

**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 March 6, 2017 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

March 20, 2017

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. 47758 to Claim No. 47925 Inclusive

Total amount hereby authorized to be paid: \$746,830.86

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

March 20, 2017

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
26309		Paul Braun	32 Pardee Ave	Er. Res. Alt.	(V/L)
26310		Robert & Debra Thomas	117 Albert Dr	Er. Fence	(V/L)
26311		Lawrence & Sharon Herrmann	980 Townline Rd	Re-Roof	
26312		Kevin Buzzelli	57 Worthington Ln	Er. Fence	
26313		Timothy J. Abati	561 Lake Ave	Er. Shed	
26314		Dawn Schirmer	6643 Transit Rd	Er. Comm. Add./Alt.	
26315		Erin Ancker	7 Sugar Mill Ct	Er. Porch	
26316		Town of Lancaster IDA	140 Rotech Dr	Er. Comm. Add./Alt.	
26317		William Olewniczak	9 Crabapple Ln	Er. Fence	
26318		Oneida Fence	28 Allen St	Er. Fence	(V/L)
26319		Colley's Pool Sales Inc.	43 Worthington Ln	Er. Pool-In Grnd	
26320		Lynn S. Graap	95 Erie St	Dem. Bldg	(V/L)
26321		Queen City Vision	29 Hess Pl	Er. Deck	
26322		Jennifer David	4 Quail Run Ln	Er. Fence	
26323		Joe Christ	7 Whitestone Ln	Er. Porch	
26324		Brian L. Muffoletto	18 Bowen Ave	Er. Fence	(V/L)
26325		Daniel & Julie Curtis	732 Aurora St	Inst. Generator	
26326		Lancaster-Rehm Assoc. LLC	6363 Transit Rd	Er. Sign - Temp	
26327		Hamilton Stern Construction	6645 Transit Rd	Er. Comm. Bldg.	
26328		Andrew R. Poreda	3 Worthington Ln	Er. Fence	
26329		William C. Rott	41 Quail Run Ln	Re-Roof	
26330		Nathan & Danielle Casillo	13 Crabapple Ln	Er. Shed	
26331		Jason & Gina Graves	4 Stream View Ln	Er. Fence	
26332		Kevin P. Cross	16 Creekwood Dr	Er. Porch Cover	
26333		Ivy Lea Construction Inc.	6 Jonquille Ct	Er. Patio	

**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 RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS**, the Lancaster/Depew Meals on Wheels desires to enter into a contractual arrangement with the Town to continue the provision of meals to housebound seniors, and

**WHEREAS**, the Town Board has given due review and consideration to this request and deems it in the public interest for the Town to enter into a contract to provide for the continuation of this meal service for seniors;

**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 an agreement with the Meals on Wheels of Western New York, Inc., to provide the continuation of the meal program for housebound seniors, the Town will provide under this contract the sum of up to \$30,000.00 as appropriated in account code A7610.410 in the adopted budget for the 2017 fiscal year.

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

March 20, 2017

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

**WHEREAS**, the Town of Lancaster Senior Center provides excursions to area Western New York attractions and casinos, using the Niagara Scenic Tours and Fisher Bus Service transportation companies, and

**WHEREAS**, both transportation companies provide vehicles and drivers to transport participants round-trip from the Senior Center to the event for a fee that is paid for by the participants, and

**WHEREAS**, the Town Attorney has reviewed the rental agreements and insurance certificates for indemnification purposes and approves their contents, and

**WHEREAS**, the Town Board of the Town of Lancaster has determined that this is a desired service within the community and it is in the best interest of the Town to continue with Niagara Scenic Tours and Fisher Bus Service companies, to provide transportation services for the Senior Center events.

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Supervisor be and is hereby authorized to execute the Transportation Orders with Niagara Scenic Tours and Fisher Bus Service companies, to provide transportation services for the Senior Center events during the 2017 calendar year with fees to be paid for by the participants should there be a balance the remainder will come from funds available in the 2017 Senior Center Rentals Budget Line Item 01.7610.0409.

