

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
March 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 |

March 15, 2021

File: RMIN (P1)

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. 64368 to Claim No. 64505 Inclusive

Total amount hereby authorized to be paid: \$3,937,590.90

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 |

March 15, 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 | | |
|-------|---------|-------------------------------|-------------------------|-----------------------|-------|
| Name | Address | STRUCTURE | | | |
| 32234 | | Cortese Brothers Construction | 26 Parkview Ct | Er. Res. Alt. | (V/L) |
| 32235 | | Cortese Brothers Construction | 26 Parkview Ct | Dumpster - Temp. | (V/L) |
| 32236 | | Cortese Brothers Construction | 3 Old Schoolhouse Rd | Er. Res. Alt. | |
| 32256 | | Edna Buckley | 527 Ransom Rd | Er. Fence | |
| 32260 | | Stacy Donnelly | 20 Ashwood Ct | Er. Fence | |
| 32264 | | American All Star | 3586 Bowen Rd | Re-Roof | |
| 32266 | | Lilly Belle Meads | 11 W Main St | Er. Sign | (V/L) |
| 32267 | | Rosanne Christel | 56 Wayne St | Er. Pool-Abv Grnd | (V/L) |
| 32268 | | Rosanne Christel | 56 Wayne St | Er. Fence | (V/L) |
| 32269 | | Joseph Aquino | 4 Farmingdale Ct | Er. Fence | |
| 32272 | | John Trojanowsky | 1 Via Donato W | Inst. Generator | |
| 32274 | | Zenner & Ritter Co. Inc. | 168 Peppermint Rd | Inst. Generator | |
| 32275 | | Zenner & Ritter Co. Inc. | 72 Cowing St | Inst. Generator | (V/L) |
| 32276 | | Dalex Construction Inc. | 77 Robert Dr | Re-Roof | (V/L) |
| 32283 | | House Crafters LLC | 27 Hidden Meadow Cros | Er. Porch/Porch Cover | |
| 32284 | | Gen-Tech Power Systems LLC | 82 Old Post Rd | Inst. Generator | |
| 32285 | | Gen-Tech Power Systems LLC | 68 Michaels Walk | Inst. Generator | |
| 32286 | | Zenner & Ritter Co. Inc. | 58 Woodgate Dr | Inst. Generator | |
| 32288 | | First Buffalo Total Basement | 32 St Marys St | Er. Res. Alt. | (V/L) |
| 32292 | | MGR Constructors | 4845 Transit Rd, Ste. C | Er. Comm. Add./Alt. | |
| 32293 | | J and R Home Solutions | 782 Ransom Rd | Er. Res. Alt. | |

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 |

March 15, 2021

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

4

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated March 1, 2021, has requested the addition of one (1) member to the roster of said fire association.

NOW, THEREFORE,

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

ADDITIONS:

Mia Loschiavo
Alden, New York

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

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

March 15, 2021

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

5

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning, Article XIV-Administration and Enforcement, Section 78 of the Code of the Town of Lancaster, upon the application of Robert S. Sugg, Jr., of B & S Enterprises, to authorize the operation of an automotive repair shop on premises located at 501 Erie Street, Building 505 Unit A, in the Town of Lancaster, New York, and the Board issued such Special Use Permit on April 4, 2011, this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, Robert S. Sugg Jr., by letter dated February 23, 2021, 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 completed an onsite inspection and found the property to be in compliance with the original conditions of the Special Use Permit and corrected the unit's identification at the site, in his letter dated February 26, 2021.

NOW THEREFORE,

BE IT RESOLVED, as follows:

1. That pursuant to Chapter 50-Zoning, Section 18 (B)(1)(a), entitled "General Commercial District (GC)", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit Renewal to **B & S Enterprises**, authorizing the automotive repair facility on premises located at 501 Erie Street, Building 505 Unit A in the Town of Lancaster, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning April 4, 2021 and ending April 3, 2023, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Article XIV-Administration and Enforcement, Section 78, of the Code of the Town of Lancaster, and to any additional conditions listed herein, as long as the applicant continues to engage in an automotive repair shop on the premises namely:

- A. Bay doors on east side of building cannot be open more than seven (7) feet except when bringing vehicles in or out of the business.
- B. Security cameras will be positioned away from the backyard of the residence to the east of the business.
- C. Business must operate within all confines of the Town of Lancaster's noise ordinance.
- D. Permit must be renewed every two (2) years at no additional cost to the applicant. Renewal request is considered upon the property owner submitting an application to the Town Clerk, on or before April 3, 2023.
- 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.

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 |

March 15, 2021

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

6

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning, Article XIV, Section 78 of the Code of the Town of Lancaster, upon the application of **Julie and Daniel Curtis**, for a Special Use Permit for a Home Occupation (Woodcraft/Gift Shop – Two Chicks and a Rooster) on premises located at 732 Aurora Street, Lancaster, New York, and the Board issued such Special Use Permit on April 6, 2009, this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, by letter dated February 19, 2021, **Julie and Daniel Curtis** have 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 Renewal with conditions in his letter dated February 25, 2021.

NOW THEREFORE,

BE IT RESOLVED, as follows:

1. That pursuant to Chapter 50-Zoning, Article IV Residential Districts, Section 16 (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 Renewal to **Julie and Daniel Curtis**, for a Home Occupation ((Woodcraft/Gift Shop – Two Chicks and a Rooster) on premises located at 732 Aurora Street, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning April 6, 2021 and ending April 5, 2023, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Article IV Residential Districts, Section 16 (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. This Special Use Permit terminates when the applicant no longer resides on the premises.
- B. 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 April 5, 2023.
- C. Applicant will obtain and provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided.
- D. Only merchandise crafted by the residents on the premises may be sold on site.
- E. Only 2-24 SF unlit signs are allowed.
- F. Retail space is limited to the garage area as it currently exists (418 SF).

