

Town Board Minutes

December 21, 2020

Meeting No. 26

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 21st day of December 2020 at 7:00 P.M. and there were

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

ABSENT: NONE

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
KEVIN LOFTUS, TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
MICHELLE BARBARO, PARK CREW CHIEF
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.

EXECUTIVE SESSION:

AT 7:02 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER MAZUR AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing a matter which is confidential by Federal or State law.

At 7:14 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:

Lemaster, Kevin, spoke to the Town Board on the following matter:

- Questions and comments regarding the AC Power14, LLC project.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 1 – Local Law Zoning Revision

ON MOTION BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER LEARY AND CARRIED, the public hearing was reopened.

At 7:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Local Law Chapter 50 Zoning Revision matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

| NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT | Proponent/ Opponent/ Comments/Question |
|---|---|
| Valerie Jurek | Comments/Questions |
| Donald Juliano | Proponent |

ON MOTION BY COUNCIL MEMBER MAZUR, SECONDED BY COUNCIL MEMBER DICKMAN AND CARRIED, the public hearing was closed at 7:30 P.M.

Decision on this matter was reserved.

December 21, 2020

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
December 7, 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 |
| COUNCIL MEMBER WOZNIAK | VOTED | YES |
| SUPERVISOR RUFFINO | VOTED | YES |

December 21, 2020

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. 63494 to Claim No. 63642 Inclusive

Total amount hereby authorized to be paid: \$1,086,222.51

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 |
| COUNCIL MEMBER WOZNIAK | VOTED | YES |
| SUPERVISOR RUFFINO | VOTED | YES |

December 21, 2020

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER MAZUR WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER DICKMAN, 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 |
|-------|----|--------------------------------|----------------------|-----------------------|---------|
| 32042 | | Michael Forant | 580 Pleasant View Dr | Er. Pole Barn | |
| 32056 | | Sitzmans Appliance Center | 4958 William St | Inst. Generator | |
| 32066 | | Marrano/Marc Equity Corp. | 1 Mary Rachel Pl | Er. Townhouses | |
| 32067 | | Marrano/Marc Equity Corp. | 3 Mary Rachel Pl | Er. Townhouses | |
| 32068 | | Marrano/Marc Equity Corp. | 5 Mary Rachel Pl | Er. Townhouses | |
| 32069 | | Marrano/Marc Equity Corp. | 7 Mary Rachel Pl | Er. Townhouses | |
| 32070 | | Marrano/Marc Equity Corp. | 2 Mary Rachel Pl | Er. Townhouses | |
| 32071 | | Marrano/Marc Equity Corp. | 4 Mary Rachel Pl | Er. Townhouses | |
| 32075 | | Marrano/Marc Equity Corp. | 8 Sedge Run | Er. Patio Home | |
| 32092 | | Marrano/Marc Equity Corp. | 84 Grambo Dr | Er. Patio Home | |
| 32093 | | Marrano/Marc Equity Corp. | 14 Sedge Run | Er. Patio Home | |
| 32098 | | Franks Commercial & Home | 27 Middlebury Ln | Er. Res. Alt. | |
| 32099 | | Jim Winkel Home Improvementa | 85 Wilma Dr | Er. Res. Alt. | (V/L) |
| 32100 | | Sullivan Interior Finishing In | 37 Schlemmer Rd | Er. Res. Alt. | |
| 32101 | | Joe Robinson | 715 Erie St | Inst. Fireplace/Stove | |
| 32102 | | Ryan Taughrin | 23 Irwinwood Rd | Re-Roof | (V/L) |
| 32103 | | Mark Ferrara | 75 Chestnut Corner | Er. Fence | |
| 32104 | | WFM Plumbing Contracting Inc. | 99 Fourth Ave | Er. Res. Alt. | (V/L) |
| 32105 | | ABC Hardware & Rental Inc. | 15 Wainwright Ct | Inst. Generator | |
| 32106 | | ABC Hardware & Rental Inc. | 15 Beatrix Cir | Inst. Generator | |
| 32107 | | Zenner & Ritter Co. Inc. | 33 Woodgate Dr | Inst. Generator | |
| 32108 | | Zenner & Ritter Co. Inc. | 172 Schwartz Rd | Inst. Generator | |
| 32109 | | Rambo Roofing | 4008 Walden Ave | Re-Roof | |
| 32110 | | Besroi Construction | 42 Brandel Ave | Re-Roof | (V/L) |
| 32111 | | Christrino's Home Improvement | 5207 Broadway | Er. Comm. Add./Alt. | (V/L) |
| 32112 | | Gen-Tech Power Systems LLC | 33 Rollingwood Dr | Inst. Generator | |
| 32113 | | Tim Hoffman | 44 Village View | Er. Shed | |
| 32115 | | Joseph Maglich | 5876 Broadway | Er. Res. Alt. | |
| 32116 | | Russell Licata | 250 Erie St | Re-Roof | |
| 32117 | | Zenner & Ritter Co. Inc. | 48 Northwood Dr | Inst. Generator | |
| 32119 | | Lawrence Korzeniewski | 7 Tanglewood Dr | Inst. Generator | |
| 32121 | | Mario's Custom Woodwork LLC | 28 Hinchey Ave | Er. Dwlg.-Sin. | (V/L) |
| 32122 | | Go Solar | 34 Nicholas Ln | Inst. Solar Panels | |
| 32123 | | Lovejoy Builders Inc. | 31 Ann Marie Dr | Er. Dwlg.-Sin. | |
| 32124 | | Steps Inc. | 20 Lake Ave | Re-Roof | (V/L) |
| 32125 | | RJH Properties LLC | 11 Embry Pl | Er. Comm. Add./Alt. | (V/L) |
| 32127 | | Frank Pericozzi | 6 Bridgewater Ct | Er. Fence | |
| 32128 | | Marrano/Marc Equity Corp. | 16 Henslow Way | Er. Patio Home | |
| 32129 | | Richard Robinson | 5148 William St | Re-Roof | |
| 32130 | | Zenner & Ritter Co. Inc. | 63 Country Pl | Inst. Generator | |
| 32132 | | CGL Contracting, LLC | 19 Red Clover Ln | Re-Roof | |
| 32133 | | Ryan Wertman | 68 Robert Dr | Er. Fence | (V/L) |
| 32135 | | Ulrich Sign Co. Inc. | 0 Transit Blvd | Er. Sign | |
| 32136 | | FASTSIGNS | 6651 Transit Rd | Er. Sign - Pole | |
| 32137 | | Crist Construction | 21 Richmond Ave | Re-Roof | (V/L) |
| 32138 | | Susan Daoust | 204 Pavement Rd | Er. Res. Add. | |
| 32139 | | 3 G Construction Inc. of WNY | 66 Tranquility Trl | Er. Res. Alt. | |
| 32140 | | Milazzo Renovations | 54 Fairfield Ave | Er. Res. Alt. | (V/L) |
| 32143 | | Zenner & Ritter Co. Inc. | 8 Foxwood Row | Inst. Generator | |
| 32146 | | Vastola Heating & Cooling LLC | 142 Schlemmer Rd | Inst. Generator | |
| 32147 | | Suzanne Meyer | 897 Erie St | Re-Roof | |
| 32153 | | Zenner & Ritter Co. Inc. | 1 Quincy Ave | Inst. Generator | (V/L) |