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

March 20, 2017

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 February 21, 2017 for the purpose of amending Chapter 50-7(C), "Zoning," Article III, Definitions and References, Definitions and word usage, Specific terms, by adding the term "Flag Lot" to the alphabetic listing section of the Code Book of the Town of Lancaster, and

**WHEREAS**, persons for and against such amendment have had an opportunity to be heard, and

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

**WHEREAS**, the Town Board has recommended the proposed amendment of the Code of the Town of Lancaster, County of Erie;

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

That Chapter 50-7(C), "Zoning," Article III, Definitions and References, Definitions and word usage, Specific terms, of the Code of the Town of Lancaster, County of Erie and State of New York, is hereby amended to read as follows:

CHAPTER 50. ZONING

ARTICLE III. Definitions and References

§50-7. Definitions and word usage.

C. Specific terms.

.....

FARM

**{ADD} FLAG LOT**

**A lot shaped like a flag on a pole. The "flag" shaped area is the portion of a lot where all structures may be located. The "pole" shaped area is the portion of the lot by which vehicular access to the flag area from its adjoining road is located.**

FLOOR AREA

.....

**BE IT FURTHER  
RESOLVED, as follows:**

1. That the amendment to Chapter 50-7 (C) of the Code of the Town of Lancaster be added in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on March 20, 2017;
3. That a Certified Copy of this Ordinance be published in the Official Newspapers of the Town of Lancaster on March 23, 2017;
4. That a Certified Copy of this Ordinance be posted on the Town Bulletin Board;
5. That affidavits of Publication and Posting be filed with the Town Clerk;

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

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

March 20, 2017

**LEGAL NOTICE  
NOTICE OF ADOPTION  
AMENDMENT OF CHAPTER 50-ZONING  
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

**NOTICE IS HEREBY GIVEN** that Chapter 50-7(C), "Zoning," Article III, Definitions and References, Definitions and word usage, Specific terms, of the Code of the Town of Lancaster is hereby amended as follows:

**CHAPTER 50. ZONING**

**ARTICLE III. Definitions and References**

**§50-7. Definitions and word usage.**

**C. Specific terms.**

.....

**FARM**

**{ADD} FLAG LOT**

**A lot shaped like a flag on a pole. The "flag" shaped area is the portion of a lot where all structures may be located. The "pole" shaped area is the portion of the lot by which vehicular access to the flag area from its adjoining road is located.**

**FLOOR AREA**

.....

March 23, 2017

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

This is to certify that I, **Diane M. Terranova**, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of an Ordinance amendment with the original thereof filed in my office at Lancaster, New York, on the 20<sup>th</sup> day of March, 2017 and that the same is a true and correct copy of said original, and of the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of said Town this 23<sup>rd</sup> day of March, 2017.

\_\_\_\_\_  
Diane M. Terranova, Town Clerk



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

**WHEREAS**, the Town Line Volunteer Fire Department, Inc., by letter dated March 7, 2017, has requested the addition of a member to the roster of said fire association.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Town Line Volunteer Fire Department the following individual:

**ADDITION:**

Zachary J. Monkelbaan  
Lancaster, New York

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

March 20, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, 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**, a proposed Local Law of the Year 2017 entitled “**Town of Lancaster Commercial Solar Panel Moratorium**”, of the Code of the Town of Lancaster, was introduced to the Town Board of the Town of Lancaster by Council Member Abraham on the 21<sup>st</sup> day of February, 2017, and

**WHEREAS**, the Town Board, acting as Lead Agency under the State Environmental Quality Review Act (“SEQRA”) has determined the action is a Type II action under SEQRA, and

**WHEREAS**, the Town Board called for, noticed, and held a public hearing on the proposed Local Law on March 6, 2017, where all interested parties were allowed to address the proposed Local Law;

**WHEREAS**, the Town Board of the Town of Lancaster after due review and deliberation finds it in the best interest of the Town to adopt said Local Law.

**NOW, THEREFORE,**

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

1. The attached Local Law No. 1 of 2017 is hereby adopted.
2. The Local Law shall be effective upon its filing with the Secretary of State pursuant to the Municipal Home Rule Law.

