

**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 September 5, 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

September 18, 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. 49837 to Claim No. 49972 Inclusive

Total amount hereby authorized to be paid: \$1,101,350.68

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

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

September 18, 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
27361		Marc Beebe	236 Peppermint Rd	Er. Dwlg.-Sin.	
27362		Marc Beebe	236 Peppermint Rd	Er. Garage	
27363		Empire State Signs	2900 Commerce Pkwy	Er. Sign – Wall	(V/L)
27364		Gary & Kelli Sieber	162 Irwinwood Rd	Re-Roof	(V/L)
27365		Donald & Sheila Suarez	4 Woodgate Dr	Re-Roof	
27366		Gerald Lewis DBA	217 Nathan's Trl	Re-Roof	
27367		Vitirins Home Improvement	203 Siebert Rd	Re-Roof	
27368		Priyarkbhai P. Patel	24 Creekwood Dr	Er. Shed	
27369		Aaron & Jennifer Geib	3640 Walden Ave	Re-Roof	
27370		Robert Charvat, Jr.	28 Ashwood Ct	Er. Fence	
27371		Peter Longwith	374 Westwood Rd	Er. Pool-Abv Grnd	
27372		D Allen & Son Contracting Inc.	170 Steinfeldt Rd	Re-Roof	
27373		Sturdi Built Sheds LLC	63 Chestnut Corner	Er. Shed	
27374		David & Margaret Lata	4 Cobblestone Ct	Er. Fence	
27375		Norman & Denise Schunke	672 Pleasant View Dr	Er. Shed	
27376		Leveled Contracting Inc.	92 Bowen Ave	Re-Roof	(V/L)
27377		LJ Construction	4864 William St	Re-Roof	
27378		David & Andrea College	12 Sagebrush Ln	Er. Fence	
27379		Picket Fence & Exteriors Inc.	34 Tanglewood Dr	Er. Fence	
27380		J-Cap Contractors LLC	5309 Genesee St	Re-Roof	
27381		House Crafters LLC	311 Stony Rd	Er. Porch	
27382		Michael Jakubowski	25 Newberry Ln	Er. Fence	
27383		Kristen A. Johnson	5 Villa Pl	Er. Fence	(V/L)
27384		Designer Pools	68 Sterling Pl	Er. Pool-In Grnd	
27385		Catt. County Construction LLC	13 Creekwood Dr	Re-Roof	
27386		Scott M. Pease	20 St Joseph St	Er. Res. Alt.	(V/L)
27387		Sun Enterprises Inc.	23 Woodlawn Ave	Er. Shed	(V/L)
27388		Krislyn Company LLC	54 Foxwood Row	Er. Res. Alt.	
27389		Albert V. Randaccio	60 Worthington Ln	Er. Dwlg.-Sin.	
27390		Desiree A Korbs	5085 William St	Er. Fence	
27391		Mr. Pool Enterprises Ltd	29 St Anthony St	Er. Pool-In Grnd	
27392		D Allen & Son Contracting Inc	23 Winfield Ave	Re-Roof	(V/L)
27393		William & Mary Janiga	56 Pheasant Run Ln	Inst. Generator	
27394		John & Angeline Sheppard	22 Hunters Dr	Er. Shed	
27395		Marc Gulliford	1169 Ransom Rd	Er. Shed	
27396		David Stapleton	61 Tranquility Trl	Er. Dwlg.-Sin.	
27397		R.E. McNamara Inc.	5844 Broadway	Re-Roof	
27398		Sara Owczarzak	25 Fifth Ave	Er. Fence	(V/L)
27399		Joe Christ	49 Southpoint Dr	Er. Porch Cover	
27400		Majestic Pools Inc.	532 Pleasant View Dr	Er. Fence	
27401		Majestic Pools Inc.	532 Pleasant View Dr	Er. Pool-In Grnd	
27402		Ronnie Fijardo	14 Meadow Lea Dr	Er. Shed	
27403		Affordable Contracting Inc.	12 Martha Dr	Re-Roof	
27404		Anderson Water Systems, Inc.	14 Kelly Ann Dr	Inst. Generator	
27405		Switala's Siding Cedar Inc.	5 Harewood Run	Re-Roof	
27406		Joe McAdams	22 Americo Ct	Er. Shed	
27407		Stockmohr Co. Inc.	1120 Ransom Rd	Re-Roof	
27408		X-Press Signs Inc.	5259 Broadway	Er. Sign – Pole	(V/L)
27409		Christopher & Brandy Nowak	430 Lake Ave	Re-Roof	
27410		George Simme	147 Sawyer Ave	Er. Shed	(V/L)
27411		Kulback's Inc.	10 Wendling Ct	Er. Comm. Add./Alt.	
27412		Utech Basement Waterproofing	11 Fifth Ave	Er. Res. Alt.	(V/L)