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 |
| COUNCIL MEMBER WOZNIAK | VOTED | YES |
| SUPERVISOR RUFFINO | VOTED | YES |

December 21, 2020

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

WHEREAS, J. Renkas and Sons Inc., d/b/a AJ's Auto Parts & Salvage, 955 Ransom Road, Lancaster, New York 14086 has applied for a license to conduct a salvage yard on premises situate at 955 Ransom Road within the Town of Lancaster, pursuant to Chapter 4-3 of the Code of the Town of Lancaster, and

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

WHEREAS, the Building Inspector, by letter dated December 8, 2020, has notified the Town Board that he has completed his review and made a favorable recommendation thereto.

NOW, THEREFORE,

BE IT RESOLVED, that J. Renkas and Sons Inc, d/b/a AJ's Auto Parts & Salvage, 955 Ransom Road, Lancaster, New York be and is hereby authorized to conduct a salvage yard on premises situate at 955 Ransom Road, Lancaster, New York for the period January 1, 2021 to December 31, 2021 in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk.

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

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

December 21, 2020

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

WHEREAS, the Town Board is considering the proposed minor subdivision development submitted by Joanne Vacanti (with Gloria Elersic and Dianne Torrelli) consisting of 2 acre lots off of the north-east corner of the residential property on a +/- 8.5 acre parcel located at 1072 Townline Road (SBL No.106.00-2-11) in the Town of Lancaster; and

WHEREAS, the Town of Lancaster Planning Board has reviewed the environmental impact of this subdivision project pursuant to SEQR regulations at their meeting on December 2, 2020 and recommended that a Negative Declaration be issued; and

WHEREAS, the Town Board has duly considered the plans for the subdivision 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 proposed 2-lot subdivision to split off two acres of the north-east corner of the residential property located at 1072 Townline Road (SBL No.106.00-2-11) in the Town of Lancaster, will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment; for this reason the Town Board issues the attached negative declaration of environmental significance for the reasons stated therein.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

