

PRESENTATION OF PREFILED RESOLUTIONS:

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 October 18, 2021 and the Special Meeting of the Town Board held October 26, 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

November 1, 2021

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

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Assistant to the Supervisor, to wit:

Check Run # 110121

Total amount hereby authorized to be paid: \$487,020.86

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

November 1, 2021

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

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

- (SW) = Sidewalks as required by Chapter 310 of the Code of the Town of Lancaster are waived for this permit.
 (CSW) = Conditional sidewalk waiver
 (V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
32287		Crist Construction	12 Carlisle St	Er. Porch/Porch Cover	
33404		Jeffrey Sinicki	93 Avian Way	Er. Shed	
33443		Russell Renovations WNY Inc.	16 Crabapple Ln	Er. Res. Alt.	
33448		Atlantic Garages	49 First Ave	Er. Garage	(V/L)
33450		Hannah Demolition Inc.	3847 Walden Ave	Dem. Sin. Dwlg	
33451		Vincent Marino	5600 Broadway	Er. Porch/Porch Cover	(V/L)
33452		Chad Robinson	0 Bowen Ave	Er. Pole Barn	
33453		Sturdi Built Sheds LLC	30 Wainwright Ct	Er. Shed	
33454		Sharon Bobak	3733 Bowen Rd	Re-Roof	
33455		Crist Construction	49 Avian Way	Er. Porch/Porch Cover	
33456		Schuster Construction LLC	178 Nichter Rd	Er. Deck	
33457		James Towles	23 Harold Pl	Re-Roof	(V/L)
33458		Alan Henry	22 Grace Way	Er. Fence	
33459		FASTSIGNS	4367 Walden Ave	Er. Sign	
33460		Christopher Kaplan	11 Katelyn Ln	Er. Fence	
33461		Michael Pruski	12 Markey Ave	Er. Pool-Abv Grnd	
33462		Peter Todenhagen	71 Sawyer Ave	Re-Roof	(V/L)
33463		Sitzmans Appliance Center	1144 Penora St	Inst. Generator	
33464		Santoro Sign Inc.	5976 Genesee St	Er. Sign	
33465		Marrano/Marc Equity Corp.	11 Sedge Run	Er. Patio Home	
33466		Frank LaNasa	45 Deepwood Pl	Er. Fence	
33467		Marramo/Marc Equity Corp.	28 Sedge Run	Er. Patio Home	
33468		Frey Electric Construction C.	5111-5127 Transit Rd	Er. Comm. Add./Alt.	
33469		Hidden Meadow Land LLC	43 Hidden Meadow Cros	Er. Dwlg.-Sin.	
33471		Luther Enterprises	257 Enchanted Forest N	Er. Pool-In Grnd	
33472		Buffalo's Best Roofing	60 Hess Pl	Re-Roof	
33473		Buffalo's Best Roofing	146 Irwinwood Rd	Re-Roof	(V/L)
33474		Black Rock Roofing	21 Sherborne Ave	Re-Roof	(V/L)
33475		Amy Pilat	11 Candlestick Ct	Er. Fence	
33476		Town of Lancaster	4484 Walden Ave	Er. Comm. Add./Alt.	
33478		Gerald Kocialski	257 Enchanted Forest N	Er. Fence	
33479		Alfred Roberts	5118 William St	Inst. Fireplace/Stove	
33480		Buffalo's Best Roofing	74 Pleasant Ave	Re-Roof	(V/L)
33481		Buffalo's Best Roofing	48 Livingston St	Re-Roof	(V/L)
33482		El Amigo Tacos	3580 Walden Ave	Er. Sign - Wall	
33483		Gerald Matthew Jaszka	223 Westwood Rd	Er. Porch/Porch Cover	
33484		Steven Kohlhagen	5512 Broadway	Re-Roof	(V/L)
33485		Zenner & Ritter Co. Inc.	10 Sussex Ln	Inst. Generator	
33486		Heidi Marki	87 Stony Rd	Re-Roof	
33487		Adam Patnella	48 Tranquility Trl	Er. Fence	
33488		The Pena Family Trust	149 Aurora St	Re-Roof	(V/L)
33489		FASTSIGNS	4221 Walden Ave	Er. Sign - Wall	
33490		Katie McKenna	11 W Main St	Er. Comm. Add./Alt.	(V/L)
33491		Tesla Energy Operations, Inc.	110 Avian Way	Inst. Solar Panels	
33492		Leveled Contracting Inc.	54 Park Blvd	Re-Roof	(V/L)
33493		Amy Ragyina	23 Clermont Ct	Er. Fence	
33494		Amish Valley Sheds	35 Garfield St	Re-Roof	(V/L)
33495		Transit -William Associates	4931 Transit Rd	Er. Sign - Temp	
33496		The Vinyl Outlet Inc.	109 Avian Way	Er. Deck	
33497		Marrano/Marc Equity Corp.	10 Sedge Run	Er. Patio Home	
33498		Anderson Renovations LLC	9 Clark St	Dumpster - Temp.	(V/L)
33499		Paul Lewis	114 Irwinwood Rd	Dumpster - Temp.	(V/L)
33501		Marrano/Marc Equity Corp.	13 Henslow Way	Er. Patio Home	
33502		Ronald Zglinicki	318 Stony Rd	Er. Res. Alt.	
33505		All Pro Plumbing LLC	530 Aurora St	Inst. Res. Plumbing	
33506		Besroi Construction	31 Brandel Ave	Re-Roof	(V/L)
33507		Jonathan Wier	14 Clark St	Re-Roof	(V/L)
33508		Brett & Pamela Brewster	20 Brunck Rd	Re-Roof	