27413	Utech Basement Waterproofing	80 Wilkshire Pl	Er. Res. Alt.	(V/L)
27414	City Fence Inc.	99 Burwell Ave	Er. Fence	(V/L)
27415	House Crafters LLC	189 Laverack Ave	Re-Roof	(V/L)
27416	Dalex Construction Inc.	24 Cedar Brook Dr	Re-Roof	
27417	Greg & Norma Niemer	23 Petersbrook Cir	Er. Shed	
27418	Joseph Lorenz	69 Camner Ave	Er. Fence	(V/L)
27419	Joe Christ	676 Pleasant View Dr	Er. Porch	
27420	Michael & Andrianna Liddell	77 Middlebury Ln	Er. Porch	
27421	Jesse Shadle	15 Quincy Ave	Er. Shed	(V/L)
27422	Steven & Deborah Hartman	8 Oakwood Comm	Inst. Generator	
27423	Verizon Wireless	63 Penora St	Cell Tower Mod./Alt..	
27424	Michael M. Yount	16 Arrow Trl	Er. Fence	
27425	Benderson Development Co.	6733 Transit Rd	Er. Comm. Add./Alt.	
27426	Nicholas Lamanna	755 Aurora St	Er. Fence	
27427	Michael J. Ziolo	46 Fourth Ave	Re-Roof	(V/L)
27428	Lynn Ernst	68 Park Blvd	Re-Roof	(V/L)
27429	Pietras Builders Inc.	4802 William St	Er. Porch	

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

**BE IT FURTHER**

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

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

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

September 18, 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 is interested in re-lining the tennis courts at Mechanic Street Park to create additional courts and thereby accommodate additional players, and,

**WHEREAS**, the United States Tennis Association (USTA), offers technical assistance to achieve this conversion and, upon invitation, offers grant opportunities for facility improvement,

**NOW THEREFORE, BE IT**

**RESOLVED**, that, upon request of the USTA, the Parks, Recreation, and Forestry Department is authorized to submit a grant application requesting funding to make improvements to the tennis courts at Mechanic Street Park, and,

**BE IT FURTHER**

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

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

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

September 18, 2017

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

**WHEREAS**, grant monies are available through the New York State Unified Court System to enhance the operation and security of municipal Justice Courts;

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Justice Court is authorized to submit a grant application to request up to the maximum amount available, and,

**BE IT FURTHER**

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

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

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

September 18, 2017

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

**WHEREAS**, the Town Board previously received an application from Upstate Tower, Co., LLC, to lease space for the siting of a wireless telecommunications facility consisting of freestanding self-support tower, antennas, an equipment shelter, fenced compound and other appurtenances necessary to operate the facility (the "Project"), on property owned by the Town on a +/- 1.06 acre parcel and known by Tax Map Number 104.08-4-25, located at Mohawk Place, in the Town of Lancaster, Erie County, New York (the "Property"), and

**WHEREAS**, the Town of Lancaster Municipal Review Committee reviewed the environmental impact of the Project pursuant to SEQR regulations at their meeting on October 3, 2016 and recommended that a Negative Declaration be issued, and

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

**WHEREAS**, the Project was labeled a "Type I" action under SEQRA;  
and

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

**WHEREAS**, on October 17, 2016, upon thorough and careful review of the Project, Upstate Tower, Co., LLC's application materials, including the Environmental Assessment Form, project plan and all other materials submitted in connection therewith, the Town Board determined that the Project will not result in any significant environmental impacts and issued a negative declaration pursuant to SEQRA, and

**WHEREAS**, on October 17, 2016, the Town Board of the Town of Lancaster held a public hearing pursuant to Chapter 50-Zoning Article VII (A), §41.8, entitled "Communication Towers, Procedure" of Town Code of the Town of Lancaster, upon the application of Up State Tower Co, LLC for a Special Use Permit for the Project to be located on the Property, and

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

**WHEREAS**, the Town, acting as lead agency confirmed the October 17, 2016 Negative Declaration, and

**WHEREAS**, on November 21, 2016, pursuant to Chapter 50-Zoning, Article VII (A), of the Town Code of the Town of Lancaster, the Town Board of the Town of Lancaster granted a Special Use Permit to Up State Tower Co, LLC for the construction of the Project at the Property upon the terms and conditions as set forth in the Special Use Permits Zoning Ordinance, and

**WHEREAS**, on even date, pursuant to Chapter 50-Zoning, Article VII (A), §41.10 of the Town Code of the Town of Lancaster, the Town waived the setback requirements set forth in Chapter 50-Zoning, Article VII (A), §41.6 (E)(4) with respect to the Project, and

**WHEREAS**, Up State Tower Co., LLC submitted a site plan prepared by Carpenter Consulting Group, dated January 21, 2016 with a revision date of June 23, 2016 and received July 12, 2016 (the "Site Plan") for the proposed construction and operation of the Project at the Property, and

