

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 July 3, 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 |

July 17, 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. 49087 to Claim No. 49248 Inclusive

Total amount hereby authorized to be paid: \$866,515.56

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 |

July 17, 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 |
|-------|----|--------------------------------|------------------------|-------------------------|---------|
| 27007 | | JLB Installations | 41 Tranquility Trl | Er. Pool-In Grnd | |
| 27008 | | Raymond & Frances Carr | 2 Dover Ct | Er. Deck | |
| 27009 | | John Sobaszek | 64 Harvey Dr | Er. Fence | (V/L) |
| 27010 | | Seibold Construction Inc. | 15 Americo Ct | Re-Roof | |
| 27011 | | William Howes | 5 Darien Ct | Inst. Ingrnd. Sprinkler | |
| 27012 | | JLB Installations | 678 Pleasant View Dr | Er. Pool-In Grnd | |
| 27013 | | LBM Construction | 20 Daniel Dr | Er. Add. To Garage | |
| 27014 | | JLB Installations | 10 Darien Ct | Er. Pool-In Grnd | |
| 27015 | | Franks Commercial & Home | 128 Siebert Rd | Er. Res. Alt. | |
| 27016 | | Franks Commercial & Home | 303 Westwood Rd | Er. Res. Alt. | |
| 27017 | | Joseph & Jill Greco | 3 Whitestone Ln | Er. Patio Cover | |
| 27018 | | Autowave, Inc. | 1035 Ransom Rd | Er. Comm.Bldg. | |
| 27019 | | Anthony & Jennifer Grisanti | 1120 Ransom Rd | Er. Fence | |
| 27020 | | CMK Builders of Alden Inc. | 363 Westwood Rd | Er. Dwlg.-Sin. | |
| 27021 | | Transit Road Apartments LLC | 4845 Transit Rd | Er. Sign - Temp | |
| 27022 | | Alan & Tracy Lumb | 10 Buckingham Ct | Er. Fence | |
| 27023 | | Brian Murphy | 25 Highland Pl | Er. Garage | (V/L) |
| 27024 | | John J. Tamrowski | 30 Livingston St | Er. Fence | (V/L) |
| 27025 | | The Pool Guy | 24 Hunters Dr | Er. Pool-Abv Grnd | |
| 27026 | | Houe Crafters LLC | 25 Ashwood Ct | Re-Roof | |
| 27027 | | Shaun & Daniela Setlock | 23 Wilma Dr | Er. Fence | (V/L) |
| 27028 | | Michael R. Minchen | 88 Kurtz Ave | Er. Garage | (V/L) |
| 27029 | | Irwin Roofing | 8 Creekwood Dr | Re-Roof | |
| 27030 | | J-Cap Contractors LLC | 40 Brandel Ave | Re-Roof | (V/L) |
| 27031 | | Peter J. Priebe, Jr. | 140 Peppermint Rd | Er. Pool-Abv Grnd | |
| 27032 | | Frances M. Kubiak | 73 Hess Pl | Er. Fence | |
| 27033 | | Craig & Kellie Heftka | 7 Crabapple Ln | Er. Deck | |
| 27034 | | Michael R. Gerow | 223 Nathan's Trl | Er. Deck | |
| 27035 | | Peter & Sandra Bedard | 30 School St | Er. Shed | (V/L) |
| 27036 | | Amish Villa | 70 Fourth Ave | Er. Shed | (V/L) |
| 27037 | | Brooke C. Tarquinio | 646 Harris Hill Rd | Re-Roof | |
| 27038 | | Windsor Ridge Partners LLC | 52 Worthington Ln | Er. Dwlg.-Sin. | |
| 27039 | | John Scalfaro | 69 Oxford Ave | Er. Shed | (V/L) |
| 27040 | | John Scalfaro | 69 Oxford Ave | Er. Fence | (V/L) |
| 27041 | | Gerald & Deanna Kocialski | 257 Enchanted Forest N | Er. Shed | |
| 27042 | | Solar Liberty Energy Systems 1 | 22 Ashwood Ct | Er. Res. Alt. | |
| 27043 | | Patio Enclosures | 8 Nicholas Ln | Er. Porch Cover | |
| 27044 | | Patio Enclosures | 8 Nicholas Ln | Er. Deck | |
| 27045 | | RGGT LLC | 438 Pleasant View Dr | Re-Roof | |
| 27046 | | John R. Phillips | 304 Schwartz Rd | Re-Roof | |
| 27047 | | Dallas Ward & Company | 7 Hill Valley Dr | Re-Roof | |
| 27048 | | Michael H. Frommann | 104 Field Ave | Er. Fence | (V/L) |
| 27049 | | Precision Pools | 10 Bentley Cir | Er. Pool-Abv Grnd | |
| 27050 | | Brian & Angela Pennock | 9 Lenox Ave | Er. Pool-Abv Grnd | (V/L) |
| 27051 | | JD Brick Fencing | 5710 Broadway | Er. Fence | |
| 27052 | | Keith F. Smith | 99 Fourth Ave | Er. Pool-Abv Grnd | (V/L) |
| 27053 | | John Rautenstrauch | 9 Bridgewater Ct | Er. Deck | |
| 27054 | | Zenner & Ritter Co. Inc. | 1287 Penora St | Inst. Generator | |
| 27055 | | Five Star Roofing | 38 Briarwood Dr | Re-Roof | (V/L) |
| 27056 | | Erie Construction Mid-West Inc | 460 Westwood Rd | Re-Roof | |
| 27057 | | Susan A. Hoeflich | 15 Devonshire Ln | Er. Fence | |
| 27058 | | Michael Ferraraccio | 71 Brunck Rd | Er. Res. Add. | |
| 27059 | | Deborah A. Bouyea | 200 Peppermint Rd | Er. Porch Cover | |
| 27060 | | Woodland Place Apartments LP | 4791 William St | Re-Roof | |

