

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 August 21, 2023 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 BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

September 5, 2023

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 Supervisor's Office, to wit:

Check Run #09052023

Total amount hereby authorized to be paid: \$

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

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

September 5, 2023

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			
Pmt #	SW	Applicant Name	Address	STRUCTURE Village
20238978		Jacob Massaker	41 Summerfield Dr	Er. Porch/Porch Cover
20239076		Amish Valley Sheds	33 Weathersfield Ln	Er. Shed
20239473		Kulback's Inc.	6503 Broadway	Er. Comm. Add./Alt.
20239590		Besroi Construction	23 Pinetree Dr	Re-Roof
20239591		Besroi Construction	45 Lancaster Ave	Re-Roof (V/L)
20239592		Besroi Construction	11 Ann Marie Dr	Re-Roof
20239593		Besroi Construction	3703 Bowen Rd	Re-Roof
20239621		Summers and Sons Construction	26 Mary Rachel Pl	Er. Deck
20239622		Summers and Sons Construction	24 Mary Rachel Pl	Er. Deck
20239625		Kassis Superior Sign Co.	4725 Transit Rd	Er. Signs
20239630		Frank Minisci	78 Stony Brook Dr	Er. Res. Alt.
20239636		Beauty Pools Inc.	56 Hidden Meadow Cros	Er. Pool-In Grnd
20239638		House2Home Construction LLC	14 Deepwood Pl	Er. Res. Add.
20239662		Zenner & Ritter Co. Inc.	8 Nottingham Ln	Inst. Generator
20239667		Avox Systems Inc.	225 Erie St	Er. Sign (V/L)
20239669		Franks Commercial & Home	5820 Broadway	Er. Comm. Add./Alt.
20239670		Marian Post	6 Mary Rachel Pl	Er. Deck
20239674		David Keller	463 Central Ave	Er. Pool-Abv Grnd
20239678		Thomas Forbes	13 Beatrix Cir	Er. Fence
20239681		Buffalo Solar Solutions Inc.	5827 Broadway	Inst. Solar Panels
20239692		Jeffrey Osika	54 Williamsburg Ln	Er. Fence
20239693		Rock Hard Fence	26 Deepwood Pl	Er. Fence
20239695		Paul Uebelhoer	64 Pleasant Ave	Dumpster - Temp. (V/L)
20239696		AVA Roofing & Siding Inc.	119 Southwest Pky	Re-Roof (V/L)
20239697		AVA Roofing & Siding Inc.	5 Avian Way	Re-Roof
20239698		Zenner & Ritter Co. Inc.	9 Fox Hunt Rd	Inst. Generator
20239699		Zenner & Ritter Co. Inc.	3548 Walden Ave	Inst. Generator
20239700		The Vinyl Outlet Inc.	43 Liberty Ave	Er. Porch (V/L)
20239701		Premier Fencing LLC	178 Laverack Ave	Er. Fence (V/L)
20239702		Kristine Lewis	6466 Broadway	Er. Shed
20239703		Parkview Court Inc.	0 Aurora St	Er. Shed (V/L)
20239704		Majestic Pools Inc.	698 Pleasant View Dr	Er. Pool-In Grnd
20239705		Majestic Pools Inc.	698 Pleasant View Dr	Er. Fence
20239707		Cortese Brothers Construction	4 Primrose Ln	Er. Res. Alt.
20239708		McGrath Carpentry	16 Towne Square Dr	Er. Deck
20239709		Pear Tree Homes LLC	40 Newell Ave	Er. Res. Alt. (V/L)
20239710		Ronald Wisniewski	21 Fox Hunt Rd	Er. Fence
20239711		DSS Enterprises Inc.	775 Aurora St	Re-Roof
20239712		Kathryn Pence	18 Clark St	Er. Shed (V/L)
20239713		Buffalo RC, LLC	381 Harris Hill Rd	Re-Roof
20239714		Zenner & Ritter Co. Inc.	1 Arrow Trl	Inst. Generator
20239715		Khalid Izzat Hamideh	25 Old Schoolhouse Rd	Er. Shed
20239718		Luther Enterprises	50 Stream View Ln	Er. Pool-In Grnd
20239719		Gabrielle Wilson	11 Southpoint Dr	Er. Fence
20239722		Hurricane Home Solutions Inc.	1166 Penora St	Inst. Generator
20239724		Gen-Tech Power Systems LLC	25 Lake Forest Pky W	Inst. Generator
20239725		Davis-Ulmer Sprinkler Co.	6061 Broadway	Er. Comm. Add./Alt.
20239726		Gen-Tech Power Systems LLC	7 Foxwood Row	Inst. Generator
20239727		Gen-Tech Power Systems LLC	53 Stream View Ln	Inst. Generator
20239728		Ashley Negast	36 St Anthony St	Er. Deck
20239729		Gen-Tech Power Systems LLC	30 Eastwood Pky	Inst. Generator
20239730		Gen-Tech Power Systems LLC	10 Towne Square Dr	Inst. Generator
20239731		Gen-Tech Power Systems LLC	91 Newberry Ln	Inst. Generator
20239733		Shawn Misechok	45 Hidden Meadow Cros	Inst. Generator
20239734		Iroquois Fence Inc.	15 Deepwood Pl	Er. Fence
20239735		LJ Construction WNY LLC	506 Aurora St	Re-Roof

20239739	Neth & Son Inc.	59 Simme Rd	Re-Roof	
20239740	Neth & Son Inc.	35 Old Post Rd	Re-Roof	
20239741	Neth & Son Inc.	95 Nichter Rd	Re-Roof	
20239742	Kevin Farrell	23 Beatrix Cir	Er. Shed	
20239744	Sturdi Built Sheds LLC	14 Cayuga Ave	Er. Shed	(V/L)
20239745	Rich Pools	12 Traceway	Er. Pool-Abv Grnd	
20239748	David Brown	118 Fourth Ave	Er. Res. Alt.	(V/L)
20239750	Wonder Showers and Bath Inc.	10 Gale Dr	Er. Res. Alt.	
20239753	Picket Fence & Exteriors Inc.	101 Christen Ct	Er. Fence	(V/L)
20239756	George & Jeanette Ash	503 Pleasant View Dr	Er. Shed	
20239759	Nicholas Hicks	97 Christen Ct	Er. Fence	(V/L)
20239761	Steven Duntley	687 Ransom Rd	Er. Fence	
20239762	Danny Bastedo	40 Ashley Dr	Re-Roof	(V/L)