**WHEREAS**, the site plan for the Project was previously submitted to the Planning Board and was recommended for approval at their July 20, 2016 meeting, and

**WHEREAS**, the Town, acting as lead agency confirmed the October 17, 2016 Negative Declaration, and

**WHEREAS**, on November 21, 2016, the Town Board of the Town of Lancaster approved the Site Plan for the Project located at the Property, and

**WHEREAS**, the Town of Lancaster (the "Town") and Up State Tower Co, LLC ("Up State Tower") negotiated a Land Lease Agreement (the "Lease") granting a lease for the siting of Project at the Property and other appurtenances necessary to operate the Project with rights for appropriate ingress and egress and utilities in connection therewith, and

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

**WHEREAS**, the Town, acting as lead agency confirmed the October 17, 2016 Negative Declaration, and

**WHEREAS**, on December 5, 2016, the Board (a) approved the Lease with Up State Tower, in the form presented to the Board, for the lease of the Property, subject to permissive referendum; (b) authorized 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) authorized 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) directed the publication of the notice of permissive referendum, as may be required, and

**WHEREAS**, during the construction of the Project pursuant to the Lease, it was determined that a minor adjustment to the Project area was necessary to accommodate certain utilities that were not previously identified on the Property, and

**WHEREAS**, Up State Tower Co., LLC submitted a site plan prepared by Carpenter Consulting Group, dated January 21, 2016 with a revision date of April 24, 2017 (the "Revised Site Plan"), reflecting proposed minor adjustment to the Project area, as reflected in a proposed First Amendment to Land Lease Agreement and Restatement Thereof (the "First Amendment"), and

**WHEREAS**, pursuant to Chapter 50-Zoning, Article VII (A), §41.5, the Town Board reserves the right to waive the special use permit requirements for communication towers proposed to be located on town property; and

**WHEREAS**, the Town, acting as lead agency, 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, and

**WHEREAS**, since the proposed minor adjustment to the Project area does not result in any environmental impacts that were not previously reviewed, the Town Board confirms the October 17, 2016 Negative Declaration.



**NOW, THEREFORE,**

**BE IT RESOLVED** that the Town Board of the Town of Lancaster (a) waives the special use permit requirements for communication towers to be located on Town Property to the extent that any special use permit amendment is required by the Revised Site Plan and First Amendment and reaffirms the previously issued special use permit and conditions, which shall remain in full force and effect; (b) approves the Revised Site Plan and First Amendment for the Project, upon the same terms and conditions set forth in the Board's November 21, 2016 approval, which shall remain in full force and effect; (c) revokes the license granted to Up State Tower within the May 15, 2017 resolution; (d) authorizes the Supervisor to execute the First Amendment (with such non-material amendments, additions or alterations as may be determined appropriate by the Town's legal counsel); and (e) directs the publication of the notice for a 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

September 18, 2017

PUBLIC NOTICE  
TOWN OF LANCASTER

NOTICE IS HEREBY GIVEN that on September 18, 2017, 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 first amendment to land lease agreement to Up State Tower Co, LLC with respect to its lease of 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 amendment is to allow a minor adjustment to the Project area which is necessary to accommodate certain utilities that were not previously identified on the Property. The resolution is on file with the Town Clerk.

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

SIGNED \_\_\_\_\_  
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**, by resolution adopted on November 21, 2016, the Town Board of the Town of Lancaster authorized a Special Use Permit be issued to Up State Tower Co., LLC, for the construction of a cell tower, Site number BUF-602B, located on premises at Mohawk Place, and

**WHEREAS**, due to a scrivener's error Blue Wireless and Verizon Wireless were omitted as approved applicants for the Special Use Permit.

**WHEREAS**, the Town Board of the Town of Lancaster has determined that the November 21, 2016 resolution should be amended.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the resolution adopted November 21, 2016 authorizing a Special Use Permit be issued to Up State Tower Co., LLC, for the construction of a cell tower, Site number BUF-602B, located on premises at Mohawk Place, be and is hereby amended to include Blue Wireless and Verizon Wireless as approved applicants for the Special Use 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

September 18, 2017

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

**WHEREAS**, Daniel Amatura, Highway Superintendent for the Town of Lancaster, by letter dated September 5, 2017, has appointed Joseph Lista to the position of Laborer - Highways in the Town of Lancaster Highway Department, pursuant to Highway Law.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby recognizes the appointment of Joseph Lista of Lancaster, New York to the position of Laborer – Highways in the Town of Lancaster Highway Department, effective September 18, 2017, and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA Blue Collar Union 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 adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

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

September 18, 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 intends to apply for Federal Community Development Funds, known as Community Development Block Grant Funds, for the year 2018-2019 and must identify eligible projects which would benefit low to moderate income persons within the Town, and

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

**NOW, THEREFORE**

**BE IT RESOLVED**, that a Public Hearing, to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate income persons in the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York on the 2<sup>nd</sup> day of October, 2017 at 7:15 o'clock P.M. Local Time, and the Notice of the Time and Place of such Hearing be published in the Lancaster Bee, a local newspaper of general circulation in said Town and be on the Town Bulletin Board, which Notice shall be in form attached hereto and made a part hereof.

