

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

RESOLVED, that the minutes of the Regular Meeting of the Town Board held
February 1, 2021 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 DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
COUNCIL MEMBER WOZNIAK	VOTED
SUPERVISOR RUFFINO	VOTED

February 8, 2021

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

2

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. 64037 to Claim No. 64151 Inclusive

Total amount hereby authorized to be paid: \$366,592.03

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

COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
COUNCIL MEMBER WOZNIAK	VOTED
SUPERVISOR RUFFINO	VOTED

February 8, 2021

File: Rclaims

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	Village		
31503		McGrath Carpentry	23 N Aurora St	Er. Fence	(V/L)
32118		Heritage Home Improvements	27 Pinetree Dr	Er. Res. Alt.	
32183		Shawn Falzone	102 Avian Way	Er. Res. Alt.	
32192		CREW2 INC.	31 Newell Ave	Er. Res. Alt.	(V/L)
32194		CREW2 INC.	18 Park Walk	Er. Res. Alt.	
32196		Creekside Power Inc.	29 Rose St	Inst. Generator	
32197		Christian Pawlak	20 Weathersfield Ln	Er. Res. Alt.	
32213		NAS Quick Sign Inc.	4425 Walden Ave	Er. Sign	
32223		Zenner & Ritter Co. Inc.	40 Northwood Dr	Inst. Generator	
32224		Glassco Management LLC	11W Main St	Er. Comm. Bldg.	(V/L)
32226		Neth & Son Inc.	4493 Walden Ave	Re-Roof	

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 DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
COUNCIL MEMBER WOZNIAK	VOTED
SUPERVISOR RUFFINO	VOTED

February 8, 2021

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

4

WHEREAS, David Capretto of Hidden Meadow LAN, LLC., 470 Cayuga Road, Buffalo, New York 14225 has applied to the Town Board of the Town of Lancaster for a permit for Public Improvements upon real property in the Town of Lancaster within Hidden Meadow Subdivision Phase III, Deepwood Place, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the improvement plans and permit application for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster.

NOW, THEREFORE,

BE IT RESOLVED, that Public Improvement Permit Application No. 826 of Hidden Meadow LAN, LLC, 470 Cayuga Road, Buffalo, New York 14225 which is a permit for Public Improvements for the installation of:

- Pavement and Curb – Deepwood Place; Installation of approx. 1,021± LF of 28,616 SF wide asphaltic conc. pavement, 12" sub base no. 2 (NYSDOT 304.03), 4" base (NYSDOT 403.11), 2½" dense binder type 3 (NYSDOT 403.13) 1½" top type 7F (NYSDOT 403.18) and 2,053± LF of upright concrete curbs with underdrain.
- Waterline - Deepwood Place; Installation of 1,022± LF 8" PVC waterline, hydrant assemblies – 2 ea., tees, valves, service connections and all other appurtenances for a complete installation.
- Storm Sewer – Deepwood Place; Installation of approx. 1,228± LF of 8" PPVC, 165±LF of 10" HDPE, 309± LF of 12" HDPE, 310± LF of 15" HDPE, 190± LF of 18" HDPE, storm manhole – 5 ea., Receivers – 6 ea., LD Receivers – 6 ea., BY Receiver – 8 ea., pretreatment chambers – 1 ea.

BE IT FURTHER,

RESOLVED, that the only construction entrance to be utilized is the existing temporary construction entrance from Aurora Street. Should it be observed that other routes are utilized a STOP WORK ORDER will be issued for a minimum of twenty-four (24) hours.

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

COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
COUNCIL MEMBER WOZNIAK	VOTED
SUPERVISOR RUFFINO	VOTED

February 8, 2021

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

WHEREAS, in 2020 the Town authorized Wendel to prepare specifications for construction of public improvements within the Town of Lancaster, and

WHEREAS, the elected, appointed and Civil Service Officials of the Town of Lancaster have reviewed and approved the September 2020 Standard Specifications prepared and submitted by Wendel.

NOW, THEREFORE,

BE IT RESOLVED, that effective immediately, the Town Board of the Town of Lancaster hereby adopts the September 2020 Standard Specifications for public improvements as prepared by Wendel and attached hereto, and

BE IT FURTHER,

RESOLVED, projects submitted prior to this adoption will be processed according to the standards in place at the time of submittal.