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 |

March 15, 2021

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

7

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Memorandum of Understanding, between Homeland Security Investigations (HSI) and the Town of Lancaster, NY Police Department (LPD) as presented, for the reimbursement of costs incurred by the LPD in providing resources to joint operations/task forces; and hereby authorizes the Town of Lancaster Police Chief to execute this agreement which will take effect upon execution by both entities.

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 |

March 15, 2021

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

8

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Intermunicipal Shared Services Agreement, between the Town of Lancaster and the New York State Department of Transportation, as presented, allowing the Lancaster Highway Superintendent and the New York State Department of Transportation Resident Engineer (North Erie County) and Regional Director of Operations, to enter into an agreement to share services, exchange or lend materials or equipment which shall promote and assist the maintenance of State and Municipal roads and highways and provide a cost savings by maximizing the effective utilization of both parties' resources; and hereby authorizes the Lancaster Highway Superintendent to execute this agreement which will cover the period of March 16, 2021 through March 16, 2025.

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 |

March 15, 2021

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

9

WHEREAS, Town of Lancaster Police Patrol Captain, Marco Laurienzo, by letter dated February 22, 2021 has requested the purchase of **five (5) new and unused 2021 Dodge Charger Police Patrol Vehicles and one (1) new and unused 2021 Dodge Durango**, for the use within the Town’s Police Department, and

WHEREAS, the above-referenced vehicles are available for purchase under New York State “Piggybacking” Law through the Onondaga County Division of Purchase, Bid Reference No. 8771, Contract ID No. 3197, through authorized vehicle vendor Robert Green Auto & Truck, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, Captain Laurienzo has recommended the purchase of the before mentioned vehicles, in accordance with said specifications, be made from Robert Green Auto & Truck, P.O. Box 8002, Rock Hill, New York 12775, at a **unit price of \$31,115.54 for each 2021 Dodge Charger; and \$35,508.00 for the Dodge Durango**, for a **total amount of \$191,085.70** per their purchase agreements dated February 22, 2021, and

WHEREAS, the Police Department will receive trade-in allowances for five (5) Dodge Charger Police Vehicles (2016 VIN No.2C3CDXKTXGH260238 w/approx. 72,193mi., 2016 2C3CDXKT2GH260234 w/approx. 63,222mi, 2018 VIN NO. 2C3CDXKT3JH323817 w/approx. 101,475mi, 2018 2C3CDXKT7JH323819 w/approx. 103,091mi, & 2019 2C3CDXKT9KH647260 w/approx. 82,457mi) and one (1) 2016 Chevy Tahoe (VIN No. 1GNSKDEC1GR380718 w/approx.. 78,235mi) for a **total trade-in amount of \$41,750.00**, which will bring the total expenditure for the five (5) new and unused 2021 Dodge Charger Police Patrol Vehicles and one (1) 2021 dodge Durango to **\$149,335.70**, and

WHEREAS, the Town Board deems it in the public interest to approve the purchase of said vehicles;

NOW, THEREFORE,

BE IT RESOLVED, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of the **five (5) new and unused 2021 Dodge Charger Police Patrol Vehicles and one (1) new and unused Dodge Durango** under New York State “Piggybacking” Law through the Onondaga County Division of Purchase, Bid Reference No. 8771, Contract ID No. 3197, through authorized vehicle vendor Robert Green Auto & Truck, P.O. Box 8002, Rock Hill, New York 12775, as proposed by the Town of Lancaster Patrol Captain, Marco Laurienzo, for a total expenditure of **\$149,335.70**, per their purchase agreements dated February 22, 2021, which includes trade-in allowances of **\$41,750.00** and which will be paid for with funds from the Town’s 2021 Public Safety Police Passenger Vehicle Budget, Line Item P3120-220.

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 |

March 15, 2021

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

10

WHEREAS, the Highway Superintendent has submitted a proposed Agreement to the Town Board of the Town of Lancaster for the expenditure of highway funds for the year 2021, pursuant to the requirements of the Highway Law of the State of New York, and

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

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

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster does hereby authorize the execution of the proposed Agreement to Spend Town Highway Funds for the year 2021, as submitted by the Superintendent of Highways.

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

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

March 15, 2021

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

11

WHEREAS, the Town Board is considering the proposed construction of an outdoor patio at Rachel's Mediterranean Grill submitted by Benderson Development Company, LLC consisting of three (3) tables with four (4) seats per table on a +/- 3.23 acre parcel located at 4931 Transit Road (SBL No. 105.03-1-34.121), Building 4933 Unit 100, in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Planning Board has reviewed the environmental impact of this site plan amendment pursuant to SEQRA regulations at their meeting on March 3, 2021 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the project using the short 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 Town of Lancaster Planning Board, and

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

WHEREAS, the proposed action has been labeled an "Unlisted" action under SEQRA.

NOW, THEREFORE,

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

1. This project described as a site plan to allow for the construction of an outdoor patio along with a variance granted to allow for 1) A side yard setback of 1'-10" where 10'-0" is allowed by code, 2) to allow for a further reduction in required parking by 4 spaces as the 12 seats on the outdoor patio requires 4 parking spaces and 3) Allow for an outdoor patio dining area where all principal and accessory uses shall be conducted in a completely enclosed structure (permitted through Special Use Permit), submitted by Benderson Development Company, LLC on a +/- 3.23 acre parcel located at 4931 Transit Road, Building 4933, Unit 100, in the Town of Lancaster, will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment; for this reason the Town Board issues the attached negative declaration of environmental significance for the reasons stated therein.

2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.

