

**Town Board Minutes**

June 1, 2020

Meeting No. 11

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held via teleconference on the 1st day of June 2020 at 7:00 P.M. and there were

**PRESENT:** ADAM DICKMAN, COUNCIL MEMBER  
ROBERT LEARY, COUNCIL MEMBER  
DAVID MAZUR, COUNCIL MEMBER  
RONALD RUFFINO, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** DIANE TERRANOVA, TOWN CLERK  
KEVIN LOFTUS, TOWN ATTORNEY  
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER  
WILLIAM KARN, CHIEF OF POLICE  
MICHELLE BARBARO, PARK CREW CHIEF  
DANIEL AMATURA, HIGHWAY SUPERINTENDENT  
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.

**EXECUTIVE SESSION:**

AT 7:24 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER LEARY AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

At 8:04 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

**PERSONS ADDRESSING TOWN BOARD:**

**Cacciotti, Donna**, spoke to the Town Board on the following matter:

- Thanked the Police Department for checking vehicles on Pleasant View Drive.

**Chowaniec, Lee**, spoke to the Town Board on the following matter:

- Questions regarding the hiring of seasonal employees, overtime and summer activity cancellations.

**PRESENTATION OF PREFILED RESOLUTIONS:**

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

**RESOLVED**, that the minutes of the Regular Meeting of the Town Board held  
May 18, 2020 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	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 1, 2020

File: RMIN (P1)

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

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

Claim No. 61179 to Claim No. 61285 Inclusive

Total amount hereby authorized to be paid: \$1,057,300.28

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

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

June 1, 2020

File: Rclaims

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

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

**CODES:**

- (SW) = Sidewalks as required by Chapter 12-1B of the Code of the Town of Lancaster are waived for this permit.  
 (CSW) = Conditional sidewalk waiver  
 (V/L) = Village of Lancaster

**NEW PERMITS:**

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
30924		Jeffrey Stefaniak	30 Parkedge Dr	Er. Fence	
30937		James Offhaus	48 First Ave	Dumpster - Temp.	(V/L)
30945		King Crab Buffalo LLC	6651 Transit Rd	Er. Sign – Wall	
30948		James Curran	47 Country Pl	Er. Fence	
30949		Allison Rzeszutek	37 Partridge Walk	Er. Pool-Abv Grnd	
30953		David Throm	50 Brady Ave	Er. Fence	(V/L)
30955		Daniel Baccari	86 Garfield St	Er. Res. Add.	(V/L)
30957		Christopher Szymanski	14 Weathersfield Ln	Er. Fence	
30958		Robert Perna	67 Tranquility Trl	Er. Shed	
30960		Ryan Smith	63 Heritage Dr	Er. Garage	
30964		Carly Zimbardi	246 Warner Rd	Er. Fence	
30965		Zenner & Ritter Co. Inc.	4975 William St	Inst. Generator	
30966		Samuel Piegdon	45 Park Blvd	Er. Fence	(V/L)
30967		McFarland Properties LLC	19 Avian Way	Er. Deck	
30970		Aaron Bakewell	49 Tranquility Trl	Er. Shed	
30973		Brian Bauer	49 Brady Ave	Er. Fence	(V/L)
30974		Parco Building Systems, Inc.	6360 Genesee St	Er. Pole Barn	
30975		Thomas Shipman	13 Kurtz Ave	Er. Fence	(V/L)
30976		Michael Shaw	104 Irwinwood Rd	Er. Fence	(V/L)
30977		Dalton Family Trust	89 Albert Dr	Er. Fence	(V/L)
30978		Daniel Grzybek	174 Stony Rd	Er. Fence	
30979		Joanne Kabasin	128 Slate Bottom Dr	Er. Deck	
30980		Kristin Hein	23 Church St	Er. Res. Alt.	(V/L)
30981		David Wind	26 Schlemmer Rd	Er. Garage	
30982		Glenn Kelly	95S Irwinwood Rd	Dumpster - Temp.	(V/L)
30983		House Crafters LLC	591 Lake Ave	Er. Res. Add.	
30989		Ashley Breier	47 Court St	Er. Res. Alt.	(V/L)
30990		Michael Trzepacz	310 Iroquois Ave	Er. Fence	
30991		Heather Johnson	33 Trentwood Trl N	Er. Shed	
30992		Jason Bellanti	12 Rollingwood Dr	Er. Pool-Abv Grnd	
30993		Judy Anthony	8 Hidden Meadow Cros	Er. Fence	
30994		Janet Buser	15 Woodgate Dr	Er. Shed	
30996		The KAZ Company	19 Winfield Ave	Re-Roof	(V/L)
30997		William C. Rott & Sons	1276 Ransom Rd	Re-Roof	
30999		Joseph Kreppel	30 Hess Pl	Er. Fence	
31002		Ulrich Sign Co. Inc.	6733 Transit Rd	Er. Sign - Wall	
31003		Ulrich Sign Co. Inc.	4777 Transit Rd	Er. Sign	
31004		Turkmasters Contracting LLC	11 Nottingham Ln	Re-Roof	
31005		Vastola Heating & Cooling LLC	312 Schwartz Rd	Inst. Generator	
31006		Paul Walsh	53 Village View	Er. Pool-Abv Grnd	
31008		Daniel Goehle	5109 William St	Er. Porch	
31009		James Lis	381 Central Ave	Er. Fence	
31010		Pamojal LLC	205 Central Ave	Er. Garage	(V/L)
31011		3P Home Improvements Inc.	3782 Walden Ave	Er. Shed	
31012		Lawrence Crossman	1709 Como Park Blvd	Er. Shed	
31013		Turkmasters Contracting LLC	111 Pheasant Run Ln	Re-Roof	
31014		Rachel Witkowski	333 Stony Rd	Er. Pool-Abv Grnd	
31016		James Ficker	45 Livingston St	Er. Fence	(V/L)
31017		Michael Kasprzyk	63W Drullard Ave	Er. Fence	(V/L)
31019		Oneida Fence	30 Country Pl	Er. Fence	
31020		Joseph Molnar	23 Hidden Meadow Cros	Er. Shed	
31021		Charles Fashana	60 Tranquility Trl	Er. Fence	