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

COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
COUNCIL MEMBER WOZNIAK	VOTED
SUPERVISOR RUFFINO	VOTED

February 8, 2021

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

WHEREAS, Town of Lancaster’s Supervisor, Ronald Ruffino, Sr., desires to obtain new Public Administration Software and Related Services for use by all Town Offices, and

WHEREAS, the above-referenced service is available from Tyler Technologies through their national contract (# 090320-TTI) with Sourcewell (a local government and procurement collaborative of the State of Minnesota) of which the Town of Lancaster will be “Piggybacking” off of which eliminates the need for competitive bidding pursuant to §103 (16) of General Municipal Law, and

WHEREAS, the initial term of this agreement is five (5) years beginning March 1, 2021 and terminating February 28, 2026 with automatic annual renewal thereafter unless written notice is provided by either party sixty (60) days prior to the end of the then-current term, and

WHEREAS, the cost for the Public Administration Software and Related Services through Tyler Technologies is \$111,676.00/yr. for three (3) years with an initial one-time fee of \$25,036.00 and which will be paid for with funds in the Town’s 2021 Appropriated Fund Balance Account (Line Item 1.1.599).

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

The Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute the agreement with Tyler Technologies to provide Public Administration Software and Related Services to all the Town’s offices, under their national contract (# 090320-TTI) with Sourcewell (a local government and procurement collaborative of the State of Minnesota) of which the Town of Lancaster will be “Piggybacking” off of pursuant to §103 (16) of General Municipal Law, as proposed by Supervisor Ruffino for an amount not to exceed the contract price of \$111,676.00/yr. for three (3) years with an initial one-time fee of \$25,036.00 and which will be paid for with funds in the Town’s 2021 Appropriated Fund Balance Account (Line Item 1.1.599), and

**BE IT FURTHER,
RESOLVED**, that there shall be no execution of the contract nor payment for services rendered until the required insurance documents have been received and approved by the Town Attorney.

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

COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
COUNCIL MEMBER WOZNIAK	VOTED
SUPERVISOR RUFFINO	VOTED

February 8, 2021

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

7

WHEREAS, Supervisor Ruffino has requested that a Request for Proposal (RFP) be issued for a traffic study to be done to analyze the Stutzman Road at Pleasant View Drive area for issues identified by residents, and

WHEREAS, Edward Schiller, P.E., Municipal Projects Director, sent out the RFP to the four (4) Traffic firms previously qualified by New York State to perform this type of work, and

WHEREAS, Edward Schiller received three (3) responses back for the Traffic Study in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, by email dated January 11, 2021, Edward Schiller, P.E. has recommended that the Town of Lancaster award the traffic study to analyze the Stutzman Road at Pleasant View Drive area to Barton & Loguidice, D.P.C. at a cost in the amount of \$13,900.00, per their proposal dated January 7, 2021, and

WHEREAS, funding for this study will be paid for from the 2021 Engineer, Professional Services Other (Budget Line Item 1-1440-411).

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute the contract with Barton & Loguidice, D.P.C., 11 Centre Park, Suite 203, Rochester, New York 14614, to perform a traffic study for the Stutzman Road at Pleasant View Drive area in accordance with their proposal dated January 7, 2021 in the amount not to exceed \$13,900.00 and to be paid for with funds from the Town's 2021 Engineer, Professional Services Other (Budget Line Item 1-1440-411), and

BE IT FURTHER,

RESOLVED, that the 2021 adopted budget for the Town of Lancaster be and hereby is amended to increase appropriations in the Engineer budget to fund the above services as follows:

SPECIAL ITEMS	Decrease
A1990-411 Contingency Account	\$13,900.00
ENGINEER	Increase
A1440 Professional Services, Other	\$13,900.00

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

COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
COUNCIL MEMBER WOZNIAK	VOTED
SUPERVISOR RUFFINO	VOTED

February 8, 2021

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

8

WHEREAS, the Town Board of the Town of Lancaster has duly advertised for bids for furnishing to the Town of Lancaster the necessary trees for the 2021 Tree Planting Program in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, two (2) bids were duly received, opened and reviewed on February 2, 2021, and

WHEREAS, **SCHICHEL'S NURSERY, INC.**, 7420 Peters Road, Springville, New York 14141, has submitted the lowest responsible bid in the amount of \$8,075.00 for furnishing said trees to the Town of Lancaster, and