BE IT FURTHER,

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

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

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

November 1, 2021

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

4

WHEREAS, the Lancaster Central School District (LCSD) is seeking to collaborate with the Town of Lancaster Dog Control Department to provide a Vocational Work Experience Program for students with and without disabilities to prepare them for their eventual entry into the workforce, and

WHEREAS, the LCSD has provided a Collaboration Agreement for The Vocational Work Experience Program which has been reviewed and approved by the Town Attorney for a one-year (1) term ending August 31, 2022.

NOW, THEREFORE,

BE IT RESOLVED, that the Supervisor be and is hereby directed to execute the Collaboration Agreement for The Vocational Work Experience Program, between the Town of Lancaster and the Lancaster Central School District pursuant to the terms and conditions as outlined in the agreement to provide a Vocational Work Experience Program for students within the Town's Dog Control Department.

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

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

November 1, 2021

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

5

WHEREAS, the Town of Lancaster received a rezone and site plan application from Barclay Damon LLP as representative for WKPR, LLC, Oakridge MFR Holdings, LLC, and RDNW, LLC, proposing to rezone 338 Harris Hill Road (SBL No. 82.04-1-1.11) from Light Commercial to Multifamily Multi Use with minor exterior improvements /alterations to allow the current use of the +/- 4.9-acre property to be considered conforming with the zoning (the “Action”), and

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

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

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

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

NOW, THEREFORE,

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

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

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

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

November 1, 2021

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

6

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 23 of the Code of the Town of Lancaster provide for the adoption and enactment of local laws; and

WHEREAS, after review and consideration, the Town Board of the Town of Lancaster deems it in the public interest to amend Chapter 400 Zoning, Article IV Residential Districts § 400-13 Agricultural Residential Districts (A-R), by amending § 400-13(B)(1)(g) to clarify ambiguities contained therein; and

WHEREAS, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required prior to adopting a Local Law;

NOW, THEREFORE,

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

1. A public hearing for the proposed Local Law of the year 2021, which will clarify ambiguities contained within Chapter 400-13(B)(1)(g) of the Code of the Town of Lancaster, will be held at 7:15 o'clock P.M. on the 15th day of November 2021, at the Town Hall, 21 Central Avenue, Lancaster, New York, and that Notice of the Time and Place be published in the official newspaper of the Town, and
2. The Town Clerk is hereby directed and authorized to publish public notice of said hearing in the official newspaper and given in accordance with the Municipal Home Rule Law, the Open Meetings Law, and Sections 264 and 265 of the Town Law of the State of New York, and which Notice shall be in the form attached hereto and made a part hereof, and
3. This resolution is effective immediately.

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

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

November 1, 2021

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 23 of the Code of the Town of Lancaster and pursuant to a resolution adopted by the Town Board of the Town of Lancaster on November 1, 2021, the Town Board will hold a Public Hearing on the 15th day of November, 2021 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly adopting a Local Law to amend the Town Code of the Town of Lancaster's Chapter 400 Zoning, Article IV Residential Districts (A-R), § 400-13(B)(1)(g) Raising of livestock and poultry.