| | | | | |
|-------|--------------------------------|--------------------|-------------------------|-------|
| 27061 | Sahlems Roofing & Siding Inc. | 298 Westwood Rd | Re-Roof | |
| 27062 | Walter & Kathleen Mikowski | 112 Westwood Rd | Er. Fence | |
| 27063 | PAPP Construction | 51 Roosevelt Ave | Er. Fence | (V/L) |
| 27064 | Deborah A. Paladino | 63 Stony Brook Dr | Re-Roof | |
| 27065 | KC Custom Remodeling Co. | 221 Nathan's Trl | Er. Res. Alt. | |
| 27066 | Darrell & Elizabeth Skelton | 38 Brandel Ave | Er. Porch | (V/L) |
| 27067 | Raymond P. Herb | 112 Richmond Ave | Re-Roof | (V/L) |
| 27068 | Shane Setlock | 40 St Anthony St | Er. Fence | |
| 27069 | R.J. Zima Inc. | 5 Peachtree Ct | Inst. Ingrnd. Sprinkler | |
| 27070 | R.J. Zima Inc. | 8 Crabapple Ln | Inst. Ingrnd. Sprinkler | |
| 27071 | Scott Gordon | 33 Katelyn Ln | Er. Deck | |
| 27072 | Gerald Lewis DBA | 215 Nathan's Trl | Re-Roof | |
| 27073 | Beth Ann Eustace | 43 Court St | Re-Roof | (V/L) |
| 27074 | Adams Landscape & Design | 0 Walden Ave | Er. Fence | |
| 27075 | Babula Construction Inc. | 5W Main St | Re-Roof | (V/L) |
| 27076 | Keith F. Smith | 99 Fourth Ave | Er. Deck | (V/L) |
| 27077 | Benderson Properties Inc. | 3615 Walden Ave | Er. Comm.Add./Alt. | (V/L) |
| 27078 | J-Cap Contractors LLC | 24 Regency Ct | Re-Roof | |
| 27079 | JAX Contracting Inc./Lowe's | 23 Plumb Creek Trl | Er. Fence | |
| 27080 | Dalex Construction Inc. | 9 Heathrow Ct | Re-Roof | |
| 27081 | Lamparelli Construction C. Inc | 4493 Walden Ave | Er. Comm. Add./Alt. | |
| 27082 | Buffalo Roofing Co. LLC | 24 Kennedy Ct | Re-Roof | |
| 27083 | Aerial Roofing & Exterior, Inc | 74 Avian Way | Re-Roof | |
| 27084 | James C. Marien | 19 Elm Pl | Re-Roof | (V/L) |
| 27085 | Designed Conveyer Systems | 4201 Walden Ave | Er. Comm. Add./Alt. | |
| 27086 | Chris Blake | 447 Pavement Rd | Re-Roof | |
| 27087 | Affable Care Dental | 4845 Transit Rd | Er. Sign - Temp | |