WHEREAS, by letter dated February 2, 2021, the Park Crew Chief has recommended awarding the bid for furnishing trees for the Town's 2021 Tree Planting Program to Schichtel's Nursery, Inc., and

WHEREAS, by same letter, the Park Crew Chief has requested that she be authorized to purchase additional trees at the 2021 bid prices from Schichtel's Nursery, Inc. at her discretion for whatever other tree plantings the Town may incur in 2021.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for furnishing to the Town of Lancaster the necessary trees for the 2021 Tree Planting Program to **SCHICHEL'S NURSERY, INC.**, 7420 Peters Road, Springville, New York 14141, being the lowest responsible bid in conformance with the specifications on file, in the amount of \$8,075.00 which will be paid for with funds from the Town's 2021 Tree Planting Fee Fund, Home and Community Services (Budget Line Item 33-8000-400), and

BE IT FURTHER,

RESOLVED, that the Park Crew Chief be and is hereby authorized to purchase additional trees at the 2021 bid prices from Schichtel's Nursery, Inc., at her discretion for whatever other tree plantings the Town may incur in 2021.

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

COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
COUNCIL MEMBER WOZNIAK	VOTED
SUPERVISOR RUFFINO	VOTED

February 8, 2021

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

9

WHEREAS, Niagara Lutheran Health System, Inc. (“Niagara Lutheran”) has filed a Petition seeking assessment adjustments in real property located at 5959 Broadway, Lancaster, New York and identified as SBL # 116.02-2-2.11, a portion of which is subject to taxes levied by the Town of Lancaster (“Town”), County of Erie and the Lancaster Central School District, and

WHEREAS, the subject property consists of two buildings, one fully occupied by Niagara Lutheran Health System, Inc. for its corporate administrative functions and the other building occupied as a fitness center and a portion leased to a tenant to operate a childcare facility, and

WHEREAS, the entire property is presently treated as tax exempt on the Town’s 2020 assessment roll in accordance with the provisions of New York Real Property Tax Law § 420-a, and

WHEREAS, in resolution of the assessment challenge, the parties have proposed that Niagara Lutheran will make payment in lieu of taxes in a PILOT Agreement based upon \$1,112,075.00 of a total \$6,060,000.00 2020 assessment of the property being treated as taxable property.

NOW, THEREFORE,

BE IT RESOLVED, the Town and Niagara Lutheran agree and approve the terms of settlement set forth in the attached PILOT Agreement which provides that commencing with the Town’s 2020 assessment roll and effective for the subsequent years and continuing through the Town’s 2031 assessment roll and effective for the 2030/31 tax year, the Petitioner, Niagara Lutheran, will make payments in lieu of taxes on the property as defined in Schedule A of the PILOT Agreement based upon \$1,112,075.00 with a balance of \$2,060,000.00 2020 assessment of the property being treated as taxable property, and

BE IT FURTHER,

RESOLVED, that the Town will maintain the total assessment of the property on the tax-exempt portion of the Town’s assessment rolls through the term of this PILOT Agreement which will expire on December 31, 2031, and

BE IT FURTHER

RESOLVED, that Town Board of the Town of Lancaster hereby approves and authorizes the Supervisor of said Town to execute this Agreement, and

BE IT FURTHER,

RESOLVED, that the Town Attorney is directed to provide duplicate copies of the authorized and executed Agreement for Payment in Lieu of Real Estate Taxes to the Petitioner subject to the execution of the Agreement by the authorized officer of the Petitioner, Niagara Lutheran Health System, Inc.

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

COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
COUNCIL MEMBER WOZNIAK	VOTED
SUPERVISOR RUFFINO	VOTED

February 8, 2021

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

10

RESOLVED, by the Town Board of the Town of Lancaster as follows:

SECTION 1:

That this Town appointed official listed below be and are hereby authorized by the Town Board to attend the 2021 New York State Association of Towns Training School and Annual Meeting, to be held as an all-virtual educational and networking event on February 14th, 15th, 16th and 17th, 2021;

BE IT FURTHER RESOLVED, that this individual is eligible for reimbursement for conference registration expenses subject to the following limitations:

Conference Registration Fee – Authorized reimbursement of \$100. per employee. All requests for reimbursement must be presented in the form of original registration confirmation. Total reimbursement per employee is not to exceed the sum of **\$100.** and also must have funds available in the departmental budget. The Finance Director will have final approval for determination of reimbursements.