Copies of the proposed Local Law and the Local Law to be added, can be reviewed at the Lancaster Town Hall, 21 Central Avenue, during normal business hours. All interested members of the public shall be heard.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

November 4, 2021

**Town of Lancaster
Local Law No. of 2021**

A Local Law Amending Town Code § 400-13(B)(1)(g) to clarify any ambiguities contained therein.

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

Section 1. Section 400-13(B)(1)(g) of Chapter 400, Article IV. Residential Districts of the Town Code is hereby amended to read in its entirety as follows:

Section 400-13 (B)(1)(g) Raising of livestock and poultry on lots of not less than five (5) acres, provided that:

- [1] All such animals shall be housed in a structure to ensure safety and protection from the elements; and**
- [2] Housing structures (barns, pens, runways, etc.) shall be a minimum of one hundred (100) feet from any lot line; and**
- [3] Fencing and other enclosures utilized for corralling, shall keep the livestock and poultry a minimum of fifteen (15) feet from any lot line; and**
- [4] Any manure or other odor- or dust-producing substance shall be stored a minimum of one hundred (100) feet from any lot line.**

Section 2. Severability Clause. If any part of this local law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this local law. The Town Board of the Town of Lancaster hereby declares that it would have passed this local law and each section and subsection thereof, irrespective of the fact that any one or more of these sections, subsections, sentences, clauses, or phrases may be declared unconstitutional or invalid.

Section 3. Effective Date. This local law shall be effective immediately upon filing with the New York Secretary of State.

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

7

WHEREAS, Pavement Road Storage, LLC (“**PRS**”) is the owner of certain real property known as V/L Pavement Road (SBL No. 94.00-3-15.22), Lancaster, New York (the “**Property**”), and

WHEREAS, as a condition to approving the construction of a project to be undertaken by PRS on the Property, the Town of Lancaster (the “**Town**”) has required that PRS construct a driveway along the easterly boundary of the Property for access, and for ingress and egress, by the Town’s emergency vehicles (the “**Driveway**”), all as more particularly set forth in a Site Plan previously approved by the Town, and

WHEREAS, in order to grant the Town certain rights, and in order to impose certain restrictions on PRS and the Property, in each instance with respect to the Driveway, PRS has prepared a Declaration of Restrictions, the form of which is attached hereto as Exhibit A (the “**Declaration**”), and

WHEREAS, the Town wishes to approve the form of the Declaration and authorize the Supervisor of the Town (the “**Supervisor**”) to execute and deliver the Declaration to PRS.

NOW, THEREFORE,

BE IT RESOLVED by the Town Board of the Town as follows:

1. Pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “**SEQR Act**”) and the regulations (the “**Regulations**”) adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, “**SEQORA**”), the Town hereby determines (A) that acceptance of the Declaration constitutes an “unlisted action” (as defined in the Regulations), (B) to conduct an uncoordinated review and (C) that, based on its evaluation of the action as against the criteria for determining significance in SEQRA, the acceptance of the Declaration will not result in any significant adverse environmental impact and that an environmental impact statement will not be prepared.
2. That acceptance of the Declaration is within the purpose, mission and governing statutes of the Town.
3. That the form of the Declaration attached hereto as Exhibit A is hereby approved and that the Town is hereby authorized to accept the Declaration in such form and to do all things necessary and appropriate for the accomplishment thereof, and all acts heretofore taken by the Town with respect thereto are hereby approved, ratified and confirmed in all respects.
4. That (A) the Supervisor, on behalf of the Town, is hereby authorized to execute and deliver the Declaration, together with any documents related thereto and (B) the officers, employees and agents of the Town are hereby authorized and directed for and in the name and on behalf of the Town to do all acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of this resolution.
5. This Resolution shall be effective immediately.

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

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

November 1, 2021

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

8

WHEREAS, the Town Board of the Town of Lancaster has held a public hearing to take comment on proposals for the Town Application for the Federal Community Development Funds, known as Community Development Block Grant Funds, for the year 2022-2023 and has identified the acquisition of a Senior Citizen Lift Van as an eligible project which would benefit low to moderate income persons within the Town.