3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.

4. This resolution is effective immediately.

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

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

March 15, 2021

NEGATIVE DECLARATION

Determination of Non-Significance

Town of Lancaster Town Board

Dated: March 15, 2021

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town Board of the Town of Lancaster has reviewed the proposed site plan amendment submitted by Benderson Development Company, LLC on a +/- 3.23-acre parcel located at 4931 Transit Road, Building 4933, Unit 100 (SBL No. 105.03-1-34.121) and has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Rachel's Mediterranean Grill (Outdoor Patio) #1394

Location of Action: 4931 Transit Road, Building 4933, Unit 100 (SBL Nos. 105.03-1-34.121), Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted

Description of Action: The construction of an outdoor patio along with a variance granted to allow for 1) A side yard setback of 1'-10" where 10'-0" is allowed by code. 2) to allow for a further reduction in parking by 4 spaces as the 12 seats on the outdoor patio requires 4 parking spaces. 3) Allow for an exterior outdoor patio where all principal and accessory uses shall be conducted in a completely enclosed structure (permitted through Special Use Permit).

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? **No Impact.**
2. Will the proposed action result in a change in the use or intensity of use of land? **No impact.**
3. Will the proposed action impair the character or quality of the existing community? **No impact.**
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? **The Town of Lancaster has not established a Critical Environmental Area (CEA).**
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? **No impact.**
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? **No impact.**
7. Will the proposed action impact existing:
 - a. public/private water supplies? **No impact.**
 - b. public/private wastewater treatment utilities? **No impact.**

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? **No impact.**
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna)? **No impact.**
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No impact.**
11. Will the proposed action create a hazard to environmental resources or human health? **No impact.**

For Further Information:

Contact Person: Kevin E. Loftus, Town Attorney

Address: Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

Telephone Number: (716) 684-3342

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

WHEREAS, James Boglioli, of Benderson Development Company, LLC has submitted a site plan amendment prepared by James Allen Rumsey, Architect, which contains drawing C3.1 (Overall Site Plan) dated June 27, 2019, with a revision date of December 9, 2020 and drawing SK-1 (Site and Grading Plan) dated October 2, 2020 both were received December 11, 2020 for the proposed construction of an outdoor patio at Rachel’s Mediterranean Grill consisting of three (3) tables with four (4) seats per table to be located 4931 Transit Road, Building 4933, Unit 100 (SBL No. 105.03-1-34.121) Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was recommended for approval at their March 3, 2021 meeting, and

WHEREAS, the Town Planning Board has completed an environmental review for the project on March 3, 2021, in conformance with SEQR (State Environmental Quality Review) regulations and the Town Board, acting as lead agency, issued a Negative Declaration on March 15, 2021.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan amendment submitted by James Boglioli, of Benderson Development Company, LLC, prepared by James Allen Rumsey, Architect, which contains drawing C3.1 (Overall Site Plan) dated June 27, 2019, with a revision date of December 9, 2020 and drawing SK-1 (Site and Grading Plan) dated October 2, 2020 both were received December 11, 2020 for the proposed construction of an outdoor patio at Rachel’s Mediterranean Grill consisting of three (3) tables with four (4) seats per table to be located 4931 Transit Road, Building 4933, Unit 100 (SBL No. 105.03-1-34.121) Town of Lancaster with the following conditions:

1. Approval of Special Use Permit for outdoor activities by the Lancaster Town Board.
2. Contractor to provide an “As-built” survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.

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 |

March 15, 2021

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

13

WHEREAS, the Town Board of the Town of Lancaster has held a public hearing on February 1, 2021, pursuant to Chapter 50-Zoning, Article XIV. Administration and Enforcement, 50-78 of the Code of the Town Lancaster, upon the application of Benderson Development Company, LLC on behalf of Transit-William Associates, LLC for a Special Use Permit to allow **Rachels Mediterranean Grill** to operate a patio with outdoor seating on premises located at 4931 Transit Road, Building 4933 Suite 100, in the Town of Lancaster, Erie County, New York, and

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

NOW, THEREFORE,

BE IT RESOLVED, that pursuant to Chapter 50-Zoning, Article V. Commercial Districts, §50-18 General Commercial (B) (1) (a) of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to Benderson Development Company, LLC on behalf of Transit-William Associates, LLC for a Special Use Permit to allow **Rachels Mediterranean Grill** to operate a patio with outdoor seating on premises located at 4931 Transit Road, Building 4933, Suite 100, in the Town of Lancaster, New York, upon the conditions as set forth in Chapter 50-Zoning, Article XIV. Administration and Enforcement, 50-78 and the following conditions:

1. 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 March 14, 2023.
2. 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.
3. Applicant will obtain and provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided.
4. The hours of operation will be limited to New York State open business hours (currently no later than 11:00 P.M.).
5. No amplified sound to be transmitted to the outside dining area (including music and sporting events).

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 |

March 15, 2021

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

14

WHEREAS, Ronald Ruffino, Sr. Supervisor of the Town of Lancaster has recommended the appointment of Mark Norton as a member of the Town of Lancaster Ethics Review Board.

NOW, THEREFORE,

BE IT RESOLVED, that Mark Norton, Lancaster, New York be and is hereby appointed a member of the Town of Lancaster Ethics Review Board for the term of March 15, 2021 through December 31, 2025, thereby filling the expired term of Jennifer Uldrich.