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

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

December 21, 2020

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: December 21, 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 proposed minor subdivision development submitted by Joanne Vacanti (with Gloria Elersic and Dianne Torrelli) to split off two acres of the north-east corner of the residential property consisting of 2 Lots on a +/- 8.5-acre parcel located at 1072 Townline Road (SBL No.106.00-2-11). The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: 1072 Townline Road, 2-Lot Subdivision #8545

Location of Action: 1072 Townline Road, (SBL No.106.00-2-11) Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted

Description of Action: The project is described as a 2-lot split to split off two acres at the north-east corner of the residential property located at 1072 Townline Road.

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

WHEREAS, Advantage Trucks.com LLC, 933 Ransom Road, Lancaster, New York 14086 has applied for a renewal license to conduct a salvage yard on premises situate at 933 Ransom Road within the Town of Lancaster, pursuant to Chapter 4-3 of the Code of the Town of Lancaster, and

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

WHEREAS, the Building Inspector, by letter dated December 10, 2020, has notified the Town Board that he has completed his review and made a favorable recommendation thereto.

NOW, THEREFORE,

BE IT RESOLVED, that Advantage Trucks.com LLC, 933 Ransom Road, Lancaster, New York be and is hereby authorized to conduct a salvage yard on premises situate at 933 Ransom Road, Lancaster, New York for the period January 1, 2020 to December 31, 2020 in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk.

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

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

December 21, 2020

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

WHEREAS, the Town Board of the Town of Lancaster has held a public hearing on December 7, 2020, pursuant to Chapter 50-Zoning, Article VIII Administration and Enforcement, §50-46- Special Use Permits, of the Code of the Town Lancaster, upon the application of Timothy Schmitt, on behalf of Franklin G. Downing, Jr., of **Towne AVW, Inc. d/b/a/ Audi Buffalo and Towne Volkswagen** for a Special Use Permit to operate an automobile dealership which includes mechanical servicing and body repairing of motor vehicles on premises located at 6501 Transit Road (SBL No. 93.05-1-1.111) Bowmansville, in the Town of Lancaster, Erie County, New York, and

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

NOW, THEREFORE,

BE IT RESOLVED, that to Chapter 50-Zoning, Article V Business Districts, Section 20 (B)(1)(j), entitled “Commercial Motor Service District (CMS)” of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to Franklin G. Downing, Jr., of **Towne AVW, Inc. d/b/a/ Audi Buffalo and Towne Volkswagen**, to operate an automobile dealership facility which includes mechanical servicing and body repairing of motor vehicles on premises located at 6501 Transit Road (SBL No. 93.05-1-1.111) Bowmansville, in the Town of Lancaster, New York, upon the conditions as set forth in the Zoning Ordinance and the following conditions for the period beginning December 21, 2020 and ending December 20, 2022:

A. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal request is considered upon the property owner submitting an application to the Town Clerk, on or before December 20, 2022.

B. Applicant will authorize representatives from the Building Inspector’s Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.

C. Provide a copy of the business’ New York State Tax Employer Identification Number and, where required, a copy of a valid New York State License issued by the appropriate regulatory agency for the service being provided.

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

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

December 21, 2020

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

WHEREAS, Mar-Wal Construction Co., 440 Gould Avenue, Depew New York 14043, the company awarded the contract for TLN-8 Consolidated Water District, Water System Improvements, Pavement Road and Stutzman Road Project, has submitted Change Order No. 2 to decrease the amount by (\$461,470.33) to the Town Board for their approval, based on the description previously provided to the Town Board.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves Change Order No. 2 to Mar-Wal Construction Inc., with respect to the outlined description provided to the Town Board:

DESCRIPTION OF CHANGE ORDER NO. 2:

The original contract amount was based on an estimated quantity for each bid item. This is the adjustment to reflect the actual quantity completed for each bid item.