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

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

September 18, 2017

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

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to a resolution of the Town Board of the Town of Lancaster adopted on September 18, 2017 a Public Hearing will be held on the 2<sup>nd</sup> day of October, 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 regarding the use of Federal Community Development funds in the Town of Lancaster.

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

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

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

The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities. The meeting room is wheelchair accessible. Those needing special arrangements should call the Town at (716) 683-9028 by September 25, 2017.

**TOWN BOARD OF THE TOWN  
OF LANCASTER**

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

**September 21, 2017**

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

**WHEREAS**, on September 5, 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 **Diane M. D'Arcy**, for a Special Use Permit for a Home Occupation (Dog Grooming) on premises located at **208 Ransom Road**, 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 **Diane M. D'Arcy**, for a Home Occupation (Dog Grooming - Country Cuts Dog Grooming) on premises located at 208 Ransom Road, 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) 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.
- b) Only persons residing on the premises shall be engaged in such an 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 is considered upon the property owner submitting an application to the Town Clerk, on or before September 18, 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) Not more than one (1) animal may be present for grooming services at any one time.
- g) Obtain and provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided.

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

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

September 18, 2017

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

**WHEREAS**, The Machelor Law Firm has proposed to the Town of Lancaster to serve as the Town's legal counsel and representative for claims brought against it under General Municipal Law 207-c, and

**WHEREAS**, the firm will undertake only such professional services, as determined by the Town that are reasonably necessary in order to protect the Town's interest, and

**WHEREAS**, the Town Board and the Town Attorney have reviewed the proposal for services and deems it to be in the public interest to retain the services of The Machelor Law Firm, as necessary, based upon the fee schedule furnished.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute the letter of engagement wherein the Town of Lancaster agrees to retain The Machelor Law Firm pursuant to its fee schedule, to provide the Town with legal counsel and representation for matters falling under General Municipal Law 207-c.

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

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

September 18, 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 August 30, 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>
Elizabeth A. Bertozzi Depew, NY	Dog Control Officer	\$10.00	September 19, 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

September 18, 2017

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

**WHEREAS**, Daniel Amatura, Highway Superintendent for the Town of Lancaster, by letter dated September 13, 2017, has requested to upgrade the position held by Christian Rice from Labor Grade #1 to Light Equipment Operator, due to the retirement of Scott Phillips, effective August 31, 2017, in the Town of Lancaster Highway Department.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby recognizes the appointment of Christian Rice of Lancaster, New York to the position of Light Equipment Operator in the Town of Lancaster Highway Department, effective September 18, 2017, and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA Blue Collar Union 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 adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

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

September 18, 2017

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

**WHEREAS**, in cooperation with the Erie County Shared Services Plan, the Town Board of the Town of Lancaster hereby approves the Intermunicipal Cooperation Agreement to share services between the Town of Lancaster and the Village of Depew, as presented, allowing the Lancaster Highway Superintendent and the Depew Village Administrator, to rent, exchange, borrow, and lend Highway/Park equipment and the necessary personnel to operate said equipment, to assist with the maintaining of Highway/Park properties in the respected municipalities.

**NOW THEREFORE BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute this agreement which will commence May 1, 2017 and terminate April 30, 2020.

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

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

September 18, 2017

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

**WHEREAS**, The United States Congress has passed a bill to allow internet service providers to disclose and/or sell personally identifiable information about their customers, and

**WHEREAS**, President Donald J. Trump has signed that bill into law, and

**WHEREAS**, Internet service customers pay a fee to Internet service providers to use the Internet for family, personal, or household purposes, and

**WHEREAS**, customers have a reasonable right to privacy when it comes to what they view and research online, and

**WHEREAS**, New York State Assemblywoman Monica Wallace has introduced legislation which would prevent the disclosure of personally identifiable information by an internet service provider without the express written consent of the consumer, and

**WHEREAS**, Assemblywoman Wallace's bill has strong bipartisan support, and

**WHEREAS**, a companion bill has been introduced in the New York State Senate with strong bipartisan support.

**NOW THEREFORE**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster is in support of Assembly Bill 7191-B which would prohibit internet service providers the ability to sell a customer's personal, family, and household search history without the express written consent of the consumer, and

**BE IT FURTHER**

**RESOLVED**, that the Town Board of the Town of Lancaster calls on the New York State Assembly to pass Assembly Bill 7191-B and the New York State Senate to pass its companion bill, and

**BE IT FURTHER**

**RESOLVED**, that the Town Clerk of the Town of Lancaster is hereby directed to transmit copies of this resolution to Assemblywoman Monica Wallace, State Senator Patrick Gallivan.