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 |

July 17, 2017

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

WHEREAS, Elizabeth A. Holmes, on behalf of Taco Cocina Transit, LLC d/b/a **Deep South Taco**, has submitted an application for a Special Use Permit to allow outdoor dining and display of sporting events through a large screen monitor on premises locally known as 6727 Transit Road, Lancaster, New York, currently zoned General Business (GB), in accordance with the provisions of Chapter 50 Section 19C(7) of the Code of the Town of Lancaster to allow operations not authorized within a current zoning classification.

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

That pursuant to Chapter 50-Zoning, Section 46 entitled Special use permits, of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit of Taco Cocina Transit, LLC d/b/a **Deep South Taco**, to allow outdoor dining and display of sporting events through a large screen monitor, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 7th day of August 2017 at 7:15 o'clock P.M. Local Time, and the notice of the time and place of such hearing be published in a newspaper of general circulation in said Town, and posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) 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 |

July 17, 2017

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER
SPECIAL USE PERMIT- TACO COCINA TRANSIT, LLC
D/B/A DEEP SOUTH TACO**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 50 Section 46 entitled Special use permits, 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 17th day of July, 2017 the Town Board will hold a Public Hearing on the 7th day of August, 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 **Taco Cocina Transit, LLC d/b/a Deep South Taco**, for a Special Use Permit to allow operations not authorized in a current zoning classification (outdoor dining and display of sporting events through a large screen monitor) on premises locally known as 6727 Transit 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**

July 20, 2017

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

WHEREAS, on July 3, 2017, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Section 17(F) of the Code of the Town of Lancaster, upon the application of **Irene J. Colvin**, for a Special Use Permit for a Home Occupation (Cottage Industry – Homemade Pierogi) on premises located at **29 Hawthorne Trail** in the Town of Lancaster, New York, and

WHEREAS, persons for and against such Special Use Permit have had an opportunity to be heard;

**NOW, THEREFORE, BE IT
RESOLVED,**

1. That pursuant to Chapter 50-Zoning, Section 17(F), entitled "Home Occupations" of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Irene J. Colvin**, for a Home Occupation (Cottage Industry – Homemade Pierogi) on premises located at on premises located at **29 Hawthorne Trail**, in the Town of Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50 Section 17(F), of the Code of the Town of Lancaster as long as the applicant continues to engage in the home occupation on the premises, namely:

- a) Only persons residing on the premises shall be engaged in such an occupation.
- b) There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation.
- c) This Special Use Permit terminates when the applicant no longer resides on the premises.
- d) Permit must be renewed every two (2) years at no additional cost to applicant. Renewal request is considered upon the property owner submitting an application to the Town Clerk, on or before July 17, 2019.
- e) Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.
- f) Applicant will obtain and provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided upon application to renew permit.