CHANGE ORDER NO. 2:

| | |
|--|-----------------------|
| The original Contract Sum was | \$2,484,440.00 |
| The Contract Sum increased by Change Order #1 in the amount of.... | \$161,429.07 |
| The Contract Sum will be decreased by this Change Order in the amount of.... | (\$461,470.33) |
| The new Contract Sum including this Change Order will be..... | \$2,184,398.74 |

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

December 21, 2020

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

WHEREAS, Joanne Vacanti (with Gloria Elersic and Dianne Torrelli) has submitted an application for approval of a 2-lot subdivision which included a Survey dated October 2, 2020 and received October 22, 2020 prepared by GPI Engineering, Landscape, Architecture & Surveying, LLP, to split off two acres of the north-east corner of the residential property located at 1072 Town Line Road (SBL No.106.00-2-11) in the Town of Lancaster, and

WHEREAS, this minor subdivision project was submitted to the Planning Board and was recommended for approval at their December 2, 2020 meeting, and

WHEREAS, the Planning Board has completed an environmental review on December 2, 2020 in conformance with the SEQRA (State Environmental Quality Review Act) regulations and the Town Board acting as Lead Agency issued a Negative Declaration on December 21, 2020, and

WHEREAS, the Town Board of the Town of Lancaster has duly reviewed and considered the proposed subdivision;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the 2-lot subdivision which included a Survey dated October 2, 2020 and received October 22, 2020 prepared by GPI Engineering, Landscape, Architecture & Surveying, LLP, to split off two acres of the north-east corner of the residential property located at 1072 Town Line Road (SBL No.106.00-2-11) with the following conditions:

1. Seven copies of individual deed descriptions, surveys and filing receipt are to be delivered to the Town Clerk's office upon filing with the Erie County Clerk's Office.
2. Further development of each is required to submit a Engineered Grading and Drainage Plan and a Building Foundation Design based on existing soil conditions.
3. Developer is required to obtain an Erie County Highway Non-Utility Work Permit prior to construction of a new residential driveway within Townline Road Right-of Way (CR-355).

BE IT FURTHER,

RESOLVED, the Town Board of the Town of Lancaster hereby exercises its right as stated in §12-1(B)(1) of the Town Code, and grants a waiver of the requirement for the installation of sidewalks along the street frontage for lots located on Town Line Road (SBL No.106.00-2-11), within the Town of Lancaster and is conditioned as follows:

- This waiver is effective immediately and shall remain in effect so long as it is not prohibited by any Town, County, State or Federal Law or Regulation.

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 |
| COUNCIL MEMBER WOZNIAK | VOTED | YES |
| SUPERVISOR RUFFINO | VOTED | YES |

December 21, 2020

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

WHEREAS, A-1 Construction and Painting, Inc., 299 Kenmore Avenue, Tonawanda, New York, 14223 the contractor for the repair of the Portico at the Lancaster Historical Society Building located at 40 Clark Street, has submitted Change Order No. 3 in the amount of \$1,400.00 to the Town Board for their approval, based on the description of work previously provided to the Town Board;

NOW, THEREFORE,

BE IT RESOLVED that the Town Board of the Town of Lancaster hereby approves Change Order No. 3 to **A-1 Construction and Painting, Inc.,** with respect to the outlined descriptions provided to the Town Board:

DESCRIPTION OF CHANGE ORDER NO. 3:

Additional compensation for the removal of two (2) existing porch roof drains and installation of two (2) new drains with conductor heads tied to existing downspouts on each side of porch.

CHANGE ORDER NO. 3:

| | | |
|--|----|-----------------|
| The original Contract Sum was | \$ | 174,000.00 |
| The Contract Sum increased by Change Order #1 in the amount of.... | \$ | 0.00 |
| The Contract sum increased by Change Order #2 in the amount of.... | \$ | 11,900.00 |
| The Contract Sum increased by this Change Order in the amount of.... | \$ | 1,400.00 |
| New Contract Sum including this Change Order will be | \$ | 187,300.00 |

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

December 21, 2020

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

WHEREAS, §1660 (18) Vehicle and Traffic Law permits the Town to designate the location of stop signs and no-passing zones affecting town roads outside of the Villages of Lancaster and Depew, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER".

NOW, THEREFORE,

BE IT RESOLVED, that pursuant to §130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held via teleconference (1-716-800-4267 Access Pin 1232), on the 4th day of January 2021 at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing will be published in the Official Newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

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

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

December 21, 2020

**LEGAL NOTICE
PUBLIC HEARING
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED AS CHAPTER 46 OF CODE OF TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 21st day of December, 2021, the said Town Board will hold a Public Hearing on the 4th day of January, 2021, at 7:15 o'clock P.M., Local Time, via teleconference (1-716-800-4267 Access Pin 1232), to hear all persons upon the following amendments to the Vehicle and Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

CHAPTER 46

**Article STOP INTERSECTIONS; NON-INTERSECTION STOPS;
YIELD INTERSECTIONS**

**46-8.1 Stop Intersections designated, is hereby amended by adding
thereto following:**

Autumnwood Subdivision Phase 1.