1. Second Planning Board Member to be designated by the Planning Board Chairman

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

COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
COUNCIL MEMBER WOZNIAK	VOTED
SUPERVISOR RUFFINO	VOTED

February 8, 2021

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER MAZUR,
MOVED ITS ADOPTION,
COUNCIL MEMBER ,

11
WHO
SECONDED BY
TO WIT:

WHEREAS, the Town of Lancaster's Department of Parks, Recreation & Forestry's Park Crew Chief, Michelle Barbaro, by letter dated February 2, 2021 has advised the Town Board that the Parks, Recreation & Forestry Department no longer has use for the following items:

<u>Snowblowers:</u>	<u>Model #:</u>	<u>Serial #:</u>
Tecumseh	31AE640F000	1F210B30384
Yard Machine		31AE665F118
Cub Cadet		11146130094
Toro 3650		290016540
Toro 3650		240003756

<u>Pumps:</u>		
Kawasaki Trash	KWT20A	
Honda Trash	WB20X	
Troybilt Rototiller		1E182090008
Lesco Fertilizer Machine	021600	02160018210Z70006
Lesco Seeder	ULTRA SEA1A	44220023763SE

(2) Schwinn Exercise Bikes AD6

and has requested that the Town Board therefore deem these items to be surplus equipment and permit them to be placed on an online auction, and

WHEREAS, the Town Board has given due consideration to the request of the Park Crew Chief and deems it in the public interest to declare the beforementioned items to be surplus equipment and permit placement of said items on an online auction.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby declares the beforementioned items to be surplus equipment and authorizes the Park Crew Chief of the Parks, Recreation and Forestry Department, Michelle Barbaro, to place said items up for public bid at an online auction with Auctions International, <http://www.auctionsinternational.com>; 11167 Big Tree Road, East Aurora, New York 14052 starting February 11, 2021 and concluding on February 25, 2021, with the funds received from said auction to be made payable to the Town of Lancaster and delivered to the Town Supervisor's Office.

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

COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
COUNCIL MEMBER WOZNIAK	VOTED
SUPERVISOR RUFFINO	VOTED

February 8, 2021

PUBLIC AUCTION
OF TOWN OWNED SURPLUS EQUIPMENT

Notice is hereby given that the Town Board of the Town of Lancaster has deemed the following equipment as surplus equipment:

<u>Snowblowers:</u>	<u>Model #:</u>	<u>Serial #:</u>
Tecumseh	31AE640F000	1F210B30384
Yard Machine		31AE665F118
Cub Cadet		11146130094
Toro 3650		290016540
Toro 3650		240003756
 <u>Pumps:</u>		
Kawasaki Trash	KWT20A	
Honda Trash	WB20X	
 Troybilt Rototiller		 1E182090008
 Lesco Fertilizer Machine	 021600	 02160018210Z70006
 Lesco Seeder	 ULTRA SEA1A	 44220023763SE
 (2) Schwinn Exercise Bikes	 AD6	

This surplus equipment and will be auctioned at an online auction with Auctions International, <http://www.auctionsinternational.com>; 11167 Big Tree Road, East Aurora, New York 14052 starting February 11, 2021 and concluding on February 25, 2021.

Successful bidders must provide a payment of 100% of the bid price offered payable to the Town of Lancaster prior to taking possession of the equipment.

The surplus equipment may be inspected at the Town of Lancaster's Department of Parks and Recreation, 525 Pavement Road, Lancaster, New York by contacting the Park Crew Chief, Michelle Barbaro at 684-3320 to make an appointment.

TOWN BOARD
TOWN OF LANCASTER

By: DIANE M. TERRANOVA
TOWN CLERK

February 11, 2021

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

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

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

WHEREAS, the Building Inspector, by letter dated February 4, 2021 has notified the Town Board that he has completed his review and made a favorable recommendation thereto.

NOW, THEREFORE,

BE IT RESOLVED, that Alfreda Haniszewski, d/b/a Ed Henning, Inc., 911 Ransom Road, Lancaster, New York be and is hereby authorized to conduct a salvage yard on premises situate at 911 Ransom Road, Lancaster, New York for the period January 1, 2021 to December 31, 2021 in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk.

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

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

February 8, 2021