NOW THEREFORE BE IT

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

September 5, 2023

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

4

WHEREAS, the Lancaster High School Symphonic Band has requested to use the Town of Lancaster's Lion's Club Picnic Shelter and the Youth Bureau's Band Shell with access to its restrooms for their **Annual Band Picnic and 14th Annual Symphonic Band Pops Concert** on Sunday September 24, 2023, from 10:00 A.M. to 2:00 P.M, and

WHEREAS, the Town Attorney's Office has prepared a Release of Liability and Assumption of Risk Waiver which provides the terms and conditions for use of the shelter, band shell, and facilities, which Lancaster High School Symphonic Band is required to execute and submit with the required proof of insurances to the Town Attorney's Office, in advance of the event taking place.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby grants the Lancaster High School Symphonic Band's request to use Town of Lancaster's Lion's Club Picnic Shelter and the Youth Bureau's Band Shell with access to its restrooms for their **Annual Band Picnic and 14th Annual Symphonic Band Pops Concert** on Sunday September 24, 2023, from 10:00 A.M. to 2:00 P.M, pending receipt of the required waiver and proof of insurances by the Town Attorney's Office.

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

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

September 5, 2023

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

5

WHEREAS, on February 10, 2021 the Town Board of the Town of Lancaster entered into a contract with Tyler Technologies to obtain new Public Administration Software and Related Services for use by Town Offices; and

WHEREAS, Tyler Technologies has submitted an Amendment to the previously approved contract, effective April 1, 2023, which removes all the HR, Payroll and Time/Attendance components, creating a credit on the account for the year 3 SaaS fees, paid for by the Town of Lancaster for those components, plus any undelivered services for training and conversions, thereby terminating access to the above-listed software components, resulting in a \$73,575.00 credit to the Town of Lancaster; and

WHEREAS, the Town Board and the Town Attorney have reviewed the Amendment and the Town Attorney has given it his approval.

NOW, THEREFORE,

BE IT RESOLVED, as follows: The Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute the Amendment to the agreement with Tyler Technologies to:

a) Remove all the HR, Payroll and Time/Attendance components, creating a credit on the account for the year 3 SaaS fees, paid for by the Town of Lancaster for those components, plus any un-delivered services for training and conversions.

b) Terminate software and support of the removed components.

c) Credit the Town of Lancaster in the amount of \$73,575.00 from Tyler Technologies to offset future maintenance charges; and

BE IT FURTHER,

RESOLVED, the Supervisor of the Town of Lancaster is hereby authorized and directed to execute the Amended Agreement as presented by Tyler Technologies, on behalf of the Town of Lancaster.

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

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

September 5, 2023

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

6

WHEREAS, by letter dated August 22, 2023, John Trojanowsky, Executive Director of the Youth Bureau has recommended that the Town of Lancaster continue to participate in the collaborative effort with Lancaster Central School District by providing 50% of the direct salary and 50% of the annual cost of certain fringe benefits (health insurance coverage) for the Program Coordinator of the jointly funded Family Support Center within the Lancaster Central School District beginning September 1, 2023 to June 30, 2024; and

WHEREAS, the Program Coordinator for the Family Support Center is considered an employee of the School District; and

WHEREAS, Fifty (50%) Percent of the annual salary and fringe benefits totals \$45,446.50; and

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

NOW, THEREFORE,

BE IT RESOLVED, that the Supervisor of the Town of Lancaster is hereby authorized to enter into an Agreement with the Lancaster Central School District for the purpose of providing a Coordinator of the Family Support Center for the period of September 1, 2023 to June 30, 2024, with the Town paying 50% of the annual direct salary (\$32,623.04) and 50% of the annual cost of health insurance (\$12,923.46) for a total contribution of \$45,546.50 for the jointly funded Program Coordinator to the Lancaster Central School District, to paid in four quarterly installments with funds from budget line A4320.411 Youth-At-Risk Programs as follows:

1) Nine Thousand One Hundred Nine and 30/00 (\$9,109.30) Dollars on or about October 1, 2023.

2) Nine Thousand One Hundred Nine and 30/00 (\$9,109.30) Dollars on or about December 1, 2023.

3) Thirteen Thousand Six Hundred Sixty-Three and 95/00 (\$13,663.95) Dollars on or about February 1, 2024.

4) Thirteen Thousand Six Hundred Sixty-Three and 95/00 (\$13,663.95) Dollars on or about April 1, 2024.

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

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

September 5, 2023

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

7

WHEREAS, per letter dated August 22, 2023, John Trojanowsky, Executive Director of the Youth Bureau, has recommended that the Town of Lancaster continue to participate in the collaborative effort with Lancaster Central School District by providing 50% of the annual salary and 50% of the annual cost of contractual expenses and fringe benefits of a School Psychologist or Social Worker for the Joint Funded School and Community Support Program within the Lancaster Central School District; and

WHEREAS, the School Psychologist or Social Worker is considered an employee of the School District with an annual salary of approximately Seventy-Four Thousand One Hundred Eighty-Four and 00/00 (\$74,184.00) Dollars, and the annual contractual expenses and fringe benefits of approximately Thirty-Six Thousand Eight Hundred Eight and 59/00 (\$36,808.59) Dollars; and

WHEREAS, the Town Board deems it in the public's interest to provide 50% of the annual salary and annual contractual and fringe benefit costs to the School District to ensure this service is maintained for the community.

NOW, THEREFORE,

BE IT RESOLVED, that the Supervisor of the Town of Lancaster is hereby authorized to enter into the Joint Funding of School and Community Support Agreement with the Lancaster Central School District for the purpose of providing a School Psychologist or Social Worker for the period of August 29, 2023 to June 27, 2024 with the Town paying 50% of the annual contractual expenses and fringe benefits for a total contribution of Fifty-Five Thousand Four Hundred Ninety-Six and 29/00 (\$55,496.29) Dollars with funding for the program to be paid from the Towns 2023/2024 School Social Worker/Counselor Budget (Line Item A4240.411), in four quarterly installments to the Lancaster Central School District as follows:

1) Eleven Thousand Ninety-Nine and 29/00 (\$11,099.29) Dollars on or about October 1, 2023.