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 |

July 17, 2017

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 July 5, 2017 has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Parks, Recreation and Forestry Department, for a period not to exceed five (5) months, 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> |
|------------------------------|-----------------|------------------------------|---------------------------|
| Owen George Lancaster, NY | Lifeguard | \$11.00 | July 5, 2017 |

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 |

July 17, 2017

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

WHEREAS, Mark Lubera, Park Crew Chief of the Parks, Recreation and Forestry Department, by letter dated July 5, 2017, has requested an effective date change for the following individual(s)

NOW, THEREFORE, BE IT

RESOLVED, that this resolution shall hereby amend the resolution dated July 3, 2017, and

BE IT FURTHER,

RESOLVED, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Parks, Recreation, & Forestry Department, for a period not to exceed five (5) months, 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> |
|----------------------------------|----------------------|--------------------------|-----------------------|
| Anthony Piccolo Lancaster, NY | Recreation Attendant | \$21.00 | June 20, 2017 |

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 |

July 17, 2017

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

WHEREAS, the Lancaster Junior Redskin Football Organization has offered to donate Two (2) NCAA type football goal posts, valued at not more than \$5,000.00, to the Town of Lancaster Parks Recreation and Forestry, to be installed at the football field in Walden Pond Park, and

WHEREAS, the Federal Lands to Parks Project Specialist confirmed that it supports any improvements made to Walden Pond Park that support the existing recreational uses contained within the Program of Utilization, and

WHEREAS, by letter dated July 12, 2017, Mark Lubera, the Parks, Recreation and Forestry Department Crew Chief, has requested that the goal post donation from the Lancaster Junior Redskin Football Organization be accepted, and

WHEREAS, Mark Lubera, has obtained three quotes for the installation of the proposed goal post donation from the Lancaster Junior Redskin Football Organization, and

WHEREAS, by letter dated July 12, 2017 Mark Lubera, the Parks, Recreation and Forestry Department Crew Chief, has requested that the goal post installation be done by Armor Fence for a cost of \$4,438.00 per their quote dated June 27, 2017 and to be paid for with funds from the Recreation Filing Fees Account (37-7000-400), and

WHEREAS, after due review and consideration the Town Board has determined that the Town's Walden Pond Park can make use of such a generous offer and deems it in the public interest to accept this donation.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby accepts the Two (2) NCAA type football goal posts, valued at not more than \$5,000.00, from the Lancaster Junior Redskin Football Organization, to be installed in the Town of Lancaster's Walden Pond Park, and

BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to execute the quote dated June 27, 2017 by Armor Fence in the amount of \$4,438.00 for the installation of the donated goal posts which will be paid for with funds from the Town's Recreation Filing Fees Account.

The question of the adoption of the following 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 |

July 17, 2017

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

WHEREAS, Captain Marco A. Laurienzo of the Town of Lancaster Police Department, by letter dated July 10, 2017, has requested authorization for one (1) member of the Lancaster Police Department to attend the State of New York Police Juvenile Officers Association Training Conference to be held in Geneva, New York from August 27, 2017 through September 1, 2017.

NOW, THEREFORE, BE IT

RESOLVED, that School Resource Officer William Loewer of the Town of Lancaster Police Department, is hereby authorized to attend the State of New York Police Juvenile Officers Association Training Conference to be held in Geneva, New York from August 27, 2017 through September 1, 2017.

BE IT FURTHER,

RESOLVED, that the total cost of attendance for one (1) officer at the above mentioned training course is hereby authorized in an amount not-to-exceed \$1,112.54 for actual and necessary expenses, including the cost of registration, lodging, travel and meal expenses for five (5) days on the specified dates of training, and

BE IT FURTHER,

RESOLVED, that all requests for reimbursement must be presented in the form of original, itemized receipts for actual and necessary expenses upon submission of proper documentation to the Accounting Department of the Town of Lancaster.

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

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

July 17, 2017

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Memorandum of Agreement, as presented, between the Town and the Civil Service Employees Association (CSEA) White Collar Unit 6763-01 with regard to certain conditions that will apply to all individuals appointed to the title of Laborer in this bargaining unit.

BE IT FURTHER

RESOLVED, that the Supervisor be authorized and directed to sign such agreement.