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

March 15, 2021

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

15

A BOND RESOLUTION, DATED MARCH 15, 2021, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE “TOWN”), AUTHORIZING THE ACQUISITION OF EQUIPMENT, MACHINERY AND APPARATUS FOR USE BY THE TOWN (HIGHWAY DEPARTMENT), AT AN ESTIMATED MAXIMUM COST OF \$1,480,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,480,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

BE IT RESOLVED, by the Town Board of the Town of Lancaster, in the County of Erie, New York (the “Town”) (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Town is hereby authorized to acquire equipment, machinery and apparatus for use by the Town (Highway Department), including all necessary equipment, apparatus and warranties and all preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the “Purpose”). The estimated maximum cost of the Purpose is \$1,480,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$1,480,000 of the Town, hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 3. It is hereby determined that the Purpose is a class of objects or purposes described in subdivision 28 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such Purpose is 10 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution is expected to be in excess of five years.

SECTION 6. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in

anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

SECTION 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution.

SECTION 9. This resolution shall constitute the declaration (or reaffirmation) of the Town's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the bonds, notes or other obligations authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 10. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 11. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 12. The Town Supervisor is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with Town officials and the Town's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the Town Clerk.

SECTION 13. The Town hereby determines that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") are required.

SECTION 14. In the absence or unavailability of the Town Supervisor, the Deputy Town Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 15. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 16. This resolution is subject to permissive referendum pursuant to Section 35.00 of the Local Finance Law. The Town Clerk is hereby authorized and directed to publish (one time) and post on the sign-board of the Town, this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 17. If no petitions are filed in the permissive referendum period, the Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

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 |

March 15, 2021

**NOTICE OF ADOPTION OF BOND RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM
AUTHORIZING THE ACQUISITION OF
EQUIPMENT, MACHINERY AND APPARATUS
FOR USE BY THE TOWN (HIGHWAY DEPARTMENT)**

Notice is hereby given that at its March 15, 2021 meeting the Town Board of the Town of Lancaster adopted a bond resolution authorizing the acquisition of equipment, machinery and apparatus for use by the Town (Highway Department), including all necessary equipment, apparatus and warranties and all preliminary costs and costs incidental thereto, and in connection with the financing thereof (collectively the "Purpose") at an estimated maximum cost of \$1,480,000. Such resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of such serial bonds, in an aggregate principal amount not to exceed \$1,480,000 of the Town, such amount to be offset by any federal, state, county and/or local funds received. Such resolution is subject to permissive referendum pursuant to New York law.

**BY ORDER OF THE TOWN BOARD OF
TOWN OF LANCASTER, ERIE COUNTY,
NEW YORK**

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

16

A BOND RESOLUTION, DATED MARCH 15, 2021, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ACQUISITION OF VEHICLES AND EQUIPMENT FOR THE TOWN (PARKS AND RECREATION DEPARTMENT), AT AN ESTIMATED MAXIMUM COST OF \$595,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$595,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

BE IT RESOLVED, by the Town Board of the Town of Lancaster, in the County of Erie, New York (the "Town") (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Town is hereby authorized to acquire vehicles and equipment for the Town (Parks and Recreation Department), including all necessary machinery, equipment, apparatus and warranties and all preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$595,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$595,000 of the Town, hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 3. It is hereby determined that the Purpose is a class of objects or purposes described in subdivision 28 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such Purpose is 10 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution is expected to be in excess of five years.

SECTION 6. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the

foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

SECTION 8. To the extent not previously authorized, the temporary use of available funds of the Town], not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution.

SECTION 9. This resolution shall constitute the declaration (or reaffirmation) of the Town's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the bonds, notes or other obligations authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 10. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 11. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 12. The Town Supervisor is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with Town officials and the Town's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the Town Clerk.

SECTION 13. The Town hereby determines that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") are required.

SECTION 14. In the absence or unavailability of the Town Supervisor, the Deputy Town Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 15. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 16. This resolution is subject to permissive referendum pursuant to Section 35.00 of the Local Finance Law. The Town Clerk is hereby authorized and directed to publish (one time) and post on the sign-board of the Town, this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 17. If no petitions are filed in the permissive referendum period, the Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

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 |

March 15, 2021

**NOTICE OF ADOPTION OF BOND RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM
AUTHORIZING THE ACQUISITION OF VEHICLES AND EQUIPMENT
FOR THE TOWN (PARKS AND RECREATION DEPARTMENT)**

Notice is hereby given that at its March 15, 2021 meeting the Town Board of the Town of Lancaster adopted a bond resolution authorizing the acquisition of vehicles and equipment for the Town (Parks and Recreation Department), including all necessary machinery, equipment, apparatus and warranties and all preliminary costs and costs incidental thereto, and in connection with the financing thereof (collectively the "Purpose") at an estimated maximum cost of \$595,000. Such resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of such serial bonds, in an aggregate principal amount not to exceed \$595,000 of the Town, such amount to be offset by any federal, state, county and/or local funds received. Such resolution is subject to permissive referendum pursuant to New York law.

**BY ORDER OF THE TOWN BOARD OF
TOWN OF LANCASTER, ERIE COUNTY,
NEW YORK**

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

17
WHO
SECONDED BY
TO WIT:

A BOND RESOLUTION, DATED MARCH 15, 2021, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE "TOWN") AUTHORIZING THE RECONSTRUCTION OF AND CONSTRUCTION OF IMPROVEMENTS TO VARIOUS ROADS IN THE TOWN (PRIMARILY MAPLE DRIVE), AT AN ESTIMATED MAXIMUM COST OF \$255,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$255,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

WHEREAS, the Town Board of the Town of Lancaster, in the County of Erie, New York (the "Town") has determined to undertake the reconstruction of and construction of improvements to various roads in the Town (primarily Maple Drive).