31022	Gregory Sojka	19 Spruceland Ter	Dem. Deck
31024	Benzinger Dry Cleaner	473 Aurora St	Er. Sign - Temp

**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	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 1, 2020

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

**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 Master Community Solar Services Agreement, as presented, between the Town of Lancaster and Solar Simplified LLC, 301 W. Grand Ave. Chicago, IL 60654 for the marketing and selling of solar initiatives to residents, businesses, and municipal properties per the terms and conditions listed in the agreement.

**BE IT FURTHER,**

**RESOLVED**, that pursuant to the above referenced Agreement, Solar Simplified LLC will pay the Town a one-time per community solar enrollment based on a tiered structure with no resulting cost to the Town.

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	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 1, 2020

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

**WHEREAS**, by resolution adopted on May 6, 2019, the Town of Lancaster entered into two (2) maintenance agreements with Mollenberg-Betz, Inc., 300 Scott Street, Buffalo, New York 14204, to provide maintenance services on the HVAC systems within the Highway Garage, Recreation Department, Senior Center, Town Hall and Youth Bureau, and

**WHEREAS**, the two above referenced agreements, which are set to expire on June 1, 2020, included an option to renew for up to two years, and

**WHEREAS**, by letter dated May 19, 2020, Michelle Barbaro has requested that the Town renew the two agreements with Mollenberg-Betz, Inc., to provide semi-annual HVAC preventative maintenance throughout the Town facilities and boiler inspections at the Highway Building for an annual cost of \$9,573.00 per their quote dated May 14, 2020 (#RS2020-053) and (#RS2020-054).

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute the above referenced agreements with Mollenberg-Betz, Inc., 300 Scott Street, Buffalo, New York 14204, to provide necessary preventative maintenance and inspections at the aforementioned Town facilities for a cost not to exceed \$9,573.00, and

**BE IT FURTHER,**

**RESOLVED**, that the contracts will commence June 1, 2020 and terminate on May 31, 2021 and will be paid for with funds available from the Town's 2020 Buildings, Misc. Contractual Services Budget, line item 01-1620-0411.