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

March 20, 2017

**LEGAL NOTICE  
NOTICE OF ADOPTION  
LOCAL LAW NO. 1 OF THE YEAR 2017  
TOWN OF LANCASTER**

**PLEASE TAKE NOTICE** that there has been adopted by the Town Board of the Town of Lancaster, Erie County, New York, on March 20, 2017 Local Law No. 1 of the Year 2017, which amends the Town of Lancaster Code, by Establishing a Six-Month Moratorium on Applications, Approvals, and/or Construction or Installation of Commercial Solar Energy Systems and/or Solar Farms, which is on file for review in the Town Hall and on the Town of Lancaster's website, <http://www.lancasterny.gov>.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

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

March 23, 2017

**Town of Lancaster  
Local Law No. 1 of 2017**

**A Local Law Amending the Town of Lancaster Code to Establish a Six-Month Moratorium on Applications, Approvals, and/or Construction or Installation of Commercial Solar Energy Systems and/or Solar Farms.**

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

**Section 1: Purpose and Intent.**

The purpose of this Local Law is to protect the health, safety, and welfare of the residents of the Town of Lancaster and to maintain the status quo as to certain solar energy uses, as the present zoning regulations of the Town of Lancaster do not adequately address this type of use. This moratorium will temporarily stop the processing of applications for and the issuance of permits, certificates of occupancy, and approvals for certain land uses related to solar energy, included but not limited to, solar farms. The moratorium is for a period of six (6) months, allowing the Town Board to analyze and determine potential appropriate revisions and amendments to the Town of Lancaster Zoning Code concerning this use.

**Section 2: Legislative Findings.**

The Town of Lancaster Town Board hereby finds that without a temporary halt on the processing, permitting, and approval for certain solar land uses there is a potential that such uses could be located in unsuitable areas within the Town and/or on particular lots without adequate dimensional regulations in place. The potential for the unsuitable location of and lack of proper dimensional regulations for such uses would have materially adverse impacts on the Town. The Town Board also finds that time is required to perform the necessary analysis of the potential types of solar energy facilities that could be located in the Town. By maintaining the status quo regarding such uses, the Town Board can provide for the planned orderly growth and development of the Town.

**Section 3: Moratorium Imposed.**

For a period of six (6) months following the effective date of this Local Law, no application may be processed, and no permits, certificates of occupancy, approvals, variances, denials, determinations or interpretations may be issued or granted for any land uses relating to solar energy, including but not limited to, solar farms.

The term "land uses relating to solar energy" shall be broadly construed to include any facility designed to generate electric power to be marketed, sold or used for other than the power demands of the improvements on the property on which such facility is located. Not included within the scope of this moratorium are solar energy facilities designed to generate electric power solely for the use of the improvements located on the same property. The term "solar farm" shall mean a collection of solar panels covering one-quarter (1/4) acre or more of land that are designed to capture sunlight and transform it into electricity. This definition includes freestanding and ground pole-mounted photovoltaic and parabolic solar installations. This definition does not include photovoltaic panels that are mounted on or affixed to residential dwellings for their use or municipal buildings or existing panels mounted on commercial or industrial buildings.

This Local Law shall be binding on the Town Board, Planning Board, Zoning Board of Appeals, Building Inspector/Code Enforcement Officer, all Town officials and employees, and any applicant or real property owner in the Town desiring to apply for or receive a permit, certificate of occupancy, or approval in the Town of Lancaster.

During the period of the moratorium, the Town Board shall endeavor to complete all reasonable and necessary review, study, analysis and, if warranted, revisions to the Town of Lancaster Zoning Code. During the period of the moratorium, no applications will be accepted nor permits, certificates of occupancy or approvals issued which would authorize development within the Town for land uses relating to solar energy as described above.

**Section 4: Term.**

This moratorium shall be in effect for a period of six (6) consecutive months from its effective date. This term may be extended for a cumulative period of up to an additional six (6) months, if necessary, by resolutions of the Town Board.