NOW, THEREFORE,

BE IT RESOLVED, by the Town Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Town is hereby authorized to undertake the reconstruction of and construction of improvements to various roads in the Town (primarily Maple Drive), such work to generally consist of (but not be limited to) the removal of a vertical curve along Maple Drive caused by a former railroad crossing, excavation of the existing roadway and the replacement of two 12-inch culverts, as well as other such improvements as more fully identified in (or contemplated by) one or more reports prepared by Wm. Schutt & Associates, P.C., all of the forgoing to include all preliminary work and necessary equipment, materials and related site work, and any preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$255,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$255,000 of the Town, hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 3. It is hereby determined that the Purpose is an object or purpose described in subdivision 20(c) of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such Purpose is 15 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution is expected to be in excess of five years.

SECTION 6. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

SECTION 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution.

SECTION 9. This resolution shall constitute the declaration (or reaffirmation) of the Town's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the bonds, notes or other obligations authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 10. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 11. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 12. The Town Supervisor is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with Town officials and the Town's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the Town Clerk.

SECTION 13. The Town hereby determines that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") are required.

SECTION 14. In the absence or unavailability of the Town Supervisor, the Deputy Town Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 15. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 16. This resolution is subject to permissive referendum pursuant to Section 35.00 of the Local Finance Law. The Town Clerk is hereby authorized and directed to publish (one time) and post on the sign-board of the Town, this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 17. If no petitions are filed in the permissive referendum period, the Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

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 |

March 15, 2021

**NOTICE OF ADOPTION OF BOND RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM
AUTHORIZING THE RECONSTRUCTION OF AND CONSTRUCTION OF
IMPROVEMENTS TO VARIOUS ROADS IN THE
TOWN (PRIMARILY MAPLE DRIVE)**

Notice is hereby given that at its March 15, 2021 meeting the Town Board of the Town of Lancaster adopted a bond resolution authorizing undertake the reconstruction of and construction of improvements to various roads in the Town (primarily Maple Drive), such work to generally consist of (but not be limited to) the removal of a vertical curve along Maple Drive caused by a former railroad crossing, excavation of the existing roadway and the replacement of two 12-inch culverts, as well as other such improvements as more fully identified in (or contemplated by) one or more reports prepared by WM Schutt & Associates, P.C., all of the forgoing to include all preliminary work and necessary equipment, materials and related site work, and any preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose") at an estimated maximum cost of \$255,000. Such resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of such serial bonds, in an aggregate principal amount not to exceed \$255,000 of the Town, such amount to be offset by any federal, state, county and/or local funds received. Such resolution is subject to permissive referendum pursuant to New York law.

**BY ORDER OF THE TOWN BOARD OF
TOWN OF LANCASTER, ERIE COUNTY,
NEW YORK**

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

18

A BOND RESOLUTION, DATED MARCH 15, 2021, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE "TOWN") AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT CONSISTING OF VARIOUS DRAINAGE IMPROVEMENTS IN THE TOWN (GENERALLY IN THE VICINITY OF MEADOW LEA DRIVE), AT AN ESTIMATED MAXIMUM COST OF \$191,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$191,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

WHEREAS, the Town Board of the Town of Lancaster, in the County of Erie, New York (the "Town") has determined to undertake a capital improvements project consisting of various drainage improvements in the Town (generally in the vicinity of Meadow Lea Drive).

NOW, THEREFORE,

BE IT RESOLVED, by the Town Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Town is hereby authorized to undertake a capital improvements project consisting of various drainage improvements in the Town (generally in the vicinity of Meadow Lea Drive) such work to generally consist of (but not be limited to) the installation of approximately 555 linear feet of 36-inch diameter storm sewer, as well as other such improvements as more fully identified in (or contemplated by) one or more reports prepared by Wm. Schutt & Associates, P.C., all of the forgoing to include all preliminary work and necessary equipment, materials and related site work, and any preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$191,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$191,000 of the Town, hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 3. It is hereby determined that the Purpose is an object or purpose described in subdivision 3 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such Purpose is 30 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution is expected to be in excess of five years.

SECTION 6. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

SECTION 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution.

SECTION 9. This resolution shall constitute the declaration (or reaffirmation) of the Town's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the bonds, notes or other obligations authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 10. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 11. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 12. The Town Supervisor is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with Town officials and the Town's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the Town Clerk.

SECTION 13. The Town hereby determines that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") are required.

SECTION 14. In the absence or unavailability of the Town Supervisor, the Deputy Town Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 15. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 16. This resolution is subject to permissive referendum pursuant to Section 35.00 of the Local Finance Law. The Town Clerk is hereby authorized and directed to publish (one time) and post on the sign-board of the Town, this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 17. If no petitions are filed in the permissive referendum period, the Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

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 |

March 15, 2021

**NOTICE OF ADOPTION OF BOND RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM
AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT CONSISTING OF
VARIOUS DRAINAGE IMPROVEMENTS IN THE TOWN (GENERALLY IN THE
VICINITY OF MEADOW LEA DRIVE)**

Notice is hereby given that at its March 15, 2021 meeting the Town Board of the Town of Lancaster adopted a bond resolution authorizing undertake a capital improvements project consisting of various drainage improvements in the Town (generally in the vicinity of Meadow Lea Drive) such work to generally consist of (but not be limited to) the installation of approximately 555 linear feet of 36-inch diameter storm sewer, as well as other such improvements as more fully identified in (or contemplated by) one or more reports prepared by Wm. Schutt & Associates, P.C., all of the forgoing to include all preliminary work and necessary equipment, materials and related site work, and any preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose") at an estimated maximum cost of \$191,000. Such resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of such serial bonds, in an aggregate principal amount not to exceed \$191,000 of the Town, such amount to be offset by any federal, state, county and/or local funds received. Such resolution is subject to permissive referendum pursuant to New York law.