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

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

September 18, 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 Rezone Application 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 August, 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 September 5, 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. 6 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

September 18, 2017

**LEGAL NOTICE  
NOTICE OF ADOPTION  
LOCAL LAW NO. 6 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 September 18, 2017 Local Law No. 6 of the Year 2017, which amends the Town of Lancaster Code, by which Establishes a Six-Month Moratorium on Applications for Rezoning within the Town of Lancaster, 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**

September 21, 2017

**Town of Lancaster**  
**Local Law No. 6 of 2017**

**A Local Law to Establish a Six-Month Moratorium on Applications for Rezoning.**

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

**Section 1: Purpose and Intent**

The Town of Lancaster is in the process of revising and updating its comprehensive plan. The comprehensive plan establishes a policy guide for land use within the Town and makes recommendations regarding growth, development, and preservation in the respective communities. The primary purpose of this law is to temporarily stop the processing of rezoning applications which could potentially conflict or frustrate the ultimate conclusions and recommendations which will be set forth in the updated comprehensive plan. As rezonings are required to be in accordance with the comprehensive plan, it is important to have the comprehensive plan review complete before any such application is evaluated.

**Section 2: Legislative Findings**

Professional planners are currently engaged by the Town to assist with the development of a comprehensive plan. The updated comprehensive plan should be completed for review and consideration in March 2018. The potential exists for land use development through the use of rezoning which could conflict with the Town's intention to implement zoning regulations that are consistent with the recommendations set forth in the comprehensive plan. This Local Law will provide a temporary Moratorium on rezoning while the comprehensive plan is under review to allow the Town to complete the process.

This Moratorium will also allow adequate time for the Town Board of Lancaster to implement legislation it deems necessary and appropriate for the Town, based on recommendations of the comprehensive plan. The Moratorium will also avoid land use development which may be contrary to the provisions of the draft comprehensive plan and may adversely affect or prevent the crafting and implementation of zoning regulations pursuant to the comprehensive plan once it is adopted. It is intended to preserve the status quo pending the adoption of the comprehensive plan and amended planning and zoning regulations in accordance with the new comprehensive plan.

The Planning Board has unanimously recommended to the Town Board that a Moratorium on all rezone applications be instituted for a period of six (6) months, which will extend through March 2018, at which time the new comprehensive plan should be complete.

**Section 3: Moratorium Imposed**

Effective immediately and continuing for a period of six (6) months following the date on which this Local Law is filed with the Secretary of State, the Town Board and Planning Board of the Town of Lancaster and all other Town agencies and personnel shall not accept, process, review, or consider any applications for rezoning within the Town limits.

Notwithstanding the provisions of Section 3, Paragraph 1 immediately above, this Local Law shall not apply to any property within the Moratorium area for which a complete application for rezoning has been properly filed with the Town of Lancaster as of the effective date of this Local Law.

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 rezoning approval in the Town of Lancaster.

The Town Board may, by resolution, terminate this Moratorium prior to its expiration or alternatively, extend the Moratorium for an additional six (6) months, as the Town Board, in its sole discretion, deems necessary to allow the adoption of the comprehensive plan and preparation and adoption of legislation to be completed.

**Section 4: Term**

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

**Section 5: Variance**

An application for a variance from the terms of this moratorium may be submitted, with a \$450.00 fee, to the Town Clerk. Notwithstanding the provisions of Article 16 of the Town Law and the Zoning Code of the Town of Lancaster, which are hereby superseded, such variance requests shall be considered by the Town Board in accordance with the requirements for a use variance.

**Section 6: 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, this Local Law shall control and supersede such law, ordinance, rule, or regulation.

**Section 7: Severability**

Should any provision of this Local Law be declared by the Courts to be unconstitutional or invalid, such a decision shall not affect validity of this Local Law as a whole or any part thereof other than the parts 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**, the Town of Lancaster received a rezone application and site plan drawing from Lancaster Peach, LLC, proposing to rezone 4817 Transit Road (SBL No. 126.01-1-6) and construct a Delta Sonic Car Wash Facility on a ± 9.8 acre parcel (the “Action”); and

**WHEREAS**, the Town Board of the Town of Lancaster (the “Town Board”) must comply with SEQRA and its implementing regulations at 6 N.Y.C.R.R. Part 617 in the review of the Action; and

**WHEREAS**, the Town Board is an involved agency pursuant to SEQRA; and

**WHEREAS**, the Town Board has determined that the Action is a “Type I” action under SEQRA, requiring a coordinated review; and