**Section 5: Effect on Other Laws.**

To the extent that any law, ordinance, rule or regulation, or parts thereof are in conflict with the provisions of this Local Law, including all provisions of Article 16 of the New York State Town Law concerning special use permit, site plan, building permit, and certificate of occupancy procedure and requirements, this Local Law shall control and supersede such law, ordinance, rule, or regulation.

**Section 6: Variance.**

An application for a variance from the terms of this moratorium may be submitted, with a \$200 fee, to the Town Clerk. Notwithstanding the provisions of Article 16 of the Town Law and the Zoning Code of the Town of Lancaster, such variance requests shall be considered by the Town Board in accordance with the requirements for a use variance.

**Section 7: 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 8: Effective Date.**

This local law shall take effect immediately 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**, Igor Los, has submitted an application for a Special Use Permit authorizing the storage of 4 trucks and 8 trailers during the construction of his truck repair shop to be known as Autowave, Inc., situate at 1035 Ransom Road, in the Town of Lancaster, in accordance with provisions of Chapter 50-Zoning, Section 24 (B)(1)(a) of the Code of the Town of Lancaster, and

**WHEREAS**, the Zoning Code of the Town of Lancaster requires that the Town Board conduct a public hearing before the issuance of a special use permit for a use as proposed;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that pursuant to Chapter 50-Zoning, Section 20 (B), entitled "Commercial Motor Service District" of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit authorizing the storage of 4 trucks and 8 trailers during the construction of a truck repair shop to be known as Autowave, Inc., on premises locally known as 1035 Ransom Road, 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 April, 2017, 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, a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

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

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

March 20, 2017

**LEGAL NOTICE  
PUBLIC HEARING  
SPECIAL USE PERMIT – IGOR LOS  
1035 RANSOM ROAD, LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the authority set forth in Chapter 50-Zoning, Section 20 (B) "Commercial Motor Service District" of the Code of the Town of Lancaster, and 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 20<sup>TH</sup> day of March, 2017 the said Town Board will hold a Public Hearing on the 3<sup>rd</sup> day of April 2017, at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of Igor Los, for a Special Use Permit authorizing the storage of 4 trucks and 8 trailers during the construction of his truck repair shop to be known as Autowave, Inc., on premises locally known as 1035 Ransom Road, in the Town of Lancaster, County of Erie, State of New York.

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**

March 23, 2017

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

**WHEREAS**, the developer has requested the Town Board of the Town of Lancaster accept work completed under Street Lighting Public Improvement within The Creekside at Pleasant Meadows VI Subdivision, Phase III, Magrum Lane within the Town of Lancaster, and

**WHEREAS**, the Town Engineer has inspected the improvement and has recommended the approval thereof, and

**WHEREAS**, the Town Attorney, by letter to the Town Clerk dated March 13, 2017, has reported his favorable review for the acceptance of this public improvement.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following completed Street Lighting Public Improvement within The Creekside at Pleasant Meadows VI Subdivision, Phase III, Magrum Lane be and is hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 761 - Street Lights

and,

**BE IT FURTHER**

**RESOLVED**, that a copy of this resolution be directed by the Town Clerk to the New York State Electric & Gas Corporation with a request to energize the street lights herein.

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

March 20, 2017

File: RPIP (P4)



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

**WHEREAS**, the developer has requested the Town Board of the Town of Lancaster accept work completed under Street Lighting Public Improvement within The Summerfield Farms Subdivision, Phase V, within the Town of Lancaster, and

**WHEREAS**, the Town Engineer has inspected the improvement and has recommended the approval thereof, and

**WHEREAS**, the Town Attorney, by letter to the Town Clerk dated March 13, 2017, has reported his favorable review for the acceptance of this public improvement.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following completed Street Lighting Public Improvement within The Summerfield Farms Subdivision, Phase V, be and is hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 762 - Street Lights

and,

**BE IT FURTHER**

**RESOLVED**, that a copy of this resolution be directed by the Town Clerk to the New York State Electric & Gas Corporation with a request to energize the street lights herein.