| STREET NAME: | INTERSECTING STREET: | SIGN LOCATION: |
|------------------------|---------------------------------|-----------------------|
| Kevwood Lane | Bowen Road | NE corner |
| Kevwood Lane | Hickory Lane | SW corner |
| Gailenwood Lane | Kevwood Lane | SE corner |
| Gailenwood Lane | Summerfield Drive | NW corner |

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

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

December 24, 2020

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

WHEREAS, Michelle Barbaro, the Town's Parks Crew Chief has made the Town aware of the need to replace the condensate pumps for each of the twenty-four (24) Mitsubishi indoor units located within the Town Hall and Mental Health Buildings, and

WHEREAS, the Parks Crew Chief, submitted Requests for Proposal to two (2) vendors to provide and install the necessary condensate pumps in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, by letter dated December 14, 2020, Michelle Barbaro, has recommended that the Town of Lancaster award the project to Mollenberg-Betz, Inc., to provide and install the needed condensate pumps within the Town Hall and Mental Health Buildings at a cost of \$8,545.00 per their quote dated November 17, 2020, and

WHEREAS, funding for the project is available from the Town's 2020 Buildings, Other Capital Outlay Fund.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby accepts and authorizes the Supervisor of the Town of Lancaster to execute the proposal to supply and install the necessary condensate pumps for each of the twenty-four Mitsubishi indoor units located within the Town Hall and Mental Health Buildings from Mollenberg-Betz, 300 Scott Street, Buffalo, New York 14204, in accordance with their quote dated November 17, 2020 in the amount not to exceed \$8,545.00 and to be paid for with funds from the Town's 2020 Buildings, Other Capital Outlay Fund (Line item: 01.1620.260)..

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 |
| COUNCIL MEMBER WOZNAK | VOTED | YES |
| SUPERVISOR RUFFINO | VOTED | YES |

December 21, 2020

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

WHEREAS, Paul P. Stephan, owner of 6355 Broadway, Lancaster New York, 14086, has submitted an application for a Special Use Permit on behalf of Philip A. Stephan, for operating a Warehouse and Storage Services Facility in accordance with provisions of Chapter 50- Zoning, Section 20(B)(1)(e) of the Code of the Town of Lancaster, and

WHEREAS, the Zoning Code of the Town of Lancaster requires that the Town Board conduct a public hearing before the issuance of a Special Use Permit for a use as proposed;

NOW, THEREFORE,

BE IT RESOLVED, that pursuant to Chapter 50-Zoning, Section 46, entitled "SPECIAL USE PERMITS" of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for operating Warehouse and Storage Services on premises locally known as 6355 Broadway., in the Town of Lancaster, New York, will be held via teleconference (1-716-800-4267 Access Pin 1232), on the 4th day of January 2021, at 7:15 o'clock P.M., Local Time, and that Notice of the 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 the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

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

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

December 21, 2020

**LEGAL NOTICE
PUBLIC HEARING
SPECIAL USE PERMIT – PHILIP A. STEPHAN
6355 BROADWAY, LANCASTER NY, 14086**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 50-Zoning, Section 46 "SPECIAL USE PERMITS" of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 21st day of December 2020, the said Town Board will hold a Public Hearing on the 4th day of January, 2021 at 7:15 o'clock P.M., Local Time, via teleconference (1-716-800-4267 Access Pin 1232) at the regularly scheduled Town Board meeting, to hear all interested persons upon the application of Paul P. Stephan, on behalf of Philip A. Stephan for a Special Use Permit to operate a Warehouse and Storage Services Facility on premises locally known as 6355 Broadway, in the Town of Lancaster, County of Erie, State of New York.

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

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: DIANE TERRANOVA
 TOWN CLERK**

December 24, 2020

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

WHEREAS, the Town Board of the Town of Lancaster has previously held a public hearing on November 21, 2016, pursuant to Chapter 50-Zoning Section 46 of the Code of the Town of Lancaster, upon the application of **Paul Marinaccio**, the President of **PM Peppermint, Inc.**, for a Special Use Permit to allow an accessory use operation not authorized within a current zoning classification (**Topsoil Shredding**) on premises locally known as 31 Peppermint Road, Lancaster, New York, currently zoned Sand, Gravel and Aggregates (SGA), and the Board issued such Special Use Permit on March 6, 2017 and this Special Use Permit is subject to a yearly renewal upon application by the property owner, and

WHEREAS, **Florence Bodami** has requested that the Town Board renew the Special Use Permit for an additional one (1) year period, and

WHEREAS, the Supervising Code Enforcement Officer has recommended his approval of this Special Use Permit Renewal in his letter dated December 10, 2020;

NOW THEREFORE,

BE IT RESOLVED, as follows:

1. That pursuant to Chapter 50-Zoning, Article VI, Section 26 Sand, Gravel and Aggregates District (SGA),(B) Permitted uses, (2) Accessory structures and uses of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a renewal of the Special Use Permit to **Paul Marinaccio**, the President of **PM Peppermint, Inc.**, to allow an accessory use operation not authorized within a current zoning classification (**Topsoil Shredding**) on premises locally known as 31 Peppermint Road, Lancaster, New York,, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning January 1, 2021 and ending December 31, 2021, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Article VI, Section 26, of the Code of the Town of Lancaster and with the following conditions:

- A. Property address to be posted at main entrance.
- B. Truck Traffic is prohibited east of the main entrance.
- C. Proper screening from dust is to be installed to the east of the property protecting the residential areas.
- D. Conformance with all conditions set forth in the Consent Order and Judgement issued by Hon. Mark J. Grisanti, A.J.S.C. (Index No. 808576/2016), To be clear, no mulching, composting, or solid waste disposal is permitted to occur at the Property.
- E. Conformance with all conditions set forth in the Site Plan Approval resolution dated October 17, 2016.
- F. Conformance to the specified hours of operation as stated in §38-4(I) and days of operation are limited to Monday through Saturday.
- G. Permit shall expire on December 31, 2021. The original applicant can renew the permit at no additional cost provided it is for the same location that the original permit was issued under.

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 |
| COUNCIL MEMBER WOZNIAK | VOTED | YES |
| SUPERVISOR RUFFINO | VOTED | YES |

December 21, 2020

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

WHEREAS, the Town Board of the Town of Lancaster has previously held a public hearing on April 17, 2017 pursuant to Chapter 50-Zoning Section 46 of the Code of the Town of Lancaster, upon the application of **Michael Salvadore**, president of **MJJ Property Management, LLC.**, for a Special Use Permit to do **Mulch Shredding and Processing** on premises locally known as 6140 Genesee Street, Lancaster, New York, currently zoned Sand, Gravel and Aggregates (SGA), and the Board issued such Special Use Permit on May 1, 2017 and this Special Use Permit is subject to a yearly renewal upon application by the property owner, and

WHEREAS, **Aaron Stissor**, Comptroller at **MJJ Property Management, LLC.**, has requested that the Town Board renew the Special Use Permit for an additional one (1) year period, and

WHEREAS, the Town's Supervising Code Enforcement Officer has recommended approval of this Special Use Permit Renewal in his letter dated December 10, 2020;

NOW THEREFORE,

BE IT RESOLVED, as follows:

1. That pursuant to Chapter 18, Article IV, Section 29(A) of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a renewal of the Special Use Permit to **Aaron Stissor**, of **MJJ Property Management, LLC.**, to do **Mulch Shredding and Processing** on premises locally known as 6140 Genesee Street, Lancaster, New York, currently zoned Sand, Gravel and Aggregates (SGA) upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning January 1, 2021 and ending December 31, 2021, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Article VI, Section 26, of the Code of the Town of Lancaster and with the following conditions:

- A. No more than 10,000 cubic yards are to be stored at any one (1) time on the area located on the proposed site plan.
- B. Must comply with dust control requirements in Town Code §50-27(D)(1).
- C. Proper odor remediation practices to be implemented.
- D. Vehicles are to remain on a paved surface; at no time is vehicle traffic on unpaved areas allowed.
- E. Conformance to the specified hours of shredding and processing operations of Monday to Friday from 7:00 A.M. to 5:00 P.M.
- F. Permit shall expire on December 31, 2021. The original applicant can renew the permit at no additional cost provided it is for the same location that the original permit was issued under.
- G. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.

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 |
| COUNCIL MEMBER WOZNIAK | VOTED | YES |
| SUPERVISOR RUFFINO | VOTED | YES |

December 21, 2020

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

WHEREAS, LaBella Associates, PC, has prepared a site plan submitted by **AC Power14, LLC**, consisting of drawings C001, C101, C200, C201, C401, C402, C501, C502 and C503 all dated November 2020 and received November 10, 2020 to install a two co-located ballasted community solar facility on closed landfill for a total of 9,468 MW located on two unaddressed parcels totaling approximately 197 acres on Gunnville Road (SBL No. 83.00-5-6.1 and 84.00-3-1.1), in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their December 2, 2020 meeting, and

WHEREAS, the Town, acting as Lead Agency under the State Environmental Quality Review Act (“SEQRA”) has identified the relevant areas of environmental concern and determined the action to be a Type II action under 6NYCRR Part 617.5(c)(9);