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	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 1, 2020

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

**WHEREAS**, the developer has requested the Town Board of the Town of Lancaster accept completed Public Improvements within Cross Creek Phase VIII Subdivision within the Town of Lancaster, and

**WHEREAS**, the Town Engineer by letter to the Town Board dated May 26, 2020 has inspected the improvements and has recommended the approval thereof, and

**WHEREAS**, the Town Attorney, by email to the Town Clerk dated May 26, 2020, has reported his favorable review for the acceptance of these public improvements.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that completed Public Improvements No. 813 for Pavements & Curbs, Storm Sewer, and Waterline within Cross Creek Phase VIII Subdivision be and are hereby approved and accepted by the Town Board of the Town of Lancaster, and

**BE IT FURTHER,**

**RESOLVED**, that the Town of Lancaster, under the Lease Management Agreement with the Erie County Water Authority, shall commence payment for the additional two hydrants authorized for this subdivision with the next billing cycle, and

**BE IT FURTHER,**

**RESOLVED**, that the developer is directed to attend to filing the deed causing the dedication of the roads to 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 DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 1, 2020



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

**WHEREAS**, the Town Board is considering a 6,600 square foot addition submitted by Jason Burford, on a .25 acre physically disturbed area located at 5077 Transit Rd. (SBL No. 115.09-1-27) in the Town of Lancaster, and

**WHEREAS**, the Town of Lancaster Planning Board has reviewed the environmental impact of this expansion project pursuant to SEQR regulations at their meeting on May 20, 2020 and recommended a Negative Declaration be issued, and

**WHEREAS**, the Town Board has duly considered the plans for the expansion 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 6,600 square foot addition to the rear of an existing building, submitted by Jason Burford, on a .25 acre physically disturbed area located at 5077 Transit Rd. (SBL No. 115.09-1-27) in the Town of Lancaster, will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, 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	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 1, 2020

**NEGATIVE DECLARATION**  
**Determination of Non-Significance**

**Town of Lancaster Town Board**

**Dated: June 1, 2020**

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 6,600 square foot addition to the rear of an existing building, submitted by Jason Burford, on a .25 acre physically disturbed area located at 5077 Transit Rd. (SBL No. 115.09-1-27) in the Town of Lancaster and the Town Board has determined that the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Basil Chevrolet Storage Addition # 2031

**Location of Action:** 5077 Transit Rd., (SBL No. 115.09-1-27), Lancaster, New York 14086, Erie County.

**SEQR Status:** Unlisted

**Description of Action:** The project is described as a 6,600 square foot addition to the rear of an existing building on a .25 acre physically disturbed area.

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

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

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

**For Further Information:**

Contact Person: Kevin E. Loftus, Town Attorney

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

Telephone Number: (716) 684-3342

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

**WHEREAS**, Jason Burford of GPI, on behalf of Basil Chevrolet has prepared and submitted a site plan dated March 19, 2020 for a 6,600 square foot addition to an existing parts storage facility on a +/-15.65 acre parcel, which includes utility and drainage information, located at 5077 Transit Rd., SBL No. 115.09-1-27 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 May 20, 2020 meeting, and

**WHEREAS**, the Town, acting as Lead Agency has completed an environmental review on May 20, 2020, in conformance with the SEQRA (State Environmental Quality Review Act) regulations and on May 20, 2020 a Negative Declaration was issued.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the site plan prepared and submitted by Jason Burford of GPI, on behalf of Basil Chevrolet, dated March 19, for a 6,600 square foot addition to an existing parts storage facility on a +/- 15.65 acre parcel, which includes utility and drainage information, located at 5077 Transit Rd., SBL No. 115.09-1-27 in the Town of Lancaster, and

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	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 1, 2020

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

**WHEREAS**, Kenneth Zollitsch has submitted a proposed Preliminary Plat Plan, assembled by GPI Engineering, dated January 22, 2020, received January 28, 2020, for a three (3) lot split-minor subdivision with 1 exception lot on a +/- 90.74 acre parcel, located at 0 Peppermint Rd., at the Northside of Peppermint Rd., West of Ransom Rd., (SBL# 95.00-1-31), in the Town of Lancaster, and

**WHEREAS**, the Preliminary Plat Plan for this project was submitted to the Planning Board and was recommended for approval at their May 20, 2020 meeting, and

**WHEREAS**, the Town, acting as lead agency had previously completed an environmental review in conformance with SEQR (State Environmental Quality Review) regulations and on May 6, 2020 a Negative Declaration was issued.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Preliminary Plat Plan, dated January 22, 2020, received January 28, 2020, for a three (3) lot split-minor subdivision with 1 exception lot on a +/- 90.74 acre parcel, located at 0 Peppermint Rd., at the Northside of Peppermint Rd., West of Ransom Rd., (SBL# 95.00-1-31), in the Town of Lancaster with the following condition:

1. Sidewalks are waived for this minor lot subdivision

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	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 1, 2020

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

**WHEREAS**, Michelle Barbaro, Park Crew Chief of the Parks, Recreation & Forestry Department of the Town of Lancaster, by letter dated May 26, 2020 has recommended the appointment of the following individuals to the following part-time temporary seasonal positions in the Town of Lancaster Parks, Recreation & Forestry Department and the Highway Department.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the following individuals are hereby appointed to the following part-time temporary seasonal positions in the Town of Lancaster Parks, Recreation & Forestry Department and the Highway Department, for a period not to exceed five (5) months, and that these being a part-time positions, provides no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time employees:

<b>NAME</b>	<b>ADDRESS</b>	<b>POSITION</b>	<b>HOURLY RATE</b>	<b>EFFECTIVE DATE</b>
John Cook	Lancaster, NY	Laborer	\$14.64	June 2, 2020
Thomas Monin	Lancaster, NY	Laborer	\$14.64	June 2, 2020
Noah Speyer	Lancaster, NY	Laborer	\$14.64	June 2, 2020
Daniel Speyer, Jr.	Lancaster, NY	Laborer	\$15.68	June 2, 2020

**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	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 1, 2020

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

**WHEREAS**, Ronald Ruffino, Sr., Supervisor of the Town of Lancaster, by letter dated May 28, 2020 has recommended the appointment of Sharon Backert to the position of Clerk Typist in the Town of Lancaster Supervisor’s Office, and

**WHEREAS**, Sharon Backert 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 Sharon Backert of Lancaster, New York, be and is hereby appointed to the full-time position of Clerk Typist, in the Town of Lancaster Supervisor’s Office, effective June 15, 2020, 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 White Collar Union and all applicable provisions of law.

**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	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 1, 2020

**SUSPENDED RESOLUTION**

Supervisor Ruffino requested a suspension of the necessary rules for immediate consideration of the following resolution:

UPON A MOTION DULY MADE BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER LEARY AND CARRIED, a suspension was granted.

**SUSPENSION GRANTED**

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

**WHEREAS**, the Town of Lancaster Police Department will be conducting shooting practices at 8615 Wehrle Drive, Buffalo, New York, and

**WHEREAS**, a Land Use Indemnification Agreement between the Town of Lancaster (Licensee) and New Enterprise Stone and Lime Co., Inc., (property Owner) has been reviewed and approved by the Town Attorney;

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Land Use Indemnification Agreement with New Enterprise Stone and Lime Co., Inc., for site location 8615 Wehrle Drive, Buffalo, New York and authorizes the Town Supervisor to execute said agreement on behalf of the Town.

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	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 1, 2020