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

March 20, 2017

File: RPIP (P4)

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

**WHEREAS**, the Town Board has previously duly advertised for bids for the preparation of an update to the combined Comprehensive Plan which includes the Village of Lancaster and the Village of Depew, and

**WHEREAS**, one (1) bid was received, opened and reviewed on December 14, 2016, and

**WHEREAS**, the Erie County Office of Environment and Planning has made a grant in the amount of \$60,000 available to the aforementioned municipalities for the purpose of updating their joint Master Plan, and

**WHEREAS**, the Town Board has determined it to be in the public's interest to engage Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C. to prepare the update to the Municipalities' current Comprehensive Plan.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster, hereby awards the bid for the preparation of a combined Comprehensive Plan which includes the Village of Lancaster and the Village of Depew, to Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., 375 Essjay Road, Suite 200, Williamsville, New York 14221, in conformance with the specifications on file in the office of Town Clerk, 21 Central Avenue, in the total amount not to exceed \$60,000.00 which is to be paid for with funds made available through a grant from the Erie County Office of Environment and Planning.

**BE IT FURTHER**

**RESOLVED**, the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute the contract with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., for the preparation of a combined Comprehensive Plan which includes the Village of Lancaster and the Village of Depew.

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

March 20, 2017

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 Department of Parks, Recreation and Forestry of the Town of Lancaster by letter dated March 13, 2017 has requested the purchase of **one (1) new and unused 2017 Ford F-550 XL Reg Cab 4x2 Pickup Truck** for use by the Parks, Recreation and Forestry Department, and

**WHEREAS**, the above-referenced dump truck is available from the Onondaga County Department of Purchasing, Bid No. 7974 2017, Quote #24082, through authorized vehicle dealer Van Bortel Ford, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

**WHEREAS**, the new 2017 Ford F-550 XL Reg Cab 4x2 Pickup Truck will replace a 1994 model which will be put up for auction in the Fall, and

**WHEREAS**, the Town Board deems it in the public interest to approve the purchase of a new **2017 Ford F-550 XL Reg Cab 4x2 Pickup Truck**;

**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 2017 Ford F-550 XL Reg Cab 4x2 Pickup Truck** from the 2017 authorized Onondaga County Bid Contractor, Van Bortel Ford, 71 Marsh Road, East Rochester, New York 14445 under Onondaga County Bid No. 7974 2017, Quote #24082 as proposed by the Town of Lancaster's Park Crew Chief, in the sum not to exceed the contract price of \$61,004.35 which amount shall be paid for with funds available from the Parks, Recreation and Forestry Department's 2017 Budget line item A7110.225.

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

March 20, 2017

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

**WHEREAS**, Town of Lancaster Police Patrol Captain, Marco Laurienzo, by letter dated March 14, 2017, has requested the Town Board to advertise for bids to furnish **one (1) new 2017 4x4 Special Service Vehicle** for use by the Police Department, and

**WHEREAS**, the Public Safety Committee of the Town Board has approved such request;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Notice to Bidders and/or Automobile Dealers, in form attached hereto and made a part hereof, be published in an official newspaper of general circulation and posted according to Law, that the Town will receive bids up to 10:00 o'clock A.M. Local Time, on March 31, 2017 at the Town Hall, 21 Central Avenue, Lancaster, New York, for the furnishing of one (1) new 2017 4x4 Special Service Vehicle for use by the Police Department of the Town of Lancaster, in accordance with specifications on file 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

March 20, 2017

**LEGAL NOTICE  
TOWN OF LANCASTER  
NOTICE TO BIDDERS  
AUTOMOBILE DEALERS**

**NOTICE IS HEREBY GIVEN** that sealed bids and/or proposals will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, at the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 A.M., Local Time, on the 31<sup>st</sup> day of March 2017, for furnishing one (1) new 2017 4x4 Special Service Vehicle for use by the Police Department of the Town of Lancaster, in accordance with specifications on file in the Town Clerk's Office, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in the amount of One Thousand Dollars (\$1,000.00) payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Town reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