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan prepared LaBella Associates, PC, and submitted by **AC Power14, LLC**, consisting of drawings C001, C101, C200, C201, C401, C402, C501, C502 and C503 all dated November 2020 and received November 10, 2020 to install a two co-located ballasted community solar facility on closed landfill for a total of 9.468 MW located on two unaddressed parcels totaling approximately 197 acres on Gunnville Road (SBL No. 83.00-5-6.1 and 84.00-3-1.1), in the Town of Lancaster with the following conditions:

1. Facility owner to return two (2) executed originals of the Stormwater Control Facility Maintenance Agreement to the Town Attorney’s Office.
2. The Town must receive and have on file any documentation from the New York State Department of Environmental Conservation (NYSDEC) regarding approvals and permits for use of the closed landfill before any building permits will be issued.
3. The Town must receive and have on file acknowledgement by the Federal Aviation Administration (FAA) that the facility will not interfere with operations at the airports before any building permits will be issued.
4. Contractor to provide an “As-built” survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.

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

| | | |
|------------------------|-------|-----|
| COUNCIL MEMBER DICKMAN | VOTED | NO |
| COUNCIL MEMBER LEARY | VOTED | NO |
| COUNCIL MEMBER MAZUR | VOTED | YES |
| COUNCIL MEMBER WOZNIAK | VOTED | YES |
| SUPERVISOR RUFFINO | VOTED | YES |

December 21, 2020

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’s first payroll for the 2021 fiscal year is currently scheduled to be issued, pursuant to the Town’s customary payroll process, on Friday, January 1, 2021; and

WHEREAS, January 1, 2021, is the New Year’s Day holiday, on which Town offices are closed, as are banking and other financial institutions; and

WHEREAS, the Town wishes to ensure that Town employees receive prompt payment of wages;

NOW, THEREFORE,

BE IT RESOLVED, that, in order to ensure prompt payment of wages to Town employees, the Town shall, on December 31, 2020, issue the regular payroll to Town employees that is otherwise currently scheduled to be issued on January 1, 2021 (“Town employees” for this purpose shall be defined as all Town (a) part-time employees, (b) full-time employees not represented by a bargaining unit and (c) full-time employees represented by a bargaining unit, but shall not include elected officials); and

BE IT FURTHER,

RESOLVED, that this shall be a one-time adjustment in the date upon which the Town payroll is issued, and the issuance of the January 1, 2021 payroll on December 31, 2020 shall not affect the remaining payroll schedule for the 2021 fiscal year; and

BE IT FURTHER,

RESOLVED, that the Town Board hereby approves the memoranda of agreement entered into respectively with (a) the CSEA Highway Unit, (b) the CSEA White Collar Unit, (c) the Lancaster Dispatcher Employees Association and (d) the Lancaster Cayuga Club Police Benevolent Association, each of which confirms the above-referenced adjustment in payroll date for Town employees represented by a bargaining unit; and

BE IT FURTHER,

RESOLVED, that this resolution shall supersede any previously-adopted resolution(s) by the Town Board with regard to employee payroll and compensation, and any such previously-adopted resolution(s) shall be deemed modified consistent with the implementation of the regular payroll issued on December 31, 2020.

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 |
| COUNCIL MEMBER WOZNAK | VOTED | YES |
| SUPERVISOR RUFFINO | VOTED | YES |