**BY ORDER OF THE TOWN BOARD OF
TOWN OF LANCASTER, ERIE COUNTY,
NEW YORK**

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

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A BOND RESOLUTION, DATED MARCH 15, 2021, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE "TOWN") AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT CONSISTING OF THE REPLACEMENT AND/OR RECONSTRUCTION OF VARIOUS CULVERTS IN THE TOWN (PRIMARILY IN THE VICINITY OF HAREWOOD RUN, RUNNING BROOK DRIVE, SUGARBUSH LANE AND WARNER ROAD), AT AN ESTIMATED MAXIMUM COST OF \$2,025,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,025,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

WHEREAS, the Town Board of the Town of Lancaster, in the County of Erie, New York (the "Town") has determined to undertake a capital improvements project for the replacement and/or reconstruction of various culverts in the Town.

NOW, THEREFORE,

BE IT RESOLVED, by the Town Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Town is hereby authorized to undertake a capital improvements project, such work to generally consist of (but not be limited to) the replacement and/or reconstruction of various culverts in the Town (primarily in the vicinity of Harewood Run, Running Brook Drive, Sugarbush Lane and Warner Road), as well as other such improvements as more fully identified in (or contemplated by) one or more reports prepared by Wm. Schutt & Associates, P.C., all of the forgoing to include all preliminary work and necessary equipment, materials and related site work, and any preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$2,025,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$2,025,000 of the Town, hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 3. It is hereby determined that the Purpose is an object or purpose described in subdivision 3 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such Purpose is 30 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution is expected to be in excess of five years.

SECTION 6. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

SECTION 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution.

SECTION 9. This resolution shall constitute the declaration (or reaffirmation) of the Town's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the bonds, notes or other obligations authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 10. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 11. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 12. The Town Supervisor is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with Town officials and the Town's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the Town Clerk.

SECTION 13. The Town hereby determines that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") are required.

SECTION 14. In the absence or unavailability of the Town Supervisor, the Deputy Town Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 15. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 16. This resolution is subject to permissive referendum pursuant to Section 35.00 of the Local Finance Law. The Town Clerk is hereby authorized and directed to publish (one time) and post on the sign-board of the Town, this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 17. If no petitions are filed in the permissive referendum period, the Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

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 |

March 15, 2021

**NOTICE OF ADOPTION OF BOND RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM
AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT CONSISTING
OF THE REPLACEMENT AND/OR RECONSTRUCTION OF
VARIOUS CULVERTS IN THE TOWN**

Notice is hereby given that at its March 15, 2021 meeting the Town Board of the Town of Lancaster adopted a bond resolution authorizing undertake a capital improvements project, such work to generally consist of (but not be limited to) the replacement and/or reconstruction of various culverts in the Town (primarily in the vicinity of Harewood Run, Running Brook Drive, Sugarbush Lane and Warner Road), as well as other such improvements as more fully identified in (or contemplated by) one or more reports prepared by Wm. Schutt & Associates, P.C., all of the forgoing to include all preliminary work and necessary equipment, materials and related site work, and any preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose") at an estimated maximum cost of \$2,025,000. Such resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of such serial bonds, in an aggregate principal amount not to exceed \$2,025,000 of the Town, such amount to be offset by any federal, state, county and/or local funds received. Such resolution is subject to permissive referendum pursuant to New York law.

**BY ORDER OF THE TOWN BOARD OF
TOWN OF LANCASTER, ERIE COUNTY,
NEW YORK**

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

20
WHO
SECONDED BY
TO WIT:

A BOND RESOLUTION, DATED MARCH 15, 2021, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE "TOWN") AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT CONSISTING OF THE PREPARATION OF A DRAINAGE STUDY, AT AN ESTIMATED MAXIMUM COST OF \$55,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$55,000 OF THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

WHEREAS, the Town Board of the Town of Lancaster, in the County of Erie, New York (the "Town") desires to undertake a capital improvements project consisting of the preparation of a drainage study;

NOW, THEREFORE,

BE IT RESOLVED, by the Town (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Town is hereby authorized to undertake a capital improvements project consisting of the preparation of a drainage study, primarily in the southern portion of the Town, such work to generally consist of (but not be limited to), the compilation of existing data and collection of new data as necessary to determine the existing capacity of the Town's storm water infrastructure within public right-of-way and Town ditches in order to develop the most feasible drainage, water quality, and flood control design alternatives for the Project Area, including any preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$55,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$55,000 of the Town, hereby authorized to be issued therefore pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 3. It is hereby determined that the Purpose is an object or purpose described in subdivision 62 (second) of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is five years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

SECTION 6. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

SECTION 8. To the extent not previously authorized, the temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution.

SECTION 9. This resolution shall constitute the declaration (or reaffirmation) of the Town's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the bonds, notes or other obligations authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 10. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 11. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 12. The Town Supervisor is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with Town officials and the Town's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the Town Clerk.

SECTION 13. The Town hereby determines that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") are required.

SECTION 14. In the absence or unavailability of the Town Supervisor, the Deputy Town Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 15. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 16. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

SECTION 17. This resolution is effective immediately pursuant to Section 35.00(b)(3) of the Local Finance Law.