2) Eleven Thousand Ninety-Nine and 26/00 (\$11,099.26) Dollars on or before December 1, 2023.

3) Sixteen Thousand Six Hundred Forty-Eight and 89/00 (\$16,648.89) Dollars on or about February 1, 2024.

4) Sixteen Thousand Six Hundred Forty-Eight and 88/00 (\$16,648.88) Dollars on or about April 1, 2024.

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

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

September 5, 2023

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

WHEREAS, Edward Schiller, of Wm. Schutt Associates, P.C., the Town of Lancaster’s consulting engineers, by letter dated August 24, 2023, has requested that the Town Board authorize an invitation to bid for site additions to Brickyard Backstop at West Wood Park, 175 Pavement Road, Lancaster, New York, 14086, which will consist of the installation of a concrete block wall, concrete block dugouts, concrete sidewalk, a 30’ high netting, 4’ high chain-link fence, 3” water service line, and hose bibs; and

WHEREAS, the Town Board has given due review and consideration to the request for the additions and deems it in the public interest to invite public bids in conformance with General Municipal Law Section 103 of the State of New York.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby invites public bids for site additions to Brickyard Backstop at West Wood Park, 175 Pavement Road, Lancaster, New York, which will consist of the installation of a concrete block wall, concrete block dugouts, concrete sidewalk, a 30’ high netting, 4’ high chain-link fence, 3” water service line, and hose bibs, said bids are to be in conformance with the plans and specifications which are available at the office of Wm. Schutt Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 and to be received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on September 21, 2023, and opened thereafter.

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

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

September 5, 2023

ADVERTISEMENT FOR BIDS
TOWN OF LANCASTER
ERIE COUNTY, NEW YORK
BRICKYARD BACKSTOP
WESTWOOD PARK
SITE ADDITIONS
175 PAVEMENT ROAD

General Notice

The Town of Lancaster is requesting Bids for the construction of the following Project:
Brickyard Backstop
Westwood Park
Site Additions
175 Pavement Road

Bids for the construction of the Project will be received at the office of the Town Clerk, 21 Central Avenue, Lancaster, New York 14086 by Thursday September 21, 2023 at 10:00 AM local time. At that time the Bids received will be publicly opened and read.

The Project consists of the installation of a concrete block wall, concrete block dugouts, concrete sidewalk, 30' high netting, 4' high chain-link fence, 3" water service line, and hose bibs at the Brickyard Backstop at Westwood Park at 175 Pavement Road in the Town of Lancaster.

Obtaining the Bidding Documents

The Issuing Office for the Bidding Documents is Avalon Document Services,
www.avalonplanroom.com.

Prospective Bidders may examine the Bidding Documents at the Issuing Office or at the offices of Wm. Schutt Associates, Construction Exchange of Buffalo and WNY, or Dodge Reports. Copies of the Bidding Documents may be obtained from the Issuing Office as described below. Partial sets of Bidding Documents will not be available from the Issuing Office. Neither Owner nor Engineer will be responsible for full or partial sets of Bidding Documents, including addenda, if any, obtained from sources other than the Issuing Office.

Beginning at 9:00 AM, on Thursday September 7, 2023, if bidders wish to purchase printed copies of the Contract Documents, they must be obtained through Avalon Document Services. The fee paid to Avalon is nonrefundable. Only official plan holders will be allowed to bid on the project. Bidders acknowledge that they are responsible for review of all components of the Contract Documents, including all specification sections and drawings, regardless of how many drawings they print and in which format/size they are printed.

Instructions to Bidders.

For all further requirements regarding bid submittal, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding Documents.

This Advertisement is issued by:

Owner:Town of Lancaster, New York
By: Diane Terranova
Title: Town Clerk
Date: September 7, 2023

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

9
WHO
SECONDED BY
TO WIT:

WHEREAS, John Pilato, Highway Superintendent of the Town of Lancaster, in a letter dated August 22, 2023, has advised the Town Board that Highway Department no longer has use for the following items, as they are currently outdated and unusable:

- 1) 2007 International 7600 Dump with Plow Equipment and Salter (VIN: 1HTTXAHR17J476430).
- 2) 2007 International 7600 Dump with Plow Equipment and Salter (VIN: 1HTTXAHR57J476429)
- 3) 1999 Towmaster T-12DD 6 Ton Equipment Trailer (VIN: 4KNUT162XXL161026)
- 4) Everest One Way Front Plow
- 5) Two American Plow 11' Wing Plows
- 6) 1977 Frink V-Plow
- 7) Henderson Tailgate Salter
- 8) Coats 4300 Tire Changer (Serial #1105.6027024.215)
- 9) Two 8' Pickup Side Toolboxes
- 10) Graco Line Lazer IV Striper
- 11) 8' Pendaliner Drop in Bedliner
- 12) Three Pneumatic Jack Hammers with Picks (Serial Numbers: 6825370, 68253072- missing serial number for third one)
- 13) Miscellaneous lot of 18 volt Dewalt Power Tools; and

WHEREAS, John Pilato, Highway Superintendent of the Town of Lancaster has requested that the Town Board therefore deem the item to be surplus equipment and permit the Highway Superintendent to offer it at an online auction; and

WHEREAS, and has requested that the Town Board therefore deem the item to be surplus equipment and permit the Highway Superintendent to offer it at an online auction; and

WHEREAS, the Town Board has given due consideration to the request of the Highway Superintendent and deems it in the public interest to declare the above-described equipment to be surplus equipment and permit placement of said item on an online auction.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby declares the items listed below to be surplus equipment and authorizes the Highway Superintendent to place said items up for public bid at an online auction with Auctions International, *www.auctionsinternational.com*, 11167 Big Tree Road, East Aurora, New York 14052, beginning the week of September 7, 2023, and concluding on September 21, 2023, with the funds received from said auction to be made payable to the Town of Lancaster and delivered to the Town Supervisor's Office.