NOW, THEREFORE,
BE IT RESOLVED, at a meeting of the Lancaster Town Board held on November 1, 2021, the Town Board authorized Ronald Ruffino, Sr., to sign, submit and execute application documents from the Erie County Community Development Block Grant (ECCDBG) program for the following project:

1. Acquisition of a Senior Citizen Van with Power Lift

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

November 1, 2021

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

9

WHEREAS, the Town of Lancaster’s Recreation Department is in need of finding an available gymnasium to operate its yearly Basketball Program due to facility limitations set by the Lancaster School District, and

WHEREAS, by letter dated October 18, 2021, the Director of Operations for the Depew-Lancaster Boys & Girls Club, Jeff Kupa, has given permission to allow the Town of Lancaster Recreation Department to utilize the gymnasiums at both of their sites on Saturdays until 3:15 P.M. starting November 20, 2021, and ending March 19, 2022, and

WHEREAS, there will be no cost to the Town for use of the sites but the Club will be listed as an insured on the Town’s insurance certificates, and the participants of the event will be supervised by the Town’s Recreation personnel.

NOW, THEREFORE,

BE IT RESOLVED, that the Town of Lancaster’s Recreation Department is authorized to use the gymnasiums at both of the Depew-Lancaster Boys & Girls Club sites, at no cost to the Town on Saturdays until 3:15 P.M. starting November 20, 2021, and ending March 19, 2022, as requested by Park Crew Chief Michelle Barbaro per her letter dated October 19, 2021.

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

November 1, 2021

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

10

WHEREAS, it is the Town of Lancaster's responsibility to ensure that the Town's Harassment Prevention Policy is being adhered to by all employees and elected officials, and

WHEREAS, the Town was recently notified that an investigation potentially involving Council Member Adam Dickman was ongoing within the Village of Lancaster arising out of an incident that occurred within the Village of Lancaster Department of Public Works, and

WHEREAS, the Town wants to ensure through an independent investigation that no Town policies were violated by any employee or elected Town official arising out of the aforementioned incident.

NOW, THEREFORE,

BE IT RESOLVED, that, in order to ensure there were no Town policies violated by any Town employees or elected officials arising out of the aforementioned incident at the Village of Lancaster Department of Public Works, the Town Board hereby authorizes the retention of outside counsel to conduct an independent investigation into said incident.

The question of the adoption of the foregoing resolution was duly put to 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

November 1, 2021

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

11

WHEREAS, Marybeth Gianni, Recreation Supervisor-Senior Citizens, of the Town of Lancaster, by letter dated October 21, 2021, has requested the creation of one (1) additional position of Recreation Instructor, Part-Time in the Town of Lancaster Senior Center.

NOW, THEREFORE,

BE IT RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) for authorization by the County of Erie Department of Personnel to create one (1) additional position of Recreation Instructor Part-Time, in the Senior Center.

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

November 1, 2021

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

12

WHEREAS, Jennifer Pagano, the owner of real property located at 111 Pleasant View Drive (SBL No. 93.14-3-5), Lancaster, New York, has submitted an application for a Special Use Permit for a Home Occupation (Bakery- Sweet Ella’s Bake Shop) in accordance with the provisions of Chapter 400 Zoning, Article IV Residential Districts, §400-16(F) Supplementary regulations for A-R, R, and MFMU districts, Home Occupations of the Code of the Town of Lancaster, and

WHEREAS, Chapter 400-Zoning, Article XIV Administration and Enforcement, §400-78 Special use permits, of the Code of the Town of Lancaster requires the issuance of a Special Use Permit and a public hearing for the proposed use.

NOW THEREFORE,

BE IT RESOLVED, as follows:

That pursuant to Chapter 400 Zoning, Article XIV Administration and Enforcement, §400-78 Special use permits, of the Code of the Town of Lancaster, a Public Hearing on the proposed Home Occupation (Bakery – Sweet Ella’s Bake Shop) Special Use Permit Application of **Jennifer Pagano**, for premises locally known as 111 Pleasant View Drive, Lancaster, New York, will be held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the 15th day of November 2021 at 7:15 o’clock P.M. Local Time, and said notice of the time and place of such hearing shall be published in a newspaper of general circulation in said Town, and posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

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

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

November 1, 2021

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER
SPECIAL USE PERMIT – JENNIFER PAGANO**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Article XIV Administration and Enforcement, §400-78 Special use permits of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 1st day of November, 2021 the Town Board will hold a Public Hearing on the **15th day of November, 2021 at 7:15 o'clock P.M.**, Local Time, at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of **Jennifer Pagano**, for a Special Use Permit for a Home Occupation (Bakery – Sweet Ella’s Bake Shop) on premises locally known as 111 Pleasant View Drive, in the Town of Lancaster, County of Erie, State of New York.