**WHEREAS**, the Town Board intends to serve as the Lead Agency for the coordinated SEQRA review of the Action; and

**NOW, THEREFORE,**

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

1. The Action is hereby determined to be a Type I action under SEQRA.
2. The Town Board hereby declares its intent to act as Lead Agency, pursuant to SEQRA, for the purpose of conducting the environmental review of the Action.
3. The Town Board hereby directs the Town Attorney to send the Notice of Intent to Act as Lead Agency to the other involved/interested agencies, pursuant to SEQRA.
4. This Resolution shall be 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

September 18, 2017

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

**WHEREAS**, the Town of Lancaster received a rezone application and site plan drawing from Uniland Development Company, proposing to rezone 4106 Walden Avenue (SBL No. 94.00-4-7.1) for the construction of 98 Patio Homes and 73 Single Family Homes on a ± 63.03 acre parcel (the “Action”); and

**WHEREAS**, the Town Board of the Town of Lancaster (the “Town Board”) must comply with SEQRA and its implementing regulations at 6 N.Y.C.R.R. Part 617 in the review of the Action; and

**WHEREAS**, the Town Board is an involved agency pursuant to SEQRA; and

**WHEREAS**, the Town Board has determined that the Action is a “Type I” action under SEQRA, requiring a coordinated review; and

**WHEREAS**, the Town Board intends to serve as the Lead Agency for the coordinated SEQRA review of the Action; and

**NOW, THEREFORE,**

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

1. The Action is hereby determined to be a Type I action under SEQRA.
2. The Town Board hereby declares its intent to act as Lead Agency, pursuant to SEQRA, for the purpose of conducting the environmental review of the Action.
3. The Town Board hereby directs the Town Attorney to send the Notice of Intent to Act as Lead Agency to the other involved/interested agencies, pursuant to SEQRA.
4. This Resolution shall be 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

September 18, 2017

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

**WHEREAS**, the James Metz Memorial Fund has offered to donate nine (9) signs identifying specific courts within the James Metz Memorial Basketball Court at Keysa Town Park located at Brady Ave. & Vandenburg Ave. in the Town of Lancaster valued at not more than \$533.00, and

**WHEREAS**, the posting/installing of the signs will be done by the Town of Lancaster's Recreation Department so there will be no additional cost to the Town, and

**WHEREAS**, after due consideration, the Town Board of the Town of Lancaster has determined that it is in the interest of the community to accept this donation.

**NOW, THEREFORE,**  
**BE IT RESOLVED** that the Town Board of the Town of Lancaster hereby accepts the donation of nine (9) signs identifying specific courts within the James Metz Memorial Basketball Court at Keysa Town Park valued at not more than \$533.00 and to be installed by the Town's Recreation Department.

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

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

September 18, 2017

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

**WHEREAS**, John Trojanwosky, Executive Director of the Youth Bureau by letter dated August 29, 2017 recommends that the Town of Lancaster continue to participate in the collaborative effort with Lancaster Central School District by providing 50% of the direct salary and 50% of the annual cost of certain fringe benefits (health insurance coverage) for the Program Coordinator for the jointly funded Family Support Center within the Lancaster Central School District, and

**WHEREAS**, the annual direct salary cost is approximately \$53,929.20; and the annual health insurance coverage cost is approximately \$7,528.92, and

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

That the Supervisor of the Town of Lancaster is hereby authorized to enter into an Agreement with the Lancaster Central School District for the purpose of providing a Coordinator for the Family Support Center for the period of September 1, 2017 to June 30, 2018 with the Town paying 50% of the annual direct salary (\$26,964.60) and 50% of the annual health insurance (\$3,764.46) for a total contribution of \$30,729.06 for the jointly funded Program Coordinator to the Lancaster Central School District, to paid in four quarterly installments with funds from budget line A4320.411 Youth-At-Risk Programs.

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

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

September 18, 2017

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

**WHEREAS**, Daniel Amatura, Highway Superintendent of the Town of Lancaster, by letter dated September 13, 2017 has requested the purchase of **one (1) new and unused 2018 Freightliner M2-106 Chassis with Galion Dump Body** for the use of the Highway Department, and

**WHEREAS**, this equipment is available under New York State Contract PC67280 SB/WBE Group 40500 Award No. 22904, from authorized state vendor Fleet Maintenance, Inc., for a cost of \$108,541.00, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

**WHEREAS**, the Highway Department will receive a trade-in allowance for their 1995 F7000 Dump VIN# 1FDPF70J1SVA28227 (w/80,532 mi) in the amount of \$1,500.00 which will bring the total expenditure for the new chassis with dump body to \$107,041.00.