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

March 23, 2017

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

**WHEREAS**, Police Captain William J. Karn Jr., at the direction of the Police Chief of the Town of Lancaster, by letter dated March 15, 2017, has recommended the appointment of Police Officer Robert Cornell Jr. to fill a vacancy in the position of Detective created by the retirement of Detective Keith Kerl.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Police Officer Robert Cornell Jr., of Lancaster New York, be and is hereby appointed to the position of Detective in the Town of Lancaster Police Department, effective March 21, 2017, contingent upon approval by Erie County Department of Personnel; and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the Cayuga Club Police Benevolent Association and all applicable provisions of law, and

**BE IT FURTHER,**

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

The question of the 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

March 20, 2017

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

**WHEREAS**, the Town Board has previously duly advertised for bids for One (1) new and unused **2017 100KW/125 KVA Emergency Generator**, for use at the Highway Department Building, and

**WHEREAS**, three bids were received, opened and reviewed on March 1, 2017, and

**WHEREAS**, by letter dated March 9, 2017, Highway Superintendent Daniel Amatura, has recommended awarding the bid for the **2017 100KW/125 KVA Emergency Generator**, to Cummins Sales and Service, 6193 Eastern Avenue, Syracuse, New York, being the lowest responsible bidder in the amount of \$20,255.00;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster, upon the recommendation of Daniel Amatura, Highway Superintendent, hereby awards the bid for one (1) new and unused **2017 100KW/125 KVA Emergency Generator**, to Cummins Sales and Service, 6193 Eastern Avenue, Syracuse, New York, 13211, for use at the Highway Department Building, as it conforms to the specifications on file in the office of the Town Clerk., for an amount to exceed \$20,255.00 which will be paid for with funds available from the amended April 15, 2013 Town Storage Building 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

March 20, 2017

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

**WHEREAS**, the Town Board has received a Subdivision Preliminary Plat Plan Application from **Windsor Ridge Partners (“The Applicant”)** for the purpose of developing a 193 +/- lot subdivision on property identified as SBL Nos. 127.01-2-21, 127.01-3-22, 127.01-3-21.1, 127.01-3-19, 127.01-3-20 & 127.01-3-16 known as “Windsor Ridge South Subdivision Phase 2”, in the Town of Lancaster, New York; and

**WHEREAS**, the Town Board referred the subdivision preliminary plat plan to the Planning Board for review and recommendation pursuant to Town of Lancaster Code § 50-42(A)(2); and

**WHEREAS**, pursuant to Town Law Section 276(5)(d)(i), the Town Planning Board held a public hearing on the preliminary plat application; and

**NOW, THEREFORE,**

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

1. The Applicant’s Subdivision Preliminary Plat Plan Application is DENIED for the following reasons:

The Applicant’s modified design of the subdivision plat to remove an access road to Brunck Road creates significant traffic impacts. The revised design, which has not previously been evaluated by the Town Board, removes a vital ingress/egress point for residents in the subdivision that will increase traffic at other ingress/egress points. This is a significant change, given the density of the proposed subdivision plan. The cumulative traffic impacts, resulting from Phase 1 of the development and the proposed Phase 2, make this additional impact significant and the access road to Brunck Road critical.

2. 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

March 20, 2017



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

**WHEREAS**, on September 6, 2016, at the recommendation of the Highway Superintendent, the Town Board of the Town of Lancaster entered into an agreement with Clark Patterson Lee Design Professionals, to provide the engineering services for the design, construction administration and inspection phases for the Town of Lancaster's Plumb Bottom Creek Streambank Stabilization Project involving the replacement of armoring on the inlet side abutting the building known as 43 Central Avenue and the re-sculpting of Plumb Bottom Creek, and

**WHEREAS**, Clark Patterson Lee Design Professionals has requested that the Town Board authorize an invitation to bid for the Plumb Bottom Creek Streambank Stabilization Project within the Town of Lancaster, and

**WHEREAS**, the Town Board has given due review and consideration to the request and deems it in the interest of public safety to invite public bids for the Plumb Bottom Creek Streambank Stabilization Project in conformance with General Municipal Law § 103 of the State of New York;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby invites public bids for the Plumb Bottom Creek Streambank Stabilization Project involving the replacement of armoring on the inlet side abutting the building known as 43 Central Avenue and the re-sculpting of Plumb Bottom Creek, said bids are to be in conformance with the plans and specifications which are available at the office of Clark Patterson Lee Design Professionals, 26 Mississippi Street, Buffalo, New York 14203 and to be received in the office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 11:00 A.M. Local Time on Tuesday April 11, 2017 and opened thereafter.