December 21, 2020

COMMUNICATIONS & REPORTS

- 605. Town Attorney to NYSDEC, Erie County DPW, Erie County DEP, Erie County Water Authority, US Army Corp of Engineers, Erie County Health Dept., and Division of Sewerage Management –
Request for lead agency designation regarding Amend Site Plan: Superior Pallets, Proj. #1010. Disposition = Planning Committee**
- 606. Town Attorney to NYSDEC, Erie County DPW, Erie County DEP, Erie County Water Authority, US Army Corp of Engineers, Erie County Health Dept. and Division of Sewerage Management –
Request for lead agency designation regarding AC Power 14 LLC/Lancaster Landfill Solar Project, Gunville Road, Proj. #2127.
Disposition = Planning Committee**
- 607. Town Attorney to NYSDEC, Erie County DPW, Erie County DEP, Erie County Water Authority, US Army Corp of Engineers, Erie County Health Dept. and Division of Sewerage Management –
Request for lead agency designation regarding Site Plan: Pavement Rd. Quarry Access & Screening, 300-324 Pavement Rd. & 293 Cemetery Rd. Proj. #8102. Disposition = Planning Committee**
- 608. Town Clerk to Modern Disposal Services, Inc. –
Transmittal of license decals and a copy of Exhibit “B” from application.
Disposition = Received & Filed**
- 609. Town Clerk to Waste Management of New York, LLC –
Transmittal of license decals and a copy of Exhibit “B” from application.
Disposition = Received & Filed**
- 610. NYSDEC to Town Clerk –
Information regarding Cleanup Action Completed at Brownfield Site located at 3100 Clinton Street, West Seneca, NY. Disposition = Received & Filed**
- 611. Code Enforcement Officer to Town Board –
Recommend approval of Salvage Yard License Renewal for AJ’s Auto, LLC, 955 Ransom Rd. Disposition = Resolution 12/21/20**
- 612. Supervising Code Enforcement Officer to Town Board –
Recommend renewal of Special Use Permit for a Salvage Yard for Advantage Trucks.com LLC, 933 Ransom Road. Disposition = Resolution 12/21/20**
- 613. Supervising Code Enforcement Officer to Town Board –
Recommend renewal of Special Use Permit for Topsoil Shredding Operations for PM Peppermint, 31 Peppermint Road. Disposition = Resolution 12/21/20**
- 614. Supervising Code Enforcement Officer to Town Board –
Recommend renewal of Special Use Permit for Mulching, Shredding & Processing for MJJ Property, 6140 Genesee St. Disposition = Resolution 12/21/20**
- 615. Town Clerk to Town Board –
Summaries of taxes collected, a consolidated report of the 2020-2021 school tax collection and tax warrants for the five school districts.
Disposition = Received & Filed**
- 616. Planning Board Chairman to Planning Board, Town Board, Town Attorney, Engineering Consultant, Highway Superintendent and Building Inspector –
Draft copy of minutes from December 2, 2020 Planning Board meeting.
Disposition = Received & Filed**

- 617. Planning Board to Town Board –**
Memo recommending approval of Preliminary Plat Plan for 1072 Town Line Rd. Subdivision, 1072 Town Line Rd.; Proj. #8545; condition noted.
Disposition = Planning Committee
- 618. Planning Board to Town Board –**
Memo recommending approval of Site Plan for AC Power 14, LLC, Proj. #2127.
Disposition = Planning Committee
- 619. Town Attorney to Town Board and Planning Board –**
SEQR response from Erie County Dept. of Public Works regarding 1072 Town Line, 2-Lot Subdivision, Proj. #8545.
Disposition = Planning Committee
- 620. Town Engineer to Town Board –**
Recommend approval of Change Order 3 for Lancaster Historical Building, Portico Rehabilitation. Disposition = Resolution 12/21/20
- 621. Park Crew Chief to Town Board –**
Request for resolution to have twenty-four condensate pumps replaced by Mollenberg-Betz, Inc., 300 Scott St., Buffalo, NY 14204.
Disposition = Resolution 12/21/20
- 622. Cathy Radder to Town Board –**
Photos of surrounding lands adjacent to Hidden Meadows subdivision for possible access to Transit Road as another option.
Disposition = Received & Filed
- 623. Town Clerk to Town Board –**
Amended Town Clerk Monthly Report for November 2020.
Disposition = Received & Filed
- 624. Uniland Development Company to Town Board –**
Request for Town to consider conveying the land north of Eastport Drive back to Uniland. Disposition = Received & Filed
- 625. Highway Superintendent to Town Board –**
Request for resolution to purchase one 18” walk-behind sod cutter from Alexander Equipment, 3266 Buffalo St., Alexander, NY.
Disposition = For Resolution
- 626. Alden Town Clerk to Lancaster Town Clerk –**
Notice of rescheduled Public Hearing for proposed Local Law No. 4 of 2020 Entitled “Rezoning of Real Property on Broadway at Two Road Road” on January 5, 2021. Disposition = Received & Filed
- 627. Michael Czuprynski to Town Board –**
Request for Town Board to rescind the right-of-way from the Wetlands Area on Siebert Road to allow a fence to be put up at the Wetland Boundary.
Disposition = Received & Filed
- 628. Supervisor to Town residents –**
Local State of Emergency declared in the town of Lancaster beginning on December 15, 2020 and continuing for a period of time not to exceed 30 days due to Coronavirus Disease (COVID-19). Disposition = Received & Filed
- 629. Neil Connelly to Town Board –**
Request for reappointment as Chairman of the Town of Lancaster Planning Board for 2021. Disposition = Received & Filed

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER DICKMAN AND SECONDED BY
COUNCIL MEMBER LEARY AND CARRIED,** the meeting was adjourned in memory of
Joseph Dennis, Sr. and Lucia Monti at 8:17 P.M.

Signed _____

Diane M. Terranova, Town Clerk