Full opportunity to be heard will be given to any and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

November 4, 2021

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

13

WHEREAS, the Town Board is considering an amendment to a previously approved site plan for Apple Rubber Products, Inc., submitted by Walter Hopcia for proposed construction of additions to the front of the existing building of a 5,988 sq. ft. office on the north side (phase 1); and a 5,848 sq. ft. office on the south side (phase 2) on a +/- 11.5-acre parcel located at 204 Cemetery Road (SBL No. 105.00-1-25.2) in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Planning Board has reviewed the environmental impact of this project pursuant to SEQR regulations at their meeting on October 20, 2021, and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the construction 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 is described as a 2-phase development of a 5,988 sq. ft. office addition to the north side of the front of the existing building and a 5,848 sq. ft. office addition to the south side of the front of the existing building on a +/- 11.5-acre parcel which is located at 204 Cemetery Road (SBL No. 105.00-1-25.2) 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, and therefore the 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

November 1, 2021

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: November 1, 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 two-phased construction of a 5,988 sq. ft. office addition to the existing building on the north, and a 5,848 sq. ft. office addition to the existing building on the south on a +/- 11.50-acre parcel located at 204 Cemetery Road (SBL No. 105.00-1-25.2) submitted by Walter Hopcia; and the Town Board 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: Apple Rubber Products, Inc. Amended Site Plan - #2142

Location of Action: 204 Cemetery Road (SBL No. 105.00-1-25.2), Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted

Description of Action: A proposed 2 phase addition to the front of the existing building. Phase 1 is a 5,988 square foot north addition. Phase 2 is a 5,848 square foot south addition. The additions will be office space, B occupancy added to the existing office space at the front of the building and manufacturing facility, F-1 occupancy category.

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

14

WHEREAS, Council Member Robert Leary by email dated October 15, 2021, has requested the creation of the position of Dog Control Officer Full-time and has recommended that current Dog Control Officer Part-time, Jean Karn be appointed to this position in the Control of Dogs Department, and

WHEREAS, Jean Karn is eligible for appointment to this position pursuant to the standards and procedures as set forth in the Civil Service Law.

NOW THEREFORE,

BE IT RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) for authorization by the County of Erie Department of Personnel to create one (1) new position of Dog Control Officer Full-time, and

BE IT FURTHER,

RESOLVED, that Jean Karn be and is hereby appointed to the position of Dog Control Officer Full-time in the Control of Dogs Department, effective November 2, 2021, at the current annual salary approved in the 2021 Budget of \$51, 511.00, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of law and shall be governed by the same terms and conditions as apply to other non-represented, full-time supervisory Town employees, and

BE IT FURTHER,

RESOLVED, that current part-time permanent Assistant Dog Control Officer, Elizabeth Bertozzi, be and is hereby appointed to the position of Dog Control Officer, Part-time within the Control of Dogs Department, made vacant by the transfer of Jean Karn to Dog Control Officer Full-time, effective November 2, 2021 at an annual salary of \$25,480.00 which has already been funded for in the 2021 budget, and

BE IT RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized and directed to take all necessary actions to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to 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

November 1, 2021

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

15

WHEREAS, Council Member Robert Leary by email dated October 15, 2021, has requested the creation of an additional position of Dog Control Officer Regular Part-time and has recommended that current Dog Control Officer Elizabeth Bertozzi be appointed to this position in the Control of Dogs Department; and

WHEREAS, Elizabeth Bertozzi is eligible for appointment to this position pursuant to the standards and procedures as set forth in the Civil Service Law.