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

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

July 17, 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 has in the past received its no-bid energy services exclusively from an opt-in third party Energy Cooperative (SMEC); and

WHEREAS, there exists a need to purchase electricity and natural gas supply through New York State's deregulated Energy market; and

WHEREAS, there is the opportunity to go out to bid for third party electric/natural gas suppliers at a reduced overall electric/natural gas rate that would be beneficial to the public and the Town of Lancaster; and

WHEREAS, a cost effective combination of suppliers and transporters will be used to provide needed utilities; and

WHEREAS, a vendor is needed to serve as the electric/natural gas supplier that is governed by the New York Public Service Commission; and

WHEREAS, the deregulated energy market and third-party suppliers have proliferated across New York and whose rates have become evermore competitive with the expanding market; and

WHEREAS, since there is no out-of-pocket expense to the Town, there is no need for a Certification of Availability of Funds for expenditure to bid this matter.

NOW, THEREFORE,

BE IT RESOLVED, the governing body of the Town of Lancaster, hereby authorizes the Town Board to advertise and solicit for the Town's utility profiles for both electric and natural gas.

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 |

July 17, 2017

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

WHEREAS, there exists a need to have a Town-wide upgrade to street lighting to enhance energy conservation and efficiency which would be beneficial to both the public and the Town of Lancaster; and

WHEREAS, there is the opportunity to go out to bid for qualified energy service companies (ESCO) to provide energy efficient improvements to the Town of Lancaster's street lighting; and

WHEREAS, since there is no out-of-pocket expense to the Town, there is no need for a Certification of Availability of Funds for expenditure to bid this matter.

NOW, THEREFORE,

BE IT RESOLVED, the governing body of the Town of Lancaster, hereby authorizes the Town Board to advertise and solicit bids for the Town's energy conservation and efficiency improvement project involving Town-wide street lighting upgrades.

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 |

July 17, 2017

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

WHEREAS, the Lancaster Depew Soccer Club has offered to donate and install a ball restraining system, valued at not more than \$8,500.00 for use on the turf soccer field at Westwood Park, and

WHEREAS, the Lancaster Depew Soccer Club has contracted with Iroquois Fence, Inc., to install the system at no additional cost to the Town and has also provided proper insurance documents from Iroquois Fence, Inc., to the Town Attorney's office, and

WHEREAS, after due review and consideration, the Town Board has determined that the Town's Westwood Park can make use of such a generous offer and deems it in the public interest to accept this donation.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby accepts the donation of a ball restraining system from the Lancaster Depew Soccer Club, valued at not more than \$8,500.00, for use on the turf soccer field at Westwood Park to be installed by Iroquois Fence, Inc., at no additional cost to the Town.

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 |

July 17, 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 has accepted the donation of a ball restraining system for use on the turf soccer field located in Westwood Park, and

WHEREAS, the area identified for the netting installation would be located within an existing National Fuel Gas/National Fuel Corporation, (“National Fuel”) right-of-way and easement 66’ in width which contains one natural gas transmission line (“Line U”), and

WHEREAS, the National Fuel is requesting that an Encroachment Agreement be executed by the Town of Lancaster to allow the Town to go across its right-of-way on the property, to install a ball restraining system which consists of seven (7) wooden posts not closer than 18’ to the designated natural gas transmission line, and

WHEREAS, the Town Attorney of the Town of Lancaster has fully reviewed and considered the Encroachment Agreement and approves its content.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute this Encroachment Agreement with National Fuel Gas/National Fuel Corporation, (“National Fuel”) to allow for the placement of a ball restraining system which consists of seven (7) wooden posts not closer than 18’ to the natural gas transmission line within the Town’s Westwood Park.

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

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

July 17, 2017

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

WHEREAS, Howard P. Schultz & Associates, LLC, 4 Centre Drive, Orchard Park, New York 14127, a duly qualified appraisal firm, has submitted an invoice dated June 5, 2017, for appraisal services previously rendered for the property located at 00 Lake Avenue (SBL No. 115.19-3-7.1).