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 |

March 15, 2021

**NOTICE OF BOND RESOLUTION
TOWN OF LANCASTER**

NOTICE IS HEREBY GIVEN that a bond resolution, a summary of which is published herewith, has been adopted by the Town Board of the Town of Lancaster, County of Erie, on March 15, 2021 and the validity of the obligations authorized by such resolution may be hereafter contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town of Lancaster is not authorized to expend money, or

(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SUMMARY OF BOND RESOLUTION

The following is a summary of a bond resolution adopted by the Town Board of the Town of Lancaster (the "Town") on March 15, 2021. The proceeds from the sale of the obligations authorized in such bond resolution will be used to finance a capital improvements project consisting of the preparation of a drainage study, primarily in the southern portion of the Town, such work to generally consist of (but not be limited to), the compilation of existing data and collection of new data as necessary to determine the existing capacity of the Town's storm water infrastructure within public right-of-way and Town ditches in order to develop the most feasible drainage, water quality, and flood control design alternatives for the Project Area, including any preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"), at an estimated maximum cost of \$55,000. Such bond resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of such serial bonds, in an aggregate principal amount not to exceed \$55,000, such amount to be offset by any federal, state, county and/or local funds received. The period of probable usefulness for such purpose is five years. A copy of the resolution summarized herein is available for public inspection during normal business hours at the Office of the Town Clerk, located in the Town Hall, 21 Central Avenue, Lancaster, New York.

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

21

A BOND RESOLUTION, DATED MARCH 15, 2021, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE "TOWN") AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT CONSISTING OF THE RECONSTRUCTION OF AND CONSTRUCTION OF IMPROVEMENTS TO THE TOWN HALL AT AN ESTIMATED MAXIMUM COST OF \$130,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE TOWN IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$130,000, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

WHEREAS, the Town Board of the Town of Lancaster, in the County of Erie, New York (the "Town") desires to undertake a capital improvements project consisting of the reconstruction of and construction of improvements to the Town Hall.

NOW, THEREFORE,

BE IT RESOLVED, by the Town Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Town is hereby authorized to undertake a capital improvements project consisting of the reconstruction of and construction of improvements to the Town Hall, such work to generally consist of (but not be limited to), brick work repair and painting, as well as other such improvements as more fully identified in (or contemplated by) one or more reports prepared by Wendel, including all preliminary work and necessary equipment, materials and related site work and any preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$130,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$130,000 of the Town, hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 3. It is hereby determined that the Purpose is an object or purpose described in subdivision 12(a)(2) of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such Purpose is 15 years; however, the bonds issued pursuant to this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, will mature no later than five years from the date of original issuance of such bonds or notes.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

SECTION 6. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

SECTION 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution.

SECTION 9. This resolution shall constitute the declaration (or reaffirmation) of the Town's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the bonds, notes or other obligations authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 10. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 11. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 12. The Town Supervisor is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with Town officials and the Town's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the Town Clerk.

SECTION 13. The Town has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under SEQRA is necessary.

SECTION 14. In the absence or unavailability of the Town Supervisor, the Deputy Town Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 15. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 16. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

SECTION 17. This resolution is effective immediately.

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

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

March 15, 2021

**NOTICE OF BOND RESOLUTION
TOWN OF LANCASTER**

NOTICE IS HEREBY GIVEN that a bond resolution, a summary of which is published herewith, has been adopted by the Town Board of the Town of Lancaster, County of Erie, on March 15, 2021 and the validity of the obligations authorized by such resolution may be hereafter contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town of Lancaster is not authorized to expend money, or

(c) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SUMMARY OF BOND RESOLUTION

The following is a summary of a bond resolution adopted by the Town Board of the Town of Lancaster (the "Town") on March 15, 2021. The proceeds from the sale of the obligations authorized in such bond resolution will be used to finance a capital improvements project consisting of the reconstruction of and construction of improvements to the Town Hall, such work to generally consist of (but not be limited to) brick work repair and painting, as well as other such improvements as more fully identified in (or contemplated by) one or more reports prepared by Wendel, including all preliminary work and necessary equipment, materials and related site work, and any preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"), at an estimated maximum cost of \$130,000. Such bond resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of such serial bonds, in an aggregate principal amount not to exceed \$130,000, such amount to be offset by any federal, state, county and/or local funds received. The period of probable usefulness for such purpose is 15 years; however, the bonds issued pursuant to this resolution, and any bond anticipation notes issued in anticipation of the sale of such bonds, will mature no later than five years from the date of original issuance of such bonds or notes. A copy of the resolution summarized herein is available for public inspection during normal business hours at the Office of the Town Clerk, located in the Town Hall, 21 Central Avenue, Lancaster, New York.

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

22

A BOND RESOLUTION, DATED MARCH 15, 2021, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE "TOWN") AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT CONSISTING OF THE RECONSTRUCTION OF AND CONSTRUCTION OF IMPROVEMENTS TO A HISTORIC BUILDING AT AN ESTIMATED MAXIMUM COST OF \$105,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$105,000 OF THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

WHEREAS, the Town Board of the Town of Lancaster, in the County of Erie, New York (the "Town") desires to undertake a capital improvements project consisting of the reconstruction of and construction of improvements to the Historic Building located at 40 Clark Street in the Town.

NOW, THEREFORE,

BE IT RESOLVED, by the Town (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Town is hereby authorized to undertake a capital improvements project consisting of the reconstruction of and construction of improvements to the Historic Building located at 40 Clark Street in the Town, such work to generally consist of (but not be limited to), sanding and painting, including all preliminary work and necessary equipment, materials and related site work as more fully described in one or more reports prepared by Flynn Battaglia Architects, and any preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$105,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$105,000 of the Town, hereby authorized to be issued therefore pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 3. It is hereby determined that the Purpose is an object or purpose described in subdivision 12(a)(3) of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is 10 years; however, the bonds issued pursuant to this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, will mature no later than five years from the date of original issuance of such bonds or notes.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

SECTION 6. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

SECTION 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution.

SECTION 9. This resolution shall constitute the declaration (or reaffirmation) of the Town's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the bonds, notes or other obligations authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 10. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 11. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 12. The Town Supervisor is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with Town officials and the Town's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the Town Clerk.

SECTION 13. The Town has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under SEQRA is necessary.

