

Town Board Minutes

March 1, 2021

Meeting No. 5

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 March 2021 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
WILLIAM KARN, CHIEF OF POLICE
MICHELLE BARBARO, PARK CREW CHIEF
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

EXECUTIVE SESSION:

AT 8:35 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 purposes of discussing the proposed, pending or current litigation and collective bargaining negotiations per Article 14 of Civil Service Law.

At 9:24 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:

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

- Questions regarding the new dog control facility.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 1 Special Use Permit Rachel's Mediterranean Restaurant

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

At 7:17 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Special Use Permit Rachel's Mediterranean Restaurant 4931 Transit Road, Building 4933, Suite 100 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
James Boglioli, Petitioner Benderson Development Company, LLC	Proponent

ON MOTION BY COUNCIL MEMBER LEARY, SECONDED BY COUNCIL MEMBER MAZUR AND CARRIED, the public hearing was closed at 7:19 P.M.

Decision on this matter was reserved.

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PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 2 Special Use Permit Solar Facility AC Power 14, LLC Gunnville Road.

ON MOTION BY COUNCIL MEMBER WOZNIAK, SECONDED BY COUNCIL MEMBER MAZUR AND CARRIED, the public hearing was opened.

At 7:20 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Special Use Permit Solar PV Facility AC Power 14, LLC Two (2) Parcels on Gunnville Road 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
Corey Auerbach, Representing Petitioner Barclay Damon, LLP	Proponent
Andrea DeBernardis	Proponent
Kevin Lemaster	Opponent

ON MOTION BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER MAZUR AND CARRIED, the public hearing was closed at 7:44 P.M.

Decision on this matter was reserved.

March 1, 2021

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
February 8, 2021 be and are hereby approved.

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

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

March 1, 2021

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. 64152 to Claim No. 64367 Inclusive

Total amount hereby authorized to be paid: \$1,406,484.74

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

March 1, 2021

File: Rclaims

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
32206		Majestic Custom Carpentry	9 Chestnut Corner	Re-Roof	
32214		S&A Debris Removal LLC	171 Schwartz Rd	Er. Pole Barn	
32222		Crist Construction	24 Sagebrush Ln	Er. Porch Cover	
32227		Andersen Water Systems, Inc.	42 Eastwood Pky	Inst. Generator	
32228		Darcie Hanson	89 Country Pl	Er. Fence	
32229		Crown Castle International Cor	0 Penora St	Cell Tower - Alteration	
32230		John Dudziak	5 Pear Tree Ln	Er. Res. Add.	
32231		Franks Commercial & Home	94 Court St	Inst. Res. Plumbing	(V/L)
32233		Marrano/Marc Equity Corp.	136 Avian Way	Er. Dwlg.-Sin.	
32237		Heritage Home Improvements	4 Spruceland Ter	Er. Res. Alt.	
32238		Jeffrey Miller	2050 Como Park Blvd	Er. Fence	(V/L)
32239		Robert Kinnin	16 Inwood Pl	Er. Fence	(V/L)
32240		Forbes Homes Inc.	54 Hidden Meadow Cros	Er. Dwlg.-Sin.	
32241		Marrano/Marc Equity Corp.	132 Avian Way	Er. Dwlg.-Sin.	
32242		Forbes Homes Inc.	49 Hidden Meadow Cros	Er. Dwlg.-Sin.	
32243		Jesse Adams	82 Williamsburg Ln	Er. Fence	
32244		Brian Herrmann	27 Fox Hunt Rd	Er. Fence	
32245		Essex Homes of WNY Inc.	18 Northfield Ln	Er. Dwlg.-Sin.	
32246		Essex Homes of WNY Inc.	22 Northfield Ln	Er. Dwlg.-Sin.	
32247		Scott Patterson	98 Avian Way	Inst. Generator	
32248		Brandon Serio	57 Middlebury Ln	Er. Fence	
32249		Essex Homes of WNY Inc.	9 Northfield Ln	Er. Dwlg.-Sin.	
32251		Lilly Belle Meads LLC	11W Main St	Er. Comm. Add./Alt.	(V/L)
32253		Ivy Lea Construction Inc.	57 Lake Forest Pky E	Er. Res. Alt.	
32254		Ivy Lea Construction Inc.	16 Deerpath Dr	Er. Res. Alt.	
32255		Ivy Lea Construction Inc.	9 Whitestone Ln	Er. Res. Alt.	
32257		Michael Gemmati	127 Avian Way	Er. Res. Alt.	
32259		Custom Interiors	5 Kelly Ann Dr	Er. Res. Alt.	
32262		Ronald Ferri	12 Avian Way	Er. Fence	
32265		John Silvestri	192 Enchanted Forest S	Inst. Generator	
32271		Crist Construction	1 Magrum Ln	Er. Porch/Porch Cover	