## **COMMUNICATIONS & REPORTS**

- 277. Town Attorney to NYSDEC, NYSDOT, US Army Corp of Engineers, Erie County Health Dept., Erie County DEP, Erie County Water Authority, Div. of Sewerage Management –  
Request for lead agency status regarding Coordinated Review, Addition to Orville’s Warehouse, 3979 Walden Ave. Disposition = Planning Committee**
- 278. Planning Board Chairman to Town Board, Planning Board, Engineering Consultant, Town Attorney, Highway Superintendent and Building Inspector –  
Draft copy of minutes from May 6, 2020 Planning Board Meeting.  
Disposition = Received & Filed**
- 279. Highway Superintendent to Town Clerk –  
Information regarding milling and paving operations in the Town of Lancaster beginning May 28, 2020. Disposition = Received & Filed**
- 280. Highway Superintendent to Planning Board Chairman –  
No comments regarding Amended Site Plan Review – Addition to Orville’s Appliance Warehouse, 3979 Walden Ave.; Proj. #1751.  
Disposition = Planning Committee**
- 281. VFW/AMVETS Post 7275 to Supervisor –  
Information regarding Drive-Thru Chicken Dinner on Sunday, June 7, 2020 12:00 Noon to 4PM. Disposition = Received & Filed**
- 282. NYS Dept. of Transportation to Supervisor –  
Request for resolution and a Supplemental Agreement regarding Bridge NY Local Project Agreement Aurora Street/Cayuga Creek.  
Disposition = For Resolution**
- 283. Planning Board Chairman to Supervisor and Town Board –  
Information regarding the Town of Lancaster possibly purchasing land adjacent to Westwood Park. Disposition = Received & Filed**
- 284. Supervisor to Town residents –  
Local State of Emergency declared in the Town of Lancaster beginning on May 15, 2020 and continuing for a period of time not to exceed 30 days due To Coronavirus Disease (COVID-19). Disposition = Received & Filed**
- 285. Park Crew Chief to Town Board –  
Request for resolution to enter into two service agreements for preventative maintenance with Mollenberg-Betz, Inc. for testing and inspecting of HVAC units at various Town Facilities. Disposition = Resolution 6/1/20**
- 286. Erie County Board of Elections to Town Clerk –  
Sample ballots for the NYS and Local Office Primary Election, 27<sup>th</sup> Congressional District Special Election and Democratic Presidential Primary Election to be held on June 23, 2020. Disposition = Received & Filed**
- 287. Town Clerk to Code Enforcement Officer –  
Request for renewal of Special Use Permit for Lancaster Speedway, 57 Gunnville Road. Disposition = Code Enforcement**
- 288. Village of Lancaster to Supervisor –  
Information regarding Lancaster Downtown Roundabouts Project.  
Disposition = Received & Filed**
- 289. Highway Superintendent to Town Board –  
Request for resolution to purchase one new and unused Mobile Truck Lift from Filtrec Corp., 5440 Lockwood Rd., Auburn, NY.  
Disposition = Resolution 5/18/20**

- 290. Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Division of Sewerage Management  
regarding Stutzman Rd. Draft Scoping Session.  
Disposition = Planning Committee**
- 291. Dept. of Army Corps of Engineers to Supervisor –  
Public Notice Announcement for New York State Energy and Gas (NYSEG).  
Disposition = Received & Filed**
- 292. Town Engineer to Town Board =  
Recommend acceptance of Public Improvement Permit #813 for pavement and  
curbs, storm sewer, and water line for Cross Creek Phase 8.  
Disposition = Resolution 6/1/20**
- 293. Town Attorney to Town Clerk –  
Recommend resolution to accept Public Improvement Permit #813 for  
Cross Creek Phase 8. Disposition = Resolution 6/1/20**
- 294. Town Attorney to Town Board and Planning Board –  
SEQR response from NYSDEC regarding Orville’s Warehouse Addition.  
Disposition = Planning Committee**
- 295. Erie County Health Department to Supervisor –  
Extension of time to construct water lines to be completed by May 18, 2023 for  
Hidden Meadows Part II Subdivision. Disposition = Received & Filed**
- 296. Park Crew Chief to Supervisor and Town Board –  
Request for resolution appointing four individuals to the position of part-  
time seasonal temporary employee in the Parks, Recreation & Forestry and  
Highway Departments effective June 2, 2020. Disposition = Resolution 6/1/20**
- 297. Planning Board Chairman to Planning Board, Town Board, Engineering  
Consultant, Town Attorney, Highway Superintendent and Building Inspector –  
Draft copy of minutes from May 20, 2020 Planning Board Meeting.  
Disposition = Received & Filed**
- 298. Planning Board to Town Board –  
Memo recommending approval of Preliminary Plat Plan Review for  
Peppermint Rd. Minor Subdivision, North side of Peppermint Rd., west of  
Ransom Road, Proj. #9082; condition noted. Disposition = Planning Committee**
- 299. Planning Board to Town Board –  
Memo recommending approval of Site Plan Review for Basil Chevrolet,  
5077 Broadway, Proj. #2031. Disposition = Planning Committee**
- 300. Supervising Code Enforcement Officer to Town Board –  
Recommend renewal of Special Use Permit for 57 Gunnville Road for  
motorsport speedway/dragway. Disposition = For Resolution**
- 301. Supervisor to Town Board –  
Request for resolution appointing Sharon Backert to the position of  
Clerk Typist in the Office of the Supervisor effective June 15, 2020.  
Disposition = Resolution 6/1/20**

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER LEARY AND SECONDED BY  
COUNCIL MEMBER DICKMAN AND CARRIED,** the meeting was adjourned  
at 8:04 P.M.

Signed \_\_\_\_\_

Diane M. Terranova, Town Clerk