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby retro-actively approves the hiring of and work previously performed by, **Howard P. Schultz & Associates, LLC**, for appraisal services rendered for the real property located 00 Lake Avenue (SBL No. 115.19-3-7.1) within the Town of Lancaster.

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

| | |
|--------------------------|-------|
| COUNCIL MEMBER ABRAHAM | VOTED |
| COUNCIL MEMBER GASZEWSKI | VOTED |
| COUNCIL MEMBER RUFFINO | VOTED |
| COUNCIL MEMBER WALTER | VOTED |
| SUPERVISOR COLEMAN | VOTED |

July 17, 2017

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

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Section 17 (F) of the Code of the Town of Lancaster, upon the application of **Lynette M. Metzger**, for a Special Use Permit for a Home Occupation (Dog Grooming Service) on premises located at 33 Meadow Lea Drive, Lancaster, New York, and the Board originally issued such Special Use Permit on May 15, 2006, this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, **Lynette M. Metzger** has requested that the Town Board renew the Special Use Permit for an additional two (2) year period, and

WHEREAS, the Supervising Code Enforcement Officer has recommended his approval of this Special Use Permit by his letter dated July 10, 2017

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

1. That pursuant to Chapter 50-Zoning, Section 17 (F), entitled "Home Occupation", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Lynette M. Metzger**, for a Home Occupation (Dog Grooming Service) on premises located at 33 Meadow Lea Drive, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance.

2. That the applicant will continue in compliance with all conditions as set forth in Chapter 50, Section F, of the Code of the Town of Lancaster as long as the applicant continues to engage in the home occupation on the premises, including but not limited to:

- a. This Special Use Permit terminates when the applicant no longer resides on the premises.
- b. There shall be no outdoor sign advertising this business.
- c. Only persons residing on the premises shall be engaged in such an occupation.
- d. Permit must be renewed every two (2) years at no additional cost to the applicant. Renewal is considered upon the property owner submitting an application to the Town Clerk, **on or before May 15, 2019**.
- e. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.
- f. Applicant will obtain and provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided upon application to renew permit.

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 |

July 17, 2017

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

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Section 17 (F) of the Code of the Town of Lancaster, upon the application of **Jennifer Cuttitta**, for a Special Use Permit for a Home Occupation (Hair Salon) on premises located at 510 Town Line Road, Lancaster, New York, and the Board originally issued such Special Use Permit on July 20, 2015, this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, **Jennifer Cuttitta** has requested that the Town Board renew the Special Use Permit for an additional two (2) year period, and

WHEREAS, the Supervising Code Enforcement Officer has recommended his approval of this Special Use Permit by his letter dated July 10, 2017

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

1. That pursuant to Chapter 50-Zoning, Section 17 (F), entitled "Home Occupation", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Jennifer Cuttitta**, for a Home Occupation (Hair Salon) on premises located at 510 Town Line Road, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance.

2. That the applicant will continue in compliance with all conditions as set forth in Chapter 50, Section F, of the Code of the Town of Lancaster as long as the applicant continues to engage in the home occupation on the premises, including but not limited to:

- a. This Special Use Permit terminates when the applicant no longer resides on the premises.
- b. There shall be no outdoor sign advertising this business.
- c. Permit must be renewed every two (2) years at no additional cost to the applicant. Renewal is considered upon the property owner submitting an application to the Town Clerk, **on or before July 20, 2019.**
- d. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.
- e. Applicant will obtain and provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided upon application to renew permit.