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

March 1, 2021

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

WHEREAS, Matt Fischione, Code Enforcement Officer for the Town of Lancaster, by letter dated February 5, 2021 has recommended the appointment of the following individual to the following part-time permanent position.

NOW, THEREFORE,

BE IT RESOLVED, that the following individual is hereby appointed to the following part-time permanent position in the Town of Lancaster Building Department working not more than nineteen and three-quarter 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 permanent employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
William T. Revelas Lancaster, NY	Fire Inspector	\$19.13	March 1, 2021

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
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

March 1, 2021

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

WHEREAS, the Town Board has previously duly advertised for bids for one (1) new and unused **2021 16'Long/8'Wide All Aluminum Constructed Enclosed Tandem Axle Cargo Trailer**, for use by the Highway Department, and

WHEREAS, one (1) bid was received, opened and reviewed on February 4, 2021, and

WHEREAS, by letter dated February 5, 2021, Highway Superintendent Daniel Amatura, has recommended awarding the bid for one (1) new and unused **2021 16'Long/8'Wide All Aluminum Constructed Enclosed Tandem Axle Cargo Trailer**, to PJ Niagara Falls Blvd Auto, Inc., being the sole responsible bidder in the amount of \$13,520.43.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster, upon the recommendation of Daniel Amatura, Highway Superintendent, hereby awards the bid for one (1) new and unused one (1) new and unused **2021 16'Long/8'Wide All Aluminum Constructed Enclosed Tandem Axle Cargo Trailer**, to PJ Niagara Falls Blvd Auto, Inc., 6885 Shawnee Road, North Tonawanda, New York, 14120 for use by the Highway Department, as it conforms to the specifications on file in the office of the Town Clerk., for an amount not to exceed \$13,520.43 which will be paid for with funds available from the Town's 2021 Highway General Repairs, Equipment Passenger Vehicles Budget (Line Item 13-5110-0220).

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

March 1, 2021

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

WHEREAS, Town of Lancaster Police Detective Captain, Jeffrey Smith, by letter dated February 5, 2021 has requested the purchase of two (2) new 2021 Jeep Cherokee Latitude 4 x 4 Police Vehicles, for the use by the Detective Bureau, and

WHEREAS, the above-referenced vehicles are available for purchase under New York State's "Piggybacking" Law through the Onondaga County Division of Purchase, 071-05 Police and Administrative Vehicles, Bid Reference No. 8771, Contract ID No. 3197 from authorized vendor Robert Green Auto and Truck (Vendor Code #5521), which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, Captain Smith has recommended the purchase of the beforementioned vehicles, in accordance with said specifications, be made from Robert Green Auto and Truck, for a **unit price of \$25,568.62 each** per their proposal dated February 4, 2021, and

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

NOW, THEREFORE,

BE IT RESOLVED as follows, that the Town Board of the Town of Lancaster hereby approves the purchase of two (2) new 2021 Jeep Cherokee Latitude 4 x 4 Police Vehicles through the Onondaga County Division of Purchase, 071-05 Police and Administrative Vehicles, Bid Reference No. 8771, Contract ID No. 3197 from authorized vendor Robert Green Auto and Truck (Vendor Code #5521), P.O. Box 8002, Rock Hill, New York 12775, as proposed by the Town of Lancaster Detective Captain, Jeffrey Smith, for a total expenditure of **\$51,137.24**, per their proposal dated February 4, 2021, and which will be paid for with funds from the Town's 2021 Public Safety, Equipment Passenger Vehicle Budget, Line Item P3120-220.

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

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

March 1, 2021

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

WHEREAS, a hardship was created for the Lt. Col. Matt Urban V.F.W. Post 7275, 3741 Walden Avenue, Lancaster, NY, due to the budgetary reduction of one-hundred dollars (\$100) to this veterans' organization's funding, and

WHEREAS, upon reviewing the budgetary accounts of the Town of Lancaster, the Supervisor has determined that an adjustment to the 2021 Adopted Budget of the Town of Lancaster, New York is needed.

NOW, THEREFORE,

BE IT RESOLVED, that the following Budget Amendments to the Town of Lancaster New York's 2021 Adopted Budget are hereby approved:

General Fund - Townwide

01.01.909 Fund Balance Unrestricted	<u>Decrease</u> \$100
01.7550.415 Special Celebrations	<u>Increase</u> \$100

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

March 1, 2021

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

WHEREAS, People, Inc. (formerly Southeast Works), a 501 (c) (3) not-for-profit Agency offers a program for Developmentally Disabled adults in the communities of Lancaster, Alden, Marilla, Aurora, East Aurora and Wales, and

WHEREAS, this program consists of development, pre-vocational and work activity training programs for those individuals who are clients of People Inc., and

WHEREAS, People Inc. is presently located at 181 Lincoln Street, Depew, New York 14043, and its services in the areas of evaluation, tutoring, development of self-help skills, personal adjustment training, recreation and counseling are of substantial benefit to residents of the Town of Lancaster, and

WHEREAS, the Town, in order to provide financial assistance for the support of this much needed service located within its boundaries, has appropriated the amount of One-Thousand Dollars (\$1,000.00) in the Town's 2021 Adopted Budget.

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

1. That the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute an Agreement with **People, Inc. (formerly Southeast Works),** to financially support a program for Developmentally Disabled adults residing in the Town of Lancaster as clients of People Inc., to access developmental, pre-vocational and work activity training programs together with evaluation, tutoring and development of self-help skills, personal adjustment training, recreation and counseling.

2. That the sum of One Thousand Dollars (\$1,000.00) will be paid by the Town to People Inc., in four equal quarterly payments: January 1st, April 1st, July 1st, and October 1st, 2021 as allocated in the Town's 2021 Adopted Budget (Line Item A4230.411).

3. This Agreement is subject to the approval of the Town Attorney and appropriate State and County agencies or departments, where such approval is mandated by law.

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

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

March 1, 2021

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

WHEREAS, the Town Board has previously duly advertised for bids for the Consolidated Water District Water System Improvements, Contract No. TLN-11 (Nichter Road and Pleasant View Drive), and

WHEREAS, the Capital Improvements bond resolution adopted May 16, 2016 was amended on November 19, 2018 for a maximum amount not to exceed \$7,000,000, and

WHEREAS, five (5) bids were received, opened and reviewed on February 4, 2021, and

WHEREAS, Edward Schiller, P.E., the Town's consulting engineer, by letter dated February 10, 2021, has recommended awarding the bid to 716 Site Contracting, Inc., being the lowest responsible bidder in the amount of \$628,575.00.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for the Consolidated Water District Water System Improvements, Contract No. TLN-11 (Nichter Road and Pleasant View Drive) which will include replacing four (4) existing hydrants, to 716 Site Contracting Inc., 7311 Ward Rd Ste B. North Tonawanda, NY, 14120-1473, in the amount of \$628,575.00, being the lowest responsible bidder in conformance with the specifications on file in the Office of Wm. Schutt & Associates, and

BE IT FURTHER,

RESOLVED, that the Supervisor is authorized to execute the contract upon receipt and approval of the required documents and insurance certificates 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 DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

March 1, 2021

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

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute on behalf of the Town of Lancaster the Memorandum of Agreement between the Town and the Hull House Foundation, in order to provide financial assistance for the support of a historical edifice located within the Town, in the amount of \$3,000.00 as appropriated in account code A7989.449 in the Town of Lancaster, New York's 2021 Adopted Budget.

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

March 1, 2021

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

WHEREAS, the Lancaster Rural Cemetery Association is seeking contribution for its operating expenses from the Town of Lancaster, and

WHEREAS, the Town Board previously reviewed this matter and has discovered that in the event this not-for-profit organization ceases to exist, the Town of Lancaster would become responsible for the maintenance and upkeep of said cemetery pursuant to Town Law, which would place a significant financial burden on town taxpayers, and

WHEREAS, said funding was approved in the adopted 2021 Town of Lancaster budget in the sum of fifteen-thousand dollars (\$15,000.00), and

WHEREAS, by letter dated September 14, 2020 and received by the Town on September 17, 2020, the Lancaster Rural Cemetery Association has requested the funding be provided in two (2) installments of seven-thousand, five-hundred dollars (\$7,500.00) each, and

WHEREAS, the Town Board deems it in the public interest to provide financial assistance to the Lancaster Rural Cemetery Association so that this not-for-profit organization can continue to operate and maintain the Lancaster Rural Cemetery without this obligation falling to the Town.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to provide two (2) installments in the amounts of seven-thousand, five-hundred dollars (\$7,500.00) each to the Lancaster Rural Cemetery Association for its continued operation and maintenance of the before-mentioned cemetery, with said funds being allocated from the Town's 2021 Cemeteries Budget (Line Item A8810.449).

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

March 1, 2021

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

WHEREAS, Thomas C. Suchy Jr., 18 Westwood Road, Lancaster, New York 14086 has applied for a Dumping Permit for property situated on 277 Pavement Road, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

WHEREAS, the Building Inspector and Town Engineer have completed their review of this application and by letter dated February 10, 2021 the Building Inspector made a formal, favorable recommendation to the Town Board.

NOW, THEREFORE,
BE IT RESOLVED, that Thomas C. Suchy Jr., 18 Westwood Road, Lancaster, New York be and is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant situated on 277 Pavement Road, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and

BE IT FURTHER,
RESOLVED, that **this permit is conditioned** in accordance with the recommendations of the Town Engineer and Building Inspector as follows:

1. Fill shall consist of dirt. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.
2. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.
3. Dirt, silt or sediment tracked on the road must be cleaned on a daily basis and more often if necessary. The Town of Lancaster Police shall stop operation immediately upon complaint of dirty road.
4. A topography survey is provided to the town Building Department upon completion of the fill operation.
5. Dumping will be allowed between the hours of 7 A.M. and 8 P.M. Monday thru Saturday. No dumping shall be allowed on Sunday.
6. Dust from the site shall also be prevented from migrating off site.
7. Fill shall only be placed in the areas which are indicated on the plot plan.
8. No signage for dumping allowed.
9. The source of fill is clean fill from various locations.

BE IT FURTHER,
RESOLVED, that no building permit for the construction of any structure on the SBL premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated in this resolution have been fully complied with, and

BE IT FURTHER,
RESOLVED, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein **expires one year from date of this resolution.**

The question of the adoption of the following 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

March 1, 2021

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

WHEREAS, on September 8, 2020 the Town Board approved the request of Youth Bureau Director John Trojanowsky to allow the Erie County Health Department's Special Needs Division to utilize the Youth Bureau Building every Tuesday and Thursday for the upcoming school year in order to provide in person Speech, Occupational and/or Physical Therapy to preschool students from the Lancaster Community, and

WHEREAS, by letter dated February 2, 2021, John Trojanowsky is requesting approval to grant therapists' requests to use the Youth Bureau Building on Wednesdays as an additional day to provide services, and

WHEREAS, the following protocols will continue to be implemented:

1. Children will be screened and temperatures taken at the beginning of each session,
2. Mask wearing and social distancing (when practical) maintained during the thirty (30) minute session, and
3. Disinfecting and sanitizing protocols done at the end of each session.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby grants the request of John Trojanowsky to allow the Erie County Health Department's Special Needs Division to utilize the Town of Lancaster's Youth Bureau Building on Wednesdays in addition to the already approved Tuesdays and Thursdays, for the remainder of the 2020-2021 school year in order to provide in-person Speech, Occupational and/or Physical Therapy to preschool students from the Lancaster Community.

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

March 1, 2021

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 the proposed Quarry construction submitted by David Kulbacki consisting of land grading to construct berm screening of quarry operations from along Pavement Rd. frontage and a portion of Heritage Trail; install millings over existing gravel driveway entrance, and remove one curