plan submissions the Town reserves the right to rescind this rezone and return the real property herein described to its original zoning.

6645 Transit Road-General Business District

All that tract or parcel of land situate in Town Lot 12, Section 12, Township 1, Range 6 in the Town of Lancaster, County of Erie, State of New York, all as shown on a map entitled, "Topographic Survey, 6645 Transit Road" prepared by Passero Associates, dated August 4, 2016 and being more particularly bounded and described as follows:

Beginning at a point being the easterly Right-of-Way line of Transit Road, NYS Route No. 78, said point being at the intersection with the common line dividing Tax Account Parcel No. 082.030-0001-051.2 on the north and Tax Account Parcel No. 082.030-0001.051.11 on the south, said point being a distance of 137.99 feet southerly from an angle point in said Transit Road; thence the following three (3) courses along said common line

1. S 89° 47' 14" E, a distance of 215.00 feet to a point; thence,
2. N 00° 12' 01" E, a distance of 56.00 feet to a point; thence,
3. S 89° 47' 14" E, a distance of 91.14 feet to a point of intersection with the westerly Right-of-Way line of Freeman Road; thence the following two (2) courses along said Right-of-Way line

4. S 07° 45' 08" E, a distance of 49.02 feet to a point, thence,
5. S 00° 12' 01" W, a distance of 157.98 feet to a point of intersection with the common line dividing the aforementioned Tax Account Parcel No. 082.030-0001-051.11 on the north and Tax Account Parcel No. 082.030-0001-050.11 on the south; thence,
6. N 89° 47' 14" W, along the last mentioned common line, a distance of 312.92 feet to a point of intersection with the aforementioned easterly Right-of-Way line of Transit Road; thence,
7. N 00° 12' 01" E, along said easterly Right-of-Way line, a distance of 150.53 feet to the Point of Beginning. Containing 1.203 acres of land, more or less.

Property to be rezoned from GB to CMS consists of approximately 1.3 acres.

2. That said Ordinance Amendment be added in the Minutes of the meeting of the Town Board of the Town of Lancaster held on the 5th day of December 2016;
3. That a certified copy thereof be published in the Official Newspaper of Town of Lancaster pursuant to Town Law;
4. That Affidavits of Publication be filed with the Town Clerk; and
5. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

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

December 5, 2016

**LEGAL NOTICE
ADOPTION OF AMENDMENT
ZONING ORDINANCE, TOWN OF LANCASTER
DANIELE FAMILY COMPANIES
6645 TRANSIT ROAD
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that the Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from General Business District (GB) to Commercial Motor Service District (CMS) for the property known as **6645 Transit Road (82.03-1-51.11)** within the Town of Lancaster, New York.

December 8, 2016

STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER:

THIS IS TO CERTIFY that I, Diane M. Terranova, Town Clerk of the Town of Lancaster, in said County of Erie, have compared the foregoing copy of an Ordinance on the 5th day of December 2016 and that he same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto signed my hand and affixed the Seal of said Town this 5th day of December 2016.

Diane M. Terranova, Town Clerk

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

WHEREAS, the Town of Lancaster (the “Town”) and Up State Tower Co, LLC (“Up State Tower”) have negotiated a Land Lease Agreement (the “Lease”) granting Verizon Wireless a lease for the siting of a 160’ self-supporting telecommunications tower, Juniper Boulevard BUF-602B (the “Tower”) and other appurtenances necessary to operate the Tower (the “Project”), on property owned by the Town, known as Mohawk Place (SBL No. 104.08-4-25) in the Town of Lancaster, New York (the “Property”), with rights for appropriate ingress and egress and utilities in connection therewith, and

WHEREAS, the Town Board has reviewed the Project and the Lease, and all other materials submitted in connection therewith, and

WHEREAS, the Town, acting as lead agency had previously completed an environmental review for the project on October 3, 2016, in conformance with SEQR (State Environmental Quality Review) regulations and on October 17, 2016 a Negative Declaration was issued, which is hereby confirmed.

NOW, THEREFORE,

BE IT RESOLVED that, the Board hereby (a) approves the Lease with Up State Tower, in the form presented to the Board, for the lease of the Property, subject to permissive referendum; (b) authorizes the Supervisor to execute the Lease (with such non-material amendments, additions or alterations as may be determined appropriate by the Town’s legal counsel); (c) authorizes the Supervisor and other appropriate Town officials to proceed with the implementation of all steps reasonably necessary and appropriate to allow for the Town’s performance of the Lease; and (d) directs the publication of the notice of permissive referendum, as may be required.

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

December 5, 2016

**PUBLIC NOTICE
TOWN OF LANCASTER**

NOTICE IS HEREBY GIVEN that on December 5, 2016, the Town Board of the Town of Lancaster adopted a resolution which is subject to a permissive referendum in accordance with Article 7 of the Town Law of the State of New York.

The Town of Lancaster has offered a lease agreement to Up State Tower Co, LLC to lease a portion of real property owned by the Town of Lancaster, known as Mohawk Place, in the Town of Lancaster, Erie County, New York (Tax Map Number 104.08-4-25). The purpose of the lease is for the siting of a 160' self-supporting telecommunications tower (Juniper Boulevard BUF-602B) antennas, an equipment shelter, and other appurtenances necessary to operate the facility, together with rights for appropriate ingress and egress and utilities in connection therewith. The resolution is on file with the Town Clerk.

Up State Tower Co, LLC desires to accept such offer of a lease agreement subject to the terms and conditions of the lease agreement.

SIGNED _____
DIANE M. TERRANOVA
TOWN CLERK

December 8, 2016

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

WHEREAS, Ledge Creek Development, Inc., 10100 County Road, Clarence Center, New York, 14032 has applied to the Town Board of the Town of Lancaster for a permit to construct a Public Improvement upon real property in the Town of Lancaster within Cross Creek Phase IV, and

WHEREAS, the Town Engineer has certified on the following permit application that he has reviewed the improvement plan and permit application for the installation of the public improvement requested, and that it conforms to the Ordinances of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No.759 of Ledge Creek Development, Inc., 10100 County Road, Clarence Center, New York 14032, for the installation of:

P.I.P. No. 759 (Street Lights)	Cross Creek Phase IV, Supply and install nine (9) each street lights – 50 watt HPS, per Town specifications.
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be and is hereby approved and the installation of the improvement requested be and is hereby authorized.

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

December 5, 2016

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

WHEREAS, Ledge Creek Development, Inc., 10100 County Road, Clarence Center, New York, 14032 has applied to the Town Board of the Town of Lancaster for a permit to construct a Public Improvement upon real property in the Town of Lancaster within Cross Creek Phase V, and

WHEREAS, the Town Engineer has certified on the following permit application that he has reviewed the improvement plan and permit application for the installation of the public improvement requested, and that it conforms to the Ordinances of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No.760 of Ledge Creek Development, Inc., 10100 County Road, Clarence Center, New York 14032, for the installation of:

P.I.P. No. 760 (Street Lights)	Cross Creek Phase V, Supply and install six (6) each street lights – 50 watt HPS, per Town specifications.
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be and is hereby approved and the installation of the improvement requested be and is hereby authorized.

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

December 5, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GACZEWSKI, 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 November 30, 2016 has requested the purchase of **four (4) new 5' portable bike racks, seven (7) picnic tables, two (2) heavy duty handicap accessible tables, and one (1) 5 row 15' bleacher** for use by the Parks, Recreation and Forestry Department, and

WHEREAS, the above-referenced equipment is available from the New York State Contract No. PC66669, through authorized dealer GameTime, C/O MRC, 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 the above-referenced equipment;

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

The Town Board of the Town of Lancaster hereby approves the purchase of **four (4) new 5' portable bike racks, seven (7) picnic tables, two (2) heavy duty handicap accessible tables, and one (1) 5 row 15' bleacher** from the 2016 authorized New York State dealer GameTime, C/O MRC, P.O. Box 106, Spring Lake, NJ 07762 under New York State Bid Contract No. NY PC66669 as proposed by Park Crew Chief, Mark Lubera for an amount not to exceed the state contract quote (#128168) price of \$10,479.54; this sum will be paid from the Town's Recreation Filing Fees Fund.

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

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

December 5, 2016

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

WHEREAS, through the efforts of State Senator Patrick Gullivan, \$100,000 in grant monies has been secured through the Dormitory Authority for the State for New York through the State and Municipal Facilities Program, and

WHEREAS, funds will be allocated to making necessary repairs to the Town of Lancaster Historical Society building; and

WHEREAS, additional funds in the amount of \$15,000 are required to pay for architectural and engineering fees associated with the intended repair work;

NOW, THEREFORE, BE IT

RESOLVED, that the Lancaster Town Board hereby authorizes the \$15,000 in necessary architectural and engineering fees be allocated from the Town's 2017 adopted budget, Account Code #A1440.411, Engineering – Professional Services.

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

December 5, 2016

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

WHEREAS, Wm. Schutt and Associates Engineering and Land Surveying, P.C., has submitted a proposal dated November 22, 2016 for the extension of the Agreement for Professional Services for Municipal Engineering with the Town of Lancaster, and

WHEREAS, the Town Board has reviewed the proposed extension and deems it to be in the public's interest to enter into a two (2) year extension of the agreement as outlined in the November 22, 2016 proposal to commence on January 1, 2017 and ending December 31, 2018.

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into a two (2) year extension of the Agreement as outlined in the November 22, 2016 proposal for Professional Municipal Engineering Service with Wm. Schutt and Associates Engineering and Land Surveying, P.C., 37 Central Avenue, Lancaster, New York 14086 subject to the approval of the Town's Attorney, commencing January 1, 2017 and terminating December 31, 2018.

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

December 5, 2016

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

WHEREAS, Citizens for Regional Transit is a grass roots community organization that promotes the expansion of Metro Rail to service all of Western New York and the improvements of regional transit services, and

WHEREAS, founded in 1965, their central focus is to see Buffalo's Light Rail extended to achieve its original goal of providing a 36 miles network that serves the citizens of the Buffalo-Niagara region, and

WHEREAS, Citizens for Regional Transit has called upon the leadership of Lancaster, NY to support their petition for creating new sustainable funding for public transportation, building of new multi-model rail stations in Buffalo and initiating a light rail extension to the Buffalo Niagara International Airport and beyond, and

WHEREAS, this petition is directly related to, and a reflection of, the Buffalo Common Council resolution on public transit that was unanimously passed on April 2, 2013, and

WHEREAS, this petition has received wide support from other municipalities and organizations throughout our region;

NOW, THEREFORE BE IT

RESOLVED that, the Town of Lancaster supports Citizens for Regional Transit's petition for new sustainable funding for public transportation, building of new multimodal rail stations in Buffalo and specific light rail extensions mentioned in the said petition, and

BE IT FURTHER

RESOLVED that, the Supervisor of the Town of Lancaster is hereby authorized to execute the petition for an Integrated and Sustainable Public Transportation System as presented, and

BE IT FURTHER

RESOLVED that, Copies of this resolution be forwarded to Citizens for Regional Transit, Buffalo Mayor Byron Brown, the NFTA, and both state and federal representatives to our region.

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

December 5, 2016