**WHEREAS**, the Town Board deems it in the public interest to approve the purchase of the **one (1) new and unused 2018 Freightliner M2-106 Chassis with Galion Dump Body** from Fleet Maintenance, Inc.;

**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 2018 Freightliner M2-106 Chassis with Galion Dump Body** from the 2017 authorized State vendor Fleet Maintenance, 67 Ransier Drive, West Seneca, New York 14224 under State Contract PC67280 SB/WBE Group 40500 Award No. 22904, as proposed by the Town of Lancaster Highway Superintendent which includes a trade-in allowance of \$1,500.00 for their 1995 F7000 Dump VIN# 1FDPF70J1SVA28227 (w/80,532 mi) bringing the total cost not to exceed \$107,041.00 and shall be paid for with funds from the Bond authorized on May 15, 2017 for Highway Equipment.

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

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

September 18, 2017

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

**WHEREAS**, the Highway Superintendent of the Town of Lancaster by letter dated September 13, 2017 has requested the purchase of **two (2) new and unused 2018 Western Star 4700SB Truck Cabs & Chassis** for use by the Highway Department, and

**WHEREAS**, the above-referenced truck cabs and chassis are available for purchase through the Cattaraugus County Bid Reference No. 70, utilizing the New York State “PiggyBacking” Law through authorized bid dealer Fleet Maintenance, Inc., at an individual cost of \$247,254.70 each or \$494,509.40 total, which eliminates the need for competitive bidding pursuant to the requirements of General Municipal Law 103. (1), and

**WHEREAS**, the Highway Department will receive a trade-in allowance for their 1999 Freightliner FLD 112SD VIN# 1FV66MCB7XLA64906 (w/75,364 mi.) in the amount of \$3,500.00 and their 2000 Freightliner FLD 112SD VIN# 1FV66MCBXYLB46646 (w/88,650 mi) in the amount of \$3,500.00 which will bring the total expenditure for the two new truck cab and chassis to \$487,509.40.

**WHEREAS**, the Town Board deems it in the public interest to approve the purchase of the **two (2) new and unused 2018 Western Star 4700SB Truck Cabs & Chassis** from Fleet Maintenance, Inc.;

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

The Town Board of the Town of Lancaster hereby approves the purchase of **two (2) new and unused 2018 Western Star 4700SB Truck Cabs & Chassis** from the 2017 authorized Cattaraugus County Bid Contractor, Fleet Maintenance, Inc., 67 Ransier Drive, West Seneca, New York 14224 under Cattaraugus County Bid Reference No. 70, utilizing New York State’s “PiggyBacking Law” as proposed by the Superintendent of Highways of the Town of Lancaster which includes trade-in allowances of \$7,000.00 for their 1999 Freightliner FLD 112SD VIN# 1FV66MCB7XLA64906 (w/75,364 mi.) and their 2000 Freightliner FLD 112SD VIN# 1FV66MCBXYLB46646 (w/88,650 mi) for a total expenditure not to exceed \$487,509.40 and which shall be paid for with funds from the Bond authorized on May 15, 2017 for Highway Equipment.

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

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

September 18, 2017

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

**WHEREAS**, Daniel Amatura, Highway Superintendent of the Town of Lancaster, by letter dated September 13, 2017 has requested the purchase of **one (1) new and unused TK70HDG Hydraulic Detachable Tapered Style Paver Lowboy Trailer** for the use of the Highway Department, and

**WHEREAS**, this trailer is available under New York State Contract PC67422, NJPA Contract 052015-TKI Group 40625 Award No. 22792, from authorized State reseller Five Star Equipment, Inc., for a cost of \$64,999.45, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

**WHEREAS**, the Highway Department will receive a trade-in allowance for their 1997 DYNAWELD Trailer 34097 Serial # 4U181DGX8U1X34097 in the amount of \$5,000.00 which will bring the total expenditure for the new trailer to \$59,999.45.

**WHEREAS**, the Town Board deems it in the public interest to approve the purchase of the **TK70HDG Hydraulic Detachable Tapered Style Paver Lowboy Trailer** from Five Star Equipment Inc.;

**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 TK70HDG Hydraulic Detachable Tapered Style Paver Lowboy Trailer** from the 2017 authorized state reseller Five Star Equipment Inc., 284 Ellicott Road, West Falls, New York 14170 under State Contract PC67422, NJPA Contract 052015-TKI Group 40625 Award No. 22792, as proposed by the Town of Lancaster Highway Superintendent which includes a trade-in allowance of \$5,000.00 for their 1996 DYNAWELD Trailer 34097 Serial # 4U181DGX8U1X34097 bringing the total cost not to exceed \$59,999.45 and shall be paid for with funds from the Bond authorized on May 15, 2017 for Highway Equipment.

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

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

September 18, 2017

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

**WHEREAS**, Daniel Amatura, Highway Superintendent of the Town of Lancaster, by letter dated September 13, 2017 has requested the purchase of **one (1) new and unused 2018 CB10 Vibratory Compactor** for the use of the Highway Department, and

**WHEREAS**, this compactor is available under New York State Contract PC66988, NJPA Contract 032515-CAT Group 40625 Award No. 22792, from authorized State reseller Milton Cat, for a cost of \$129,554.00, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

**WHEREAS**, the Highway Department will receive a trade-in allowance for their 1995 CAT CB534B SN 4JL00231 (w/2,036 hours) in the amount of \$10,000.00 which will bring the total expenditure for the new compactor to \$119,554.00.