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 |

July 17, 2017

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

WHEREAS, the Town Board of the Town of Lancaster acknowledges that they administer good government; and

WHEREAS, the Town Board of the Town of Lancaster acknowledges that they administer transparency, and

WHEREAS, the Town Board of the Town of Lancaster acknowledges that they administer the best practices, and

WHEREAS, the Town Board of the Town of Lancaster recognizes that the minutes are the official written documents which memorialize the various boards' meetings, and

WHEREAS, it would be extremely valuable to the Town's constituents to and the general public to have the ability to listen to the dialogue of previous meetings if persons were unable to attend a meeting, and

WHEREAS, the additional process of audio recording all Town Board, Planning Board and Zoning Board of Appeals' meetings would be of little to no expense to the taxpayers of the Town of Lancaster.

NOW THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster, hereby mandates that all meetings of the Town Board, Planning Board and Zoning Board of Appeals shall be audio recorded effective immediately, beginning with the July 19, 2017 Planning Board meeting.

BE IT FURTHER

RESOLVED, that all recordings will be retained by the Clerk's Office for a period of seven years.

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 |

July 17, 2017

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

WHEREAS, the Town Board of the Town of Lancaster has expressed interest in purchasing land located at 00 Lake Avenue (SBL No. 115.19-3-7.1) to increase park-land area for the residents within the Town of Lancaster, and

WHEREAS, the Town Board of the Town of Lancaster deems it to be in the best interest of all parties involved that a Wetland Walkover be obtained for valuation of said property, and

WHEREAS, Highway Superintendent Daniel Amatura, obtained one proposal from Earth Dimensions, Inc., a duly qualified soils and environmental consulting firm in accordance with the Town's procurement policy, and

WHEREAS, by email correspondence dated July 12, 2017, Council Member Ronald Ruffino, Parks and Recreation Committee Chairman, has requested that the Town of Lancaster engage the services of Earth Dimensions, Inc., to perform a Wetland Walkover, for the property located at 00 Lake Avenue (SBL No. 115.19-3-7.1) at a cost of \$850.00.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Highway Superintendent to execute the proposal from Earth Dimensions, Inc., for Wetland Walkover services for the property located at 00 Lake Avenue (SBL No. 115.19-3-7.1) within the Town of Lancaster at a cost not to exceed \$850.00 and which will be paid for from funds in the Town's Drainage Professional Services Budget Line 01-8540-0410.

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 GASZEWSKI | VOTED |
| COUNCIL MEMBER RUFFINO | VOTED |
| COUNCIL MEMBER WALTER | VOTED |
| SUPERVISOR COLEMAN | VOTED |

July 17, 2017

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

WHEREAS, Jean Karn, Dog Control Officer for the Town of Lancaster Dog Control Department, by letter dated July 10, 2017 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 Town of Lancaster Dog Control 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> |
|----------------------------------|---------------------|--------------------------|-----------------------|
| Daniel P. McFarland Depew, NY | Dog Control Officer | \$10.00 | July 13, 2017 |

BE IT FURTHER,

RESOLVED, that these individual(s) shall be compensated for any scheduled work shift for the actual number of hours worked but shall be compensated for any unscheduled call-in for the greater of four hours or the actual number of hours worked.

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 |

July 17, 2017

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 the proposed Local Law and the Town of Lancaster believes it is in the public interest to consider enacting a Local Law of the year 2017 which reads as follows:

A LOCAL LAW OF THE YEAR 2017 which will override the tax levy limit established in General Municipal Law Sec 3-c.

2018 Tax Levy Limit Override.

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, 2018 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

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.

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, 2018 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

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.

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 7th day of August, 2017 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 |

July 17, 2017

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 July 17, 2017, the said Town Board will hold a Public Hearing on the 7th day of August, 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 for the purposes of considering and possibly adopting a Local Law of the year 2017 which will override the tax levy limit established in General Municipal Law Sec 3-c. Copies of the proposed Local Law of the year 2017 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**

July 20, 2017

Local Law No. ____ of 2017
Town of Lancaster, County of Erie

A local law to override the tax levy limit established in General Municipal Law Sec 3-c

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

Section 1. 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, 2018 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law Sec. 3-c.

Section 2. Authority

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

Section 3. 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, 2018 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Sec 3-c.

Section 4. 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 judgment 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 judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.