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

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

September 5, 2023

PUBLIC AUCTION
OF TOWN OWNED SURPLUS EQUIPMENT

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

- 1) 2007 International 7600 Dump with Plow Equipment and Salter (VIN: 1HTTXAHR17J476430).
- 2) 2007 International 7600 Dump with Plow Equipment and Salter (VIN: 1HTTXAHR57J476429)
- 3) 1999 Towmaster T-12DD 6 Ton Equipment Trailer (VIN: 4KNUT162XXL161026)
- 4) Everest One Way Front Plow
- 5) Two American Plow 11' Wing Plows
- 6) 1977 Frink V-Plow
- 7) Henderson Tailgate Salter
- 8) Coats 4300 Tire Changer (Serial #1105.6027024.215)
- 9) Two 8' Pickup Side Toolboxes
- 10) Graco Line Lazer IV Striper
- 11) 8' Pandaliner Drop in Bedliner
- 12) Three Pneumatic Jack Hammers with Picks (Serial Numbers: 6825370, 68253072- missing serial number for third one)
- 13) Miscellaneous lot of 18 volt Dewalt Power Tools

This is surplus equipment and will be auctioned at an online auction with Auctions International, www.auctionsinternational.com, 11167 Big Tree Road, East Aurora, New York 14052, beginning the week of September 7, 2023, and concluding on September 21, 2023.

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

The surplus equipment may be inspected at the Town of Lancaster Highway Department, 525 Pavement Road, Lancaster, New York by contacting the Highway Department at 683-3426 to make an appointment.

TOWN BOARD
TOWN OF LANCASTER

By: DIANE TERRANOVA
TOWN CLERK

September 7, 2023

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

WHO
SECONDED BY
TO WIT:

10

WHEREAS, Bruce Stutz, Park Crew Chief, of the Town of Lancaster, by letter dated August 24, 2023 has recommended the appointment of the following individuals to the following part-time permanent positions in the Town of Lancaster Parks, Recreation & Forestry Department.

NOW, THEREFORE,

BE IT RESOLVED, that the following individuals are hereby appointed to the following part-time permanent positions in the Parks, Recreation & Forestry Department of the Town of Lancaster, working not more than nineteen hours per week, and that this being a part-time position, provides no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time employees:

NAME	ADDRESS	POSITION	HOURLY RATE	EFFECTIVE DATE
John Cook	Lancaster, NY	Laborer	\$16.50	September 18, 2023
Kyle Backert	Lancaster, NY	Laborer	\$16.50	September 18, 2023
William Chilelli	Lancaster, NY	Laborer	\$16.50	September 18, 2023
Conor Mahony	Lancaster, NY	Laborer	\$16.50	October 16, 2023
George Besch	Lancaster, NY	Recreation Attendant	\$19.00	September 9, 2023
Bryanna Gram	Lancaster, NY	Recreation Attendant	\$15.00	September 9, 2023

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

September 5, 2023

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

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster Town Code provide for the adoption and enactment of local laws; and

WHEREAS, the Town of Lancaster Town Board (“Board”) is proposing a Local Law to amend Chapter 320 of the Town of Lancaster Code, Taxation, to include a new **“Article VII Informational Mailings Authorized; and**

WHEREAS, the Board of the Town of Lancaster has reviewed the environmental impact of this Action pursuant to SEQR regulations at their meeting on September 5, 2023, and recommended that a Negative Declaration be issued; and

WHEREAS, the Board has duly considered the Action, the Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c), and such other information deemed appropriate; and

WHEREAS, the proposed action has been labeled a “Type I” action under SEQRA.

WHEREAS, the 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.

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

1. Based upon a thorough review and examination of the known facts relating to the Action and its careful review of all potentially adverse environmental impacts, and the entire record and proceedings relating to the Action, the Board finds that the Action will not have a significant adverse impact on the environment and that a Draft Environmental Impact Statement will not be prepared.

2. The attached Negative Declaration, incorporated herein by reference, is issued, and adopted for the reasons stated in the attached Negative Declaration.

3. The Town Clerk is hereby authorized and directed to distribute copies of the Resolution as necessary.

4. 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.

5. 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 BURKARD	VOTED
COUNCIL MEMBER DICMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: September 5, 2023

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

The Town of Lancaster Town Board (“Board”), as lead agency, has determined that adoption of a Local Law amending Chapter 320 of the Town of Lancaster Code, Taxation, to include a new “**Article VII Informational Mailings Authorized**.”

Name of Action: Local Law 2 of 2023 amending the Town of Lancaster Town Code to include a new “**Article VII Informational Mailings Authorized**”

Location of Action: The Town of Lancaster, New York.

SEQRA Status: Type I Action.

Description of Action: The Board has reviewed the Local Law amending Chapter 320 of Lancaster

Reasons Supporting this Determination:

The Board has identified the relevant areas of environmental concern and has taken a hard look at each of the identified areas as required by SEQRA. The Board compared the Action with 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 in the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Action will not have a significant adverse impact on the environment.

1. Impact on land - **No impact.**
2. Impact on Geological Features – **No impact.**
3. Impacts on Surface Water – **No impact.**
4. Impact on Groundwater – **Impact.**
5. Impact on Flooding – **No impact.**
6. Impact on Air – **No impact.**
7. Impact on Plants and Animals – **No impact.**
8. Impact on Agricultural Resources – **No impact.**
9. Impact on Aesthetic Resources – **No impact.**
10. Impact on Historic and Archeological Resources – **No impact.**
11. Impact on Open Space and Recreation – **No impact.**
12. Impact on Critical Environmental Areas – N/A
 - **The Town of Lancaster has not established a Critical Environmental Area (CEA).**
13. Impact on Transportation – **No impact.**
14. Impact on Energy – **No impact.**

15. Impact on Noise, Odor and Light – **No impact.**
16. Impact on Human Health – **No impact.**
17. Consistency with Community Plans – **Impact.**
18. Consistency with Community Character – **No impact.**

For Further Information:

Contact Person: Thomas E. Fowler, Jr., 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:

12

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of local laws; and

WHEREAS, a proposed Local Law of the year 2023 revising Chapter 320 of the Town of Lancaster Code, Taxation, to include a new “**Article VII Informational Mailings Authorized**,” was introduced to the Town Board of the Town of Lancaster by Council Member Leary on the 7th day of August; and

WHEREAS, the Town Board, acting as Lead Agency under the State Environmental Quality Review Act (“SEQRA”) has determined the action is a Type I action and has issued a negative declaration; and

WHEREAS, the Town Board called for, noticed, and held public hearings on the proposed Local Law on August 21, 2023, at 7:05 P.M., where all interested parties were allowed to address the proposed Local Law.