**WHEREAS**, the Town Board deems it in the public interest to approve the purchase of the **2018 CB10 Vibratory Compactor** from Milton Cat;

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

The Town Board of the Town of Lancaster hereby approves the purchase of **one (1) new and unused 2018 CB10 Vibratory Compactor** from the 2017 authorized State reseller Milton Cat, 4610 Saile Drive, Batavia, New York 14020 under State Contract PC66988, NJPA Contract 032515-CAT Group 40625 Award No. 22792, as proposed by the Town of Lancaster Highway Superintendent which includes a trade-in allowance of \$10,000.00 for their 1995 CAT CB534B SN 4JL00231 (w/2,036 hours) bringing the total cost not to exceed \$119,554.00 and shall be paid for with funds from the Bond authorized on May 15, 2017 for Highway Equipment.

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

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

September 18, 2017



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

**WHEREAS**, Daniel Amatura, Highway Superintendent of the Town of Lancaster, by letter dated September 13, 2017 has requested the purchase of **one (1) new and unused 2018 John Deere 650K Crawler Dozer** for the use of the Highway Department, and

**WHEREAS**, this dozer is available under New York State Contract PC67075, NJPA Contract 032515-JDC Group 40625 Award No. 22792, from authorized State reseller Five Star Equipment, Inc., for a cost of \$132,068.19, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

**WHEREAS**, the Highway Department will receive a trade-in allowance for their 1993 John Deere 550G Crawler Dozer-785593 Serial# TO55GH785593 (w/1,798 hours) in the amount of \$19,000.00 which will bring the total expenditure for the new dozer to \$113,068.19.

**WHEREAS**, the Town Board deems it in the public interest to approve the purchase of the **2018 John Deere 650K Crawler Dozer** from Five Star Equipment Inc.;

**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 2018 John Deere 650K Crawler Dozer** from the 2017 authorized State reseller Five Star Equipment Inc., 284 Ellicott Road, West Falls, New York 14170 under State Contract PC67075, NJPA Contract 032515-JDC Group 40625 Award No. 22792, as proposed by the Town of Lancaster Highway Superintendent which includes a trade-in allowance of \$19,000.00 for their 1993 John Deere 550G Crawler Dozer-785593 Serial# TO55GH785593 (with 1,798 hours) bringing the total cost not to exceed \$113,068.19 and shall be paid for with funds from the Bond authorized on May 15, 2017 for Highway Equipment.

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

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

September 18, 2017

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

**WHEREAS**, Daniel Amatura, Highway Superintendent of the Town of Lancaster, by letter dated September 12, 2017 has requested authorization to solicit bids for the purchase of One (1) new and unused **2018 Ford F-150 XL Supercab, Short Bed 4WD Pickup**, for the use by the Highway Department, and

**WHEREAS**, the Highway Department will be considering a trade-in allowance for a 2012 Ford F-150 XL Supercab, Short Bed 4WD Pickup (Vin# 1FTFX1EF4CFD01980 w/90,500 mi.) to offset the cost, and

**WHEREAS**, the purchase will be paid for with funds available in the 2017 Highway Machinery Budget Line Item 13-5130-225 (Trucks and Related Equipment), and

**WHEREAS**, the Town Board has given due review and consideration to the request and deems it in the public's interest to invite public bids in conformance with General Municipal Law §103 of the State of New York; and

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

1. That Bids be received in the Office the Town Clerk by October 5, 2017, at 10:00 A.M. Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of purchasing One (1) new and unused **2018 Ford F-150 XL Supercab, Short Bed 4WD Pickup**, for the use of the Highway Department in accordance with specifications on file in the Town Clerk's Office, and
2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by 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

September 18, 2017

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

**NOTICE IS HEREBY GIVEN**, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to **10:00 A.M.**, Local Time, on the **5<sup>th</sup> day of October, 2017**, for the purpose of providing to the Town of Lancaster One (1) new and unused **2018 Ford F-150 XL Supercab, Short Bed 4WD Pickup**, for the use by the Highway Department, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A Certified Check or Bid Bond in an amount representing five (5%) of the Total Gross Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board 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**

September 21, 2017

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

**WHEREAS**, the Chief of Police has requested the creation of a new Police Lieutenant position per his 2017 budget request in the Town of Lancaster Police Department, and

**WHEREAS**, this newly created position of Police Lieutenant will increase the number of Lieutenants in the Town of Lancaster Police Department from nine to ten.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) to create one (1) additional position of Police Lieutenant (full time) in the Town of Lancaster's Police Department.

**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

September 18, 2017