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

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

March 20, 2017

**NOTICE TO BIDDERS**  
**FOR THE**  
**TOWN LANCASTER**  
**Plumb Bottom Creek Bank Stabilization Project**

Separate sealed Bids for the Town of Lancaster Plumb Bottom Creek Bank Stabilization Project will be received by the Town Clerk at the office of the Town of Lancaster until **11:00 a.m. (local time) on April 11, 2017** and then at said office publicly opened and read aloud.

This project involves removing the existing stabilization wall and embankments that have been undermined and the installation of new stacked retaining wall(s) to stabilize the streambanks of Plumb Bottom Creek and protect the adjacent building foundation from scour and potential damage.

Questions regarding the project are to be emailed to Clark Patterson Lee, attn: Jason L. Havens, P.E. at JHavens@ClarkPatterson.com prior to **12:00 p.m. on April 5, 2017**, allowing time for responses prior to the receipt of bids.

Copies of the Contract Documents may be examined free of charge at the following locations during regular business hours:

1. Town of Lancaster  
21 Central Ave.  
Lancaster, NY 14086
  
2. Clark Patterson Lee  
26 Mississippi Street, Suite 300  
Buffalo, New York 14203

Copies of the Contract Documents may be obtained **ONLY** at the office of the Engineer upon payment of \$50.00 for each set. Checks for Contract Documents should be made payable to Town of Lancaster. Requests for mailing of Contract Documents shall only be made to the Engineer and sent to Clark Patterson Lee; 26 Mississippi Street Suite 300, Buffalo, NY 14203. Enclosed with the request for mailing shall be two checks: one check made payable to Town of Lancaster for \$50.00 for the Contract Documents; and a check made payable to Clark Patterson Lee for \$25.00 for handling and mailing fees. Those wanting to pick up the documents in person should come to Clark Patterson Lee; 26 Mississippi Street Suite 300, Buffalo, NY 14203.

Each bid must be accompanied by a certified check or bid bond from a domestic carrier licensed to do business in the State of New York in the amount of not less than five (5%) of the amount of the bid submitted.

Bidders on this work will be required to comply with the President's Executive Order Nos. 11,246 and 11,375 which prohibit discrimination in employment regarding race, creed, color, sex, or national origin.

The successful bidder must be an equal opportunity employer, must meet all appropriate State and Federal standards, and comply with all relevant governmental regulations.

Minority Owned Business Enterprises (MBE) and Women Owned Business Enterprises (WBEs) firms are encouraged to respond.

Statement of Non-Collusion: Bidders on the contract are required to execute a non-collusive bidding certificate pursuant to Section 103d of the General Municipal Law of the State of New York.

Security for Faithful Performance: The successful bidder will be required to furnish Performance and Labor and Material Payment Bonds written by firms licensed to do business in New York State, each in the amount of one hundred percent (100%) of the contract amounts in accordance with the provisions of the Contract Documents.

Bidders shall comply with the Iran Divestment Act of 2012.

Sales and Use of Tax Exemptions: The Town of Lancaster is exempt from the payment of sales and compensation use taxes of the State of New York and of cities and counties on all materials, equipment, and supplies sold to the Town of Lancaster pursuant to this contract. Also exempt from such taxes are purchases by the Contractor and his Subcontractors of materials, equipment, and supplies to be sold to the Town of Lancaster pursuant to this contract, including tangible personal property to be incorporated in any structure, building, or other real property forming part of the project. These taxes are not to be included in the Bid.

All bids shall be binding for a period of forty-five (45) days after the bid opening date. The Town of Lancaster reserves the right to reject any and all bids and to waive any informalities therein.

Consulting Engineers:  
Clark Patterson Lee  
26 Mississippi Street, Suite 300  
Buffalo, NY 14203  
(716) 218-4731  
Date: March 23, 2017

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

Diane Terranova  
Town Clerk