NOW, THEREFORE,

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

1. The attached Local Law **No. 2 of 2023** is hereby adopted.
2. The Local Law shall be effective upon its filing with the Secretary of State pursuant to the Municipal Home Rule Law.

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

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

September 5, 2023

LEGAL NOTICE
NOTICE OF ADOPTION
LOCAL LAW NO. 2 OF THE YEAR 2023
TOWN OF LANCASTER

PLEASE TAKE NOTICE that there has been adopted by the Town Board of the Town of Lancaster, County of Erie, State of New York, on September 5, 2023, Local Law No. 2 of the Year 2023, which amends Chapter 320 of the Town of Lancaster Code, Taxation, to include a new **“Article VII Informational Mailings Authorized** to the Town Code of the Town of Lancaster. Copies of the revised Local Law can be reviewed at Lancaster Town Hall, 21 Central Avenue, during normal business hours and on the Town of Lancaster’s website, <http://www.lancasterny.gov>. All interested members of the public shall be heard.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

September 7, 2023

Town of Lancaster
Local Law No.: 02 of 2023

§ 320-38 PURPOSE AND LEGISLATIVE INTENT

Section 1826 of the Tax Law of New York State forbids a municipality from mailing or delivering with tax bills any notices, circulars, pamphlets, cards, or similar printed materials unless the municipality has passed local legislation pursuant to Municipal Home Rule Law Sections 10 and 22 allowing for that practice and so long as neither the legislation nor the practice provide for the dissemination of political or propaganda materials. The purpose of this local law is to authorize the Town Board, by unanimous resolution, to allow the Town Clerk to enclose with the tax bills certain notices or other enclosures allowed by law concerning matters of public interest, but excluding enclosures of a political nature, entailing propaganda, or advertisements.

§ 320-39 ADOPTION OF LOCAL LAW SUPERSEDING SECTION 1826 OF THE TAX LAW AUTHORIZING INFORMATIONAL ENCLOSURES WITH TAX BILLS

Pursuant to authority granted by Municipal Home Rule Law Sections 10 and 22, this local law is adopted authorizing the Lancaster Town Board, by resolution unanimously adopted, to instruct the Town Clerk to enclose notices, circulars, pamphlets, cards, handbills or other enclosures allowed by law concerning matters of public concern, subject to the following:

- A. Such enclosures shall exclude any and all matter of political nature, entailing propaganda or any type of advertisement.
- B. Each enclosure shall be approved by a separate unanimous resolution of the Town Board.
- C. Said enclosures shall be included in the County/Town tax bills only.

§ 320-40 EFFECTIVE DATE

This Local Law shall take effect 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:

WHEREAS, Anthony Pandolfe, of Carmina Wood Design, has prepared and submitted a final plat plan, dated November 15, 2022, for the Fieldstream Subdivision of 40 lots to be serviced by a new public roadway, of which 1900 feet in length will intersect with William Street, having new utilities including street lighting, public water, public sanitary sewer and storm sewers installed along the new roadways to serve all proposed lots located at 6061 Broadway (SBL 116.00-2-24.1) Lancaster, New York, 14086, North Side of William between Bowen and Schwartz; and

WHEREAS, Section 400-38 6 (b) of the Town Code of the Town of Lancaster requires that the Town Board conduct a public hearing regarding the application for final plat approval.

NOW, THEREFORE,

BE IT RESOLVED, that pursuant to Section 400-38 6 (b) of the Town Code of the Town of Lancaster, a Public Hearing on the proposed final plat plan approval for the Fieldstream Subdivision of 40 lots to be serviced by a new public roadway, of which 1900 feet in length will intersect with William Street, having new utilities including street lighting, public water, public sanitary sewer and storm sewers installed along the new roadways to serve all proposed lots located at 6061 Broadway (SBL 116.00-2-24.1) Lancaster, New York, 14806, North Side of William between Bowen and Schwartz, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 18th day of September, 2023, at 7:05 o'clock P.M., Local Time, and that Notice of said time and place of such Hearing be published in the official newspaper of general circulation in said Town, and be 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 BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

September 5, 2023

LEGAL NOTICE

PUBLIC HEARING

FINAL PLAT

(40) Single Family Home Fieldstream Subdivision

On the north side of William Street between Bowen and Schwartz Roads

LEGAL NOTICE IS HEREBY GIVEN that in accordance with §400-38-H-6(b) of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster will hold a public hearing on September 18, 2023, at 7:05 PM, at the Town Hall, 21 Central Avenue, Lancaster, New York 14086, to hear all interested parties regarding an application for final plat approval of the forty (40) Single Family Home Fieldstream Subdivision on the North Side of William Street between Bowen and Schwartz Roads (SBL No. 116.00-2-24.1), in the Town of Lancaster as prepared by Greenman-Pedersen, Inc., dated July 12, 2023.

Further information, including access to a copy of the proposed final plat, may be obtained at the Town of Lancaster Town Clerk's office, 21 Central Avenue, Lancaster, New York 14086.

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

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

September 7, 2023

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

14

WHEREAS, John Pilato, Highway Superintendent of the Town of Lancaster, by letter dated August 29, 2023, has appointed Noah Burke to the position of Laborer – Highways in the Town of Lancaster Highway Department, pursuant to New York State Highway Law.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby recognizes the appointment of Noah Burke of Lancaster, New York to the position of Laborer – Highways in the Town of Lancaster Highway Department effective September 11, 2023, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA Blue Collar Union and all applicable provisions of law, and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

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

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

September 5, 2023

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

15

WHEREAS, Bruce Stutz, Park Crew Chief for the Town of Lancaster, has advised the Town Board that the air conditioning system within the Building Department at 21 Central Avenue, Lancaster, New York 14086, requires replacement; and

WHEREAS, Bruce Stutz has obtained three quotes, with the lowest proposal from Custom Air, LLC, P. O. Box 141, Bowmansville, New York, 14206, dated July 17, 2023, for Twelve Thousand Five Hundred and 00/00 (\$12,500.00) Dollars to cover the purchase and installation of a new air conditioning system, and removal of the old units; and