NOW THEREFORE,

BE IT RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) for authorization by the County of Erie Department of Personnel to create one (1) new position of Dog Control Officer Regular Part-time, and

BE IT FURTHER,

RESOLVED, that Elizabeth Bertozzi be and is hereby appointed to the position of Dog Control Officer Regular Part-time in the Control of Dogs Department, effective November 2, 2021, at the current annual salary of \$25,480.00 which has already been included in the department's budget, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of law and shall be governed by the same terms and conditions as apply to other non-represented, Regular Part-time Town employees, and

BE IT RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized and directed to take all necessary actions to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to 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

November 1, 2021

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

16

WHEREAS, by letter dated October 19, 2021, MaryBeth Gianni, Recreation Supervisor for the Town of Lancaster Senior Center, has requested authorization for the Erie County Department of Public Works: Division of Highway (“the County”) to use the Senior Center Building for a public informational meeting regarding the William Street Federal Aid Reconstruction Project which will be held on November 10, 2021, from 6:00 P.M. to 8:00 P.M., and

WHEREAS, the Town Attorney’s Office has prepared a Release of Liability and Assumption of Risk document which provides the terms and conditions for use of the Senior Center’s building and which the County has executed in advance of the event taking place.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby grants the Erie County Department of Public Works: Division of Highway permission to use the Town’s Senior Center Building located at 100 Oxford Avenue for a public informational meeting regarding the William Street Federal Aid Reconstruction Project which will be held on November 10, 2021, from 6:00 P.M. to 8:00 P.M.

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

November 1, 2021

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

17

**RESOLUTION AND ORDER
AFTER PUBLIC HEARING APPROVING
THE INCREASE AND IMPROVEMENT OF
FACILITIES OF THE CONSOLIDATED WATER DISTRICT**

WHEREAS, the Town Board of the Town of Lancaster (herein called the “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, for a water system capital improvements project within the District (“Cemetery Road Improvements Project”), and

WHEREAS, such water system capital improvements project (commonly known as “Water System Capital Improvements Project – Cemetery Road Broadway to Wendling Court”) will generally consist of (but not be limited to), the installation of approximately 6,400 linear feet of water main along Cemetery Road 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 prepared by Wm. Schutt & Associates, P.C. and 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 \$2,000,000; said cost to be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$2,000,000, offset by any federal, state, county and/or local funds received.

WHEREAS, the Town determined 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, and

WHEREAS, the Town Board issued an Order at its October 18, 2021 meeting calling for a public hearing to be held on November 1, 2021 at 7:15 p.m. (prevailing time) or shortly thereafter, to consider the District Improvement 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 further ordered the Town Clerk to publish at least once in a newspaper designated as an 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, and

WHEREAS, said notices of the public hearing were properly published and posted and the public hearing duly held at the time and place stated in the notices.

**NOW, THEREFORE,
BE IT RESOLVED AND DETERMINED BY THE TOWN BOARD OF
THE TOWN OF LANCASTER**, based on the information provided at the public hearing, as follows:

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to at the estimated maximum cost of \$2,000,000; and it is hereby

DETERMINED, that the parcels and lots of the District shall be benefited by said increase and improvement of facilities of the District; and it is hereby

DETERMINED, that all parcels and lots benefited by said increase and improvement of facilities are included in the District; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Engineer shall prepare plans and specifications and make a careful estimate of the expense for such increase and improvement of facilities, and with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of the District Improvement shall be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$2,000,000, 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 it is hereby

FURTHER ORDERED, that within ten days after adoption of this Resolution and Order, the Town Clerk will record with the Clerk of the County of Erie a copy of this Resolution and Order, certified by said Town Clerk.

The adoption of the foregoing Resolution Approving the Increase and Improvement of Facilities of the Consolidated Water District 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

November 1, 2021

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

A BOND RESOLUTION, DATED NOVEMBER 1, 2021, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE “TOWN”), AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT (CEMETERY ROAD WATER MAIN PROJECT - 2021) WITHIN THE TOWN OF LANCASTER CONSOLIDATED WATER DISTRICT AT AN ESTIMATED MAXIMUM COST OF \$2,000,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,000,000 OF THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID 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, Erie County, New York (the “Town”), has established the Town of Lancaster Consolidated Water District (the “District”), and

WHEREAS, the Town Board has determined, by resolution, to undertake a certain water system capital improvements project, and

WHEREAS, the Town Board has determined to proceed with such project, and

WHEREAS, the Town Board desires to issue obligations of the Town to finance the costs of such project.