SECTION 14. In the absence or unavailability of the Town Supervisor, the Deputy Town Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 15. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 16. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

SECTION 17. This resolution is effective immediately.

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

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

March 15, 2021

**NOTICE OF BOND RESOLUTION
TOWN OF LANCASTER**

NOTICE IS HEREBY GIVEN that a bond resolution, a summary of which is published herewith, has been adopted by the Town Board of the Town of Lancaster, County of Erie, on March 15, 2021 and the validity of the obligations authorized by such resolution may be hereafter contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town of Lancaster is not authorized to expend money, or

(d) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SUMMARY OF BOND RESOLUTION

The following is a summary of a bond resolution adopted by the Town Board of the Town of Lancaster (the "Town") on March 15, 2021. The proceeds from the sale of the obligations authorized in such bond resolution will be used to finance a capital improvements project consisting of the reconstruction of and construction of improvements to the Historic Building located at 40 Clark Street in the Town, such work to generally consist of (but not be limited to), sanding and painting, including all preliminary work and necessary equipment, materials and related site work as more fully described in one or more reports prepared by Flynn Battaglia Architects, and any preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"), at an estimated maximum cost of \$105,000. Such bond resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of such serial bonds, in an aggregate principal amount not to exceed \$105,000, such amount to be offset by any federal, state, county and/or local funds received. The period of probable usefulness for such purpose is 10 years; however, the bonds issued pursuant to this resolution, and any bond anticipation notes issued in anticipation of the sale of such bonds, will mature no later than five years from the date of original issuance of such bonds or notes. A copy of the resolution summarized herein is available for public inspection during normal business hours at the Office of the Town Clerk, located in the Town Hall, 21 Central Avenue, Lancaster, New York.

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

23

WHEREAS, the Town Board of the Town of Lancaster (herein called “Town Board” and “Town”, respectively), in the County of Erie, New York, has, pursuant to Town Law, created the Town of Lancaster Consolidated Water District (the “District”); and

WHEREAS, the Town Board has directed Wm. Schutt & Associates, P.C., competent engineers licensed in New York, to prepare a map, plan and report, including an amendment No. 1 for Phase One of a water system capital improvements project within the District (“Phase I Improvements Project”); and

WHEREAS, such water system capital improvements project will generally consist of (but not be limited to), the installation of approximately 7,100 linear feet of water main along various roads in the Town, along with the installation of fire hydrants, valves and appurtenances, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report referred to above, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the “District Improvement”); and

WHEREAS, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such preliminary map, plan and report for such increase and improvement of facilities of the District and has estimated the total cost thereof to be an estimated maximum amount of \$2,535,000; said cost to be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$2,535,000, offset by any federal, state, county and/or local funds received.

NOW, THEREFORE,

BE IT ORDERED that a meeting of the Town Board of the Town of Lancaster will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on April 5, 2021 at 7:15p.m. o’clock p.m. (prevailing Time) or shortly thereafter to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that due to the COVID-19 pandemic, the public hearing will be held via teleconference only by dialing 1-716-800-4267, access pin 1232; and be it

FURTHER ORDERED, that the expense of said increase and improvement of the facilities shall be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$2,535,000, said amount to be offset by any federal, state, county and/or local funds received, and, unless paid from other sources or charges, the costs of said increase and improvement of facilities shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in each newspaper designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten nor more than 20 days before the date of such public hearing.

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 |

March 15, 2021

TOWN OF LANCASTER
NOTICE OF PUBLIC HEARING ON INCREASE AND IMPROVEMENTS OF
FACILITIES OF THE TOWN OF LANCASTER CONSOLIDATED WATER
DISTRICT (PHASE I IMPROVEMENTS - 2021)

In the Matter

of the

Increase and Improvement of Facilities of the
Town of Lancaster Consolidated Water District
in the Town of Lancaster, County of Erie, New York,
pursuant to Section 202-b of the Town Law.

ORDER CALLING PUBLIC
HEARING TO BE HELD ON
APRIL 5, 2021

WHEREAS, the Town Board of the Town of Lancaster (herein called “Town Board” and “Town”, respectively), in the County of Erie, New York, has, pursuant to Town Law, created the Town of Lancaster Consolidated Water District (the “District”); and

WHEREAS, the Town Board has directed Wm. Schutt & Associates, P.C., competent engineers licensed in New York, to prepare a map, plan and report, including an amendment No. 1 for Phase One of a water system capital improvements project within the District (“Phase I Improvements Project”); and

WHEREAS, such water system capital improvements project will generally consist of (but not be limited to), the installation of approximately 7,100 linear feet of water main along various roads in the Town, along with the installation of fire hydrants, valves and appurtenances, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report referred to above, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the “District Improvement”); and

WHEREAS, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such preliminary map, plan and report for such increase and improvement of facilities of the District and has estimated the total cost thereof to be an estimated maximum amount of \$2,535,000; said cost to be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$2,535,000, offset by any federal, state, county and/or local funds received.

NOW, THEREFORE,

BE IT ORDERED that a meeting of the Town Board of the Town of Lancaster will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on April 5, 2021 at 7:15p.m. o’clock p.m. (prevailing Time) or shortly thereafter to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that due to the COVID-19 pandemic, the public hearing will be held via teleconference only by dialing 1-716-800-4267, access pin 1232; and be it

FURTHER ORDERED, that the expense of said increase and improvement of the facilities shall be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$2,535,000, said amount to be offset by any federal, state, county and/or local funds received, and, unless paid from other sources or charges, the costs of said increase and improvement of facilities shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in each newspaper designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten nor more than 20 days before the date of such public hearing.

DATED: March 15, 2021

TOWN BOARD OF THE
TOWN OF LANCASTER

The Order Calling for Public Hearing was declared adopted.