WHEREAS, by letter dated August 29, 2023, Bruce Stutz has requested that the Town of Lancaster approve the purchase and installation of a new air conditioning system for the Building Department at 21 Central Avenue, Lancaster, New York, 14086, from Custom Air, LLC, P. O. Box 141, Bowmansville, New York, 14206, for a cost of Twelve Thousand Five Hundred and 00/00 (\$12,500.00) Dollars, per their proposal dated July 17, 2023.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the request of Bruce Stutz, Park Crew Chief, to purchase a new air conditioning system for the Town of Lancaster Building Department, 21 Central Avenue, Lancaster, New York, 14086, from Custom Air, LLC, P. O. Box 141, Bowmansville, New York, 14206, for a cost of Twelve Thousand Five Hundred and 00/00 (\$12,500.00) Dollars, per their proposal dated July 17, 2023, and which will be paid for with funds from the Buildings Budget Line 01-1620-260, Other Capital Outlay.

BE IT FURTHER,

RESOLVED, that the Supervisor is hereby authorized to execute contracts on behalf of the Town of Lancaster and to do all things necessary to effectuate the intent of this resolution pending the receipt and approval of all required documents and insurance certificates by the Town Attorney.

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

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

September 5, 2023

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

16

WHEREAS, the State of New York United Court Systems is soliciting applications from local governments under the Justice Court Assistance Program (JCAP) to assist local Justice Departments with needed equipment, automation, furniture, supplies and security; and

WHEREAS, the Office of Justice Court Support has made \$30,000.00 available for the 2023-2024 grant cycle; and

WHEREAS, by letter dated August 22, 2023, the Honorable Anthony Cervi and David S. Stabler, Justices of the Justice Court of the Town of Lancaster, have requested authorization to pursue this grant funding to provide furniture, office equipment, and court facility improvements.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster's Justice Court is hereby authorized and directed to file the necessary application, forms, etc., with the Justice Court Assistance Program for the purpose of securing the \$30,000.00 in grant funding; and

BE IT FURTHER,

RESOLVED, that the Supervisor and other appropriate Town officials are hereby authorized and directed to execute all documents pertaining to the application and to the acquisition of said funding.

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

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

September 5, 2023

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

17

WHEREAS, Bruce Stutz, Park Crew Chief for the Town of Lancaster, has notified the Town Board that the Town of Lancaster Library is in need of updating its Security System by adding four additional panic buttons and an LCD keypad; and

WHEREAS, the work to be performed is considered “Public Works” for labor and materials, therefore bids for proposals were not requested work; and

WHEREAS, by letter dated August 29, Park Crew Chief Stutz has recommended that the Town of Lancaster award the project to Safety Systems, Inc., 525 Aero Drive, Suite 200, Buffalo, New York, 14225, to perform the required; and

WHEREAS, the amount shall not exceed One Thousand Five Hundred Ten and 00/100 (\$1,510.00) Dollars; and

WHEREAS, funding for the above-described project is available from Account 01-7410-0426, Library Repair and Maintenance.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the expenditure of funds from Account 01-7410-0426, Library Repair and Maintenance, as requested by Park Crew Chief Bruce Stutz to Safety Systems, Inc., 525 Aero Drive, Suite 200, Buffalo, New York, 14225, to perform the required the requested work, in an amount not to exceed One Thousand Five Hundred Ten and 00/100 (\$1,510.00) Dollars.

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

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

September 5, 2023

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

18
WHO
SECONDED BY
TO WIT:

WHEREAS, Police Captain Jonathan Ziders, of the Town of Lancaster, by letter dated August 29, 2023, has advised the Town Board that the Police Department no longer has use for the following vehicles and has therefore requested that the Town Board deem these vehicles to be surplus and permit them to be placed on an online auction:

<u>Vehicle</u>	<u>VIN#</u>	<u>Mileage (approx.)</u>
2021 Dodge Charger	2C3CDXKG3MH585232	84,199
2021 Dodge Charger	2C3CDXKG7MH585234	83,985
2021 Dodge Charger	2C3CDXKG5MH585233	83,676
2020 Dodge Durango	1C4SDJFT2LC318984	93,102
2015 Chevrolet Equinox	2GNFLFE32F6333847	78,578; and

WHEREAS, the Town Board has given due consideration to the request of Captain Ziders and deems it in the public interest to declare the above-described vehicles to be surplus and permit placement of said vehicles on an online auction for public bid.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby declares the five (5) above-described vehicles to be surplus vehicles and authorizes Police Captain Ziders to place said vehicles up for public bid at an online auction with Auctions International, www.auctionsinternational.com, 11167 Big Tree Road, East Aurora, New York 14052, beginning September 7, 2023, and concluding September 21, 2023, with the funds received from said auction to be made payable to the Town of Lancaster and delivered to the Town Supervisor's Office.

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

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

September 5, 2023

PUBLIC AUCTION
OF TOWN OWNED SURPLUS EQUIPMENT

Notice is hereby given that the Town Board of the Town of Lancaster has deemed the following vehicles to be surplus vehicles:

<u>Vehicle</u>	<u>VIN#</u>	<u>Mileage (approx.)</u>
2021 Dodge Charger	2C3CDXKG3MH585232	84,199
2021 Dodge Charger	2C3CDXKG7MH585234	83,985
2021 Dodge Charger	2C3CDXKG5MH585233	83,676
2020 Dodge Durango	1C4SDJFT2LC318984	93,102
2015 Chevrolet Equinox	2GNFLFE32F6333847	78,578

These vehicles will be auctioned at an online auction with Auctions International, <http://www.auctionsinternational.com> , 11167 Big Tree Road, East Aurora, New York 14052, beginning September 7, 2023, and concluding September 21, 2023.