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 water system capital improvements project (commonly known as “Water System Capital Improvements Project – Cemetery Road Broadway to Wendling Court”) will generally consist of (but not be limited to), the installation of approximately 6,400 linear feet of water main along Cemetery Road 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 prepared by Wm. Schutt & Associates, P.C. in connection with such project, 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 (the “Project”). The estimated maximum cost of said purpose is \$2,000,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of said purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$2,000,000 of the Town, hereby authorized to be issued therefore pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of such improvement is to be paid by the issuance of serial bonds and 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 such bonds as the same become due and payable, except as provided by law.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 40 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 said bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will 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 shall 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, the cost of the Project 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 such bonds as the same become due and payable, except as provided by law. Should the assessments upon benefited real property be insufficient to pay the principal of and interest on such bonds, 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 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. To the extent applicable, the Town Supervisor is hereby authorized to execute and deliver in the name and on behalf of the Town a project financing agreement prepared by the New York State Environmental Facilities Corporation (“EFC”) (the “Project Financing Agreement”). To the extent applicable, the Town Supervisor and the Town Clerk and all other officers, employees and agents of the Town are hereby authorized and directed for and on behalf of the Town to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including, but not limited to, the Project Financing Agreement.

SECTION 14. The Town determined that the Project 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 15. 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 16. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

- (1) (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with

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

- (2) Said obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 17. 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 said Local Finance Law, in a newspaper having a general circulation in the Town and designated as the official newspaper of the Town for such publication.

SECTION 18. 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

November 1, 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 November 1, 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 law which should have been 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 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 November 1, 2021. The proceeds from the sale of the obligations authorized in said bond resolution will be used to finance a water system capital improvements project (commonly known as "Water System Capital Improvements Project – Cemetery Road Broadway to Wendling Court") will generally consist of (but not be limited to), the installation of approximately 6,400 linear feet of water main along Cemetery Road 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 prepared by Wm. Schutt & Associates, P.C. in connection with such project, 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, at an estimated maximum amount of \$2,000,000. Said 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 said serial bonds, in an aggregate principal amount not to exceed \$2,000,000 said amount to be offset by any federal, state, county and/or local funds received. The period of probable usefulness for said purpose is 40 years. A copy of the bond 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,
MOVED ITS ADOPTION,
COUNCIL MEMBER,

19
WHO
SECONDED BY
TO WIT:

WHEREAS, the Town of Lancaster, after thorough consideration of the various aspects of the problem and review of available data, has hereby determined that certain work, as described in its NYS Drinking Water Infrastructure Grant Program application and attachments, to address the repair and maintenance of the Cemetery Road Water Line Project, herein called the “Project”, is desirable, is in the public interest, and is required in order to implement the Project and address said compliance requirements, and

WHEREAS, the NYS Environmental Facilities Corporation (EFC) authorizes State assistance to municipalities for drinking water quality improvement projects by means of a contract, and the Town of Lancaster deems it to be in the public interest and benefit under this law to enter into a contract therewith.

NOW, THEREFORE,

BE IT RESOLVED by the Lancaster Town Board, that:

1. Supervisor Ronald Ruffino, or his representative or successor in office, is the representative authorized to act on behalf of the Lancaster Town Board in all matters related to State assistance under the New York State Environmental Facilities Corporation (EFC) and/or any applicable State grant provisions.
2. The Supervisor, or his representative, is also authorized to make an application in the amount of \$2,000,000 which the Town is requesting 60% of the total project cost in grant funding (\$1,200,000).
3. The Town of Lancaster Town Board agrees to fund its portion of the cost of the Project, not to exceed 40% of the total project cost(\$800,000) by way of a General Obligation Bond or a series of Bond Anticipation Notes, and that funds will be made available to initiate the Project efforts within 12 months of written approval of its application by the NYS Department of Health and the New York State Environmental Facilities Corporation authority.
4. The one certified copy of this Resolution be prepared and sent to the Albany office of the NYS Environmental Facilities Corporation.
5. This Resolution takes effect 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

November 1, 2021

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

20

WHEREAS, by email dated October 21, 2021, Jonathan Wascak, has requested to use the Town of Lancaster Senior Center's parking lot for their Donation Drive to benefit WNY Heroes, Inc., which will be held on November 6, 2021, from 12:00 P.M. (noon) to 4:00 P.M., and

WHEREAS, the Town Attorney's Office has prepared a Release of Liability and Assumption of Risk document which provides the terms and conditions for use of the Senior Center's parking lot and which WNY Heroes, Inc., has executed and submitted with the required proof of liability insurance in advance of the event taking place.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby grants WNY Heroes, Inc., permission to use the Senior Center's parking lot located at 100 Oxford Avenue for their Donation Drive which will be held November 6, 2021, from 12:00 P.M. (noon) to 4:00 P.M.

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

November 1, 2021

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

21

WHEREAS, Alexander Cornwell, of **Raw Rutes, LLC** has submitted site plans prepared by Design & Drafting By Gina, LLC, which contains drawings A100, A101, A102, A103, A104 & A105 all dated June 1, 2021 and also site plans prepared by Wendel which included a survey dated September 15, 2020, with drawings G001 (coversheet) dated June 29, 2021 and drawings C101, C102, C201, C301, C302, C401, C501, C502, C503 all dated June 29, 2021 and a revised date of July 7, 2021, received June 29, 2021 for the proposed construction of two pole barn structures for light industrial use which will be completed in two phases to be located at 4266 Walden Avenue (SBL No. 94.00-3-23) in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was recommended for approval at their September 15, 2021 meeting, and

WHEREAS, the Town Planning Board has completed an environmental review for the project on September 15, 2021, in conformance with SEQR (State Environmental Quality Review) regulations and the Town Board, acting as lead agency, issued a Negative Declaration on October 4, 2021.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plans submitted by Alexander Cornwell, of **Raw Rutes, LLC** prepared by Design & Drafting By Gina, LLC, which contains drawings A100, A101, A102, A103, A104 & A105 all dated June 1, 2021 and also Wendel which included a survey dated September 15, 2020, with drawings G001 (coversheet) dated June 29, 2021 and drawings C101, C102, C201, C301, C302, C401, C501, C502, C503 all dated June 29, 2021 with a revision date of July 7, 2021, and received June 29, 2021 for the proposed construction of two pole barn structures for light industrial use which will be completed in two phases to be located at 4266 Walden Avenue (SBL No. 94.00-3-23), with the following conditions:

1. PIP permit will be required to initiate construction.
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

November 1, 2021

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

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WHEREAS, Walter Hopcia, of **Apple Rubber Products, Inc.**, has submitted an amended site plan prepared by Lydon Architectural Services, P.C., (SP1) and photos & partial floor plan (A2) both dated July 13, 2021, with revision dates of August 10, 2021; and drawings C-101, C-102, and C-201 all dated December 13, 2018 with revision dates of August 10, 2021; the submittal also contained a Survey prepared by Millard, MacKay & Delles dated January 13, 2020 and Drawing dated January 14, 2020; all received August 10, 2021 for the proposed 2-phase construction of a 5,988 sq. ft. office addition to the north side of the front of the existing building and a 5,848 sq. ft. office addition to the south side of the front of the existing building located at 204 Cemetery Road (SBL No. 105.00-1-25.2) in the Town of Lancaster, and

WHEREAS, the amended site plan for this project was submitted to the Planning Board and was recommended for approval at their October 20, 2021 meeting, and

WHEREAS, the Planning Board completed an environmental review on October 20, 2021, in conformance with SEQR (State Environmental Quality Review) regulations and the Town Board, acting as Lead Agency issued a Negative Declaration on November 1, 2021.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the amended site plan submitted by Walter Hopcia, of **Apple Rubber Products, Inc.**, has submitted an amended site plan prepared by Lydon Architectural Services, P.C., (SP1) and photos & partial floor plan (A2) both dated July 13, 2021, with revision dates of August 10, 2021; and drawings C-101, C-102, and C-201 all dated December 13, 2018 with revision dates of August 10, 2021; the submittal also contained a Survey prepared by Millard, MacKay & Delles dated January 13, 2020 and Drawing dated January 14, 2020; all received August 10, 2021 for the proposed 2-phase construction of a 5,988 sq. ft. office addition to the north side of the front of the existing building and a 5,848 sq. ft. office addition to the south side of the front of the existing building located at 204 Cemetery Road (SBL No. 105.00-1-25.2) in the Town of Lancaster with the following conditions:

1. Contractor to provide an “As-built” survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.
2. Private Improvement Permit will be required to initiate construction.

BE IT FURTHER,

RESOLVED, that this revised site plan hereby replaces the site plan drawings approved on June 2, 2014, filed under original Town Project No. 2142.

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

November 1, 2021

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

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute on behalf of the Town of Lancaster, the Stormwater Control Facility Maintenance Agreements required per §400-73 of the Lancaster Town Code for projects when presented, between the Town of Lancaster and the real property owners of record upon which the Stormwater Facility is located.

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

November 1, 2021