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

The surplus equipment may be inspected at the Town of Lancaster's Police Department, 525 Pavement Road, Lancaster, New York by contacting Captain Jonathan Ziders, at (716) 683-2800 to make an appointment.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF LANCASTER

By: DIANE M. TERRANOVA
TOWN CLERK

September 7, 2023

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

19

WHEREAS, the Town Board previously duly advertised for bids for a Traffic Signal Backup System, for use within the Town of Lancaster; and

WHEREAS, one (1) bid was received, opened and reviewed on October 6, 2022; and

WHEREAS, by letter dated October 7, 2022, consulting Town Engineer, Edward Shiller, recommended awarding the bid for the Traffic Signal Backup System, to Viridi Parente, Inc., being the sole responsible bidder in the amount of \$145,968.00; and

WHEREAS, the Town is in receipt of New York State Multi Modal Project grant funds sponsored by Assembly Member Monica Wallace in the amount of \$125,000.00.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster, upon the recommendation of consulting Town Engineer, Edward Shiller, hereby awards the bid for a Traffic Signal Backup System to Viridi Parente, Inc., 1001 E. Delevan Ave., Buffalo, New York, as it conforms to the specifications on file in the office of the Town Clerk, for an amount not to exceed \$145,968.00 which will be paid for with funds available from the New York State Multi Modal Project grant funds and the Town's 2023 Highway Equipment Passenger Vehicles Budget (Line Item 13-5110-0220); and

BE IT FURTHER,

RESOLVED, that the Supervisor is hereby authorized and directed to execute any and all documentation in furtherance of the above.

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

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

September 5, 2023

THE FOLLOWING RESOLUTION WAS OFFERED **20**
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously approved an award of \$145,968.00 to Viridi Parente, Inc., 1001 E. Delevan Ave., Buffalo, New York, to install a Traffic Signal Backup System at eight (8) locations in the Town of Lancaster.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves Change Order No. 1 to Viridi Parente, Inc., with respect to the project as outlined below:

DESCRIPTION OF CHANGE ORDER NO. 1: Viridi and the Town have renegotiated the price downward to minimize Town expenditure over and above the grant funding.

CHANGE ORDER NO. 1:

The original Contract Sum was	\$ 145,968.00
The Contract Sum will be decreased by this Change Order in the amount of....	\$ 18,768.00
The new Contract Sum decreased including this Change Order will be	\$ 127,200.00

BE IT FURTHER,
RESOLVED, that the Supervisor be and is hereby authorized to execute this Change Order on behalf of the Town of Lancaster.

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

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

September 5, 2023

THE FOLLOWING RESOLUTION WAS OFFERED 21
BY COUNCIL MEMBER LEARY, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Town Board of the Town Lancaster wishes to be notified as project applications are submitted to the Building Department for review; and

WHEREAS, the Town Board wishes the applicants to present their concepts during the work session for a period not to exceed five (5) minutes prior to the formal application submittal; and

WHEREAS, the Town Board shall require applicants to contact the Clerk's Office for agenda placement with presentations to be awarded on a first-come, first-served basis.

NOW, THEREFORE,

BE IT RESOLVED, project applicants shall present their concepts to the Town Board during the work session for a period not to exceed five (5) minutes prior to formal application submittal; and

BE IT FURTHER,

RESOLVED, no more than 3 projects shall be heard per work session;
and

BE IT FURTHER,

RESOLVED, project applicants shall contact the Clerk's Office for agenda placement with presentations awarded on a first come first served basis.

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

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

September 5, 2023

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

22

WHEREAS, the Town Board of the Town of Lancaster held a public hearing on June 20, 2023, pursuant to Chapter 400 Zoning, Section 78 Special use permits, of the Code of the Town Lancaster, upon the application Lucas James, dba Lucas James Construction, as designee for Cornerstone Plaza, owner of 5827 Broadway Street, Lancaster, New York 14086, for a Special Use Permit to operate restaurant, namely, Tim Horton's, on said premises, in accordance with provisions of Chapter 400 Zoning, §400-18 General Commercial District - of the Code of the Town of Lancaster; and

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

WHEREAS, Code Enforcement Officer, Matt Fischione, has reviewed the use and found it compliant to the Zoning District of this Special Use Permit request per his letter dated April 12, 2023.

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

1. That pursuant to Chapter 400 Zoning, Article V Commercial, §400-18 General Commercial District of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to Lucas James, dba Lucas James Construction, as designee for Cornerstone Plaza, owner of 5827 Broadway Street, Lancaster, New York 14086, to operate a restaurant on premises located at said address, to wit: a Tim Horton's, in accordance with provisions of Chapter 400-Zoning, Section 18 (B)(1)(a) of the Code of the Town of Lancaster; and

2. That the applicant will continue in compliance with conditions as set forth in §400-18 General Commercial District, §400-19 Supplementary Regulations for LC and GC Districts, and §400-78 Special use permits, of the Code of the Town of Lancaster, and to any additional conditions listed herein, if the applicant continues to engage in the occupation listed above on the premises namely:

- A. Permit must be initially renewed in six (6) months at no additional cost to applicant. Renewal is considered upon the property owner submitting a request in writing to the Town Clerk, before **March 5, 2024**.
- B. Occupant/tenant will provide a copy of the any business and/or Erie County Health Department licenses for the service being provided to the Town Clerk.
- C. No amplified sound from a drive through order board transmitted beyond the property line.
- D. Double Lane stacking is to be provided.

- E.** A new traffic study shall be conducted after six (6) months.
- F.** Any issues identified in the traffic study will be addressed by the applicant immediately.
- G.** Two Public Hearings shall be held in three (3) month intervals to obtain public input on potential traffic issues.
- H.** If the line of cars at Tim Horton's reaches the street or causes other traffic issues, the serving window shall be shut down 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 BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

September 5, 2023

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

23

WHEREAS, the Town Board of the Town of Lancaster held a public hearing on June 20, 2023, pursuant to Chapter 400 Zoning, Section 78 Special use permits, of the Code of the Town Lancaster, upon the application Lucas James, dba Lucas James Construction, as designee for Cornerstone Plaza, owner of 5827 Broadway Street, Lancaster, New York 14086, for a Special Use Permit to operate restaurant, namely, Tim Horton's, on said premises, in accordance with provisions of Chapter 400 Zoning, §400-18 General Commercial District - of the Code of the Town of Lancaster; and

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

WHEREAS, Code Enforcement Officer, Matt Fischione, has reviewed the use and found it compliant to the Zoning District of this Special Use Permit request per his letter dated April 12, 2023.

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

1. That pursuant to Chapter 400 Zoning, Article V Commercial, §400-18 General Commercial District of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to Lucas James, dba Lucas James Construction, as designee for Cornerstone Plaza, owner of 5827 Broadway Street, Lancaster, New York 14086, to operate a restaurant on premises located at said address, to wit: a Tim Horton's, in accordance with provisions of Chapter 400-Zoning, Section 18 (B)(1)(a) of the Code of the Town of Lancaster; and

2. That the applicant will continue in compliance with conditions as set forth in §400-18 General Commercial District, §400-19 Supplementary Regulations for LC and GC Districts, and §400-78 Special use permits, of the Code of the Town of Lancaster, and to any additional conditions listed herein, if the applicant continues to engage in the occupation listed above on the premises namely:

- A. Permit must be renewed annually at no additional cost to applicant. Renewal is considered upon the property owner submitting a request in writing to the Town Clerk, before **September 5, 2024**.
- B. Occupant/tenant will provide a copy of the any business and/or Erie County Health Department licenses for the service being provided to the Town Clerk.
- C. No amplified sound from a drive through order board transmitted beyond the property line.
- D. Double Lane stacking is to be provided.

- E.** A new traffic study shall be conducted after one year.
- F.** Any issues identified in the traffic study will be addressed by the applicant within one year.
- G.** A Public Hearing shall be conducted after six (6) months to obtain public input on potential traffic issues.

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

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

September 5, 2023

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

24

WHEREAS, Lancaster Police Department Captain Jonathan Ziders, by letter dated August 29, 2023, updated the Town Board of the Town of Lancaster that the Uninterruptable Power Supply (UPS) for the Public Safety Building at 525 Pavement Road requires replacement, relocation and installation due to unacceptable breakdowns which can lead to total electric and electronic systems failure which may severely affect public safety; and

WHEREAS, Captain Ziders has obtained several quotes for this public works improvement project for systems of varying sizes and installation in various locations, and has recommended that installation and relocating of the current system be performed by O'Connell Electric Company, Inc., 20 Lancaster Parkway, Lancaster, New York 14086; and

WHEREAS, Captain Ziders has advised that the lowest responsible proposal for the installation and relocation of the UPS System was received from O'Connell Electric Company, Inc., 20 Lancaster Parkway, Lancaster, New York 14086, for an amount not to exceed \$31,989.48; and

WHEREAS, by letter dated August 29, 2023, Captain Ziders requested that the Town of Lancaster approve awarding the contract for the project described above to O'Connell Electric Company, Inc.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the request of Lancaster Police Department Captain Jonathon Ziders to award the installation contract for the UPS System at the Public Safety Building, 525 Pavement Road, Lancaster, New York 14086, to O'Connell Electric Company, Inc., 20 Lancaster Parkway, Lancaster, New York 14086, for an amount not to exceed \$31,989.48, per its proposal dated August 25, 2023, which will be paid for with funds from the 2024 Police Budget Line ".260" Other Capital Outlay.

BE IT FURTHER,

RESOLVED, that the Supervisor is hereby authorized to execute contracts on behalf of the Town of Lancaster and to do all things necessary to effectuate the intent of this resolution pending the receipt and approval of all required documents and insurance certificates by the Town Attorney.

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

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

September 5, 2023

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

25

WHEREAS, Lancaster Police Department Captain Jonathan Ziders, by letter dated August 29, 2023, updated the Town Board of the Town of Lancaster that the Uninterruptable Power Supply (UPS) for the Public Safety Building at 525 Pavement Road requires replacement and installation due to unacceptable breakdowns which can lead to total electric and electronic systems failure which may severely affect public safety; and

WHEREAS, Captain Ziders has obtained several quotes for this public works improvement project for systems of varying sizes and has recommended that the 30kVA system is the lowest recommended power supply size for the current and anticipated future needs of the Public Safety Building; and

WHEREAS, Captain Ziders has advised that the lowest responsible proposal for the purchase and safekeeping of an Eaton 9355 Series 30kVA UPS System until installation can be completed was obtained from O'Connell Electric Company, Inc., 20 Lancaster Parkway, Lancaster, New York 14086, for an amount not to exceed \$34,760.00; and

WHEREAS, by letter dated August 29, 2023, Captain Ziders requested that the Town of Lancaster approve the purchase of the Eaton 9355 Series 30kVA UPS System from O'Connell Electric Company, Inc.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the request of Lancaster Police Department Captain Jonathon Ziders to purchase an Eaton 9355 Series 30kVA UPS System from O'Connell Electric Company, Inc., 20 Lancaster Parkway, Lancaster, New York 14086, for an amount not to exceed \$34,760.00, per its proposal dated August 25, 2023, which will be paid for with funds from the 2024 Police Budget Line ".260" Other Capital Outlay.

BE IT FURTHER,

RESOLVED, that the Supervisor is hereby authorized to execute contracts on behalf of the Town of Lancaster and to do all things necessary to effectuate the intent of this resolution pending the receipt and approval of all required documents and insurance certificates by the Town Attorney.

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

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

September 5, 2023

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

26

WHEREAS, John Pilato, Highway Superintendent for the Town of Lancaster, by letter dated August 29, 2023, has informed the Town of Lancaster that the 2013 Kenworth Dump Truck needs repairs; and

WHEREAS, the only vendor for this truck repair is Kenworth Northeast, 100 Commerce Drive, Buffalo, New York, 14218, who has submitted an estimate not to exceed Seven Thousand Two Hundred Fifty-One and 13/00 (\$7,251.13) Dollars to include roadside service, air conditioning system and emissions repair; and

WHEREAS, by letter dated August 29, 2023, Highway Superintendent Pilato has recommended that the Town of Lancaster approve the cost of the repair for the 2013 Kenworth Dump Truck to Kenworth Northeast, 100 Commerce Drive, Buffalo, New York, 14218; and

WHEREAS, funding for the repairs of the 2013 Kenworth Dump Truck is available from Account 013-5142-0210.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the expenditure of funds as requested by Highway Superintendent John Pilato to Kenworth Northeast, 100 Commerce Drive, Buffalo, New York, 14218, not to exceed Seven Thousand Two Hundred Fifty-One and 13/00 (\$7,251.13) Dollars, for roadside service, air conditioning system and emissions repair.

BE IT FURTHER,
RESOLVED, the funding for the repairs will be taken from Account 013-5142-0210.

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

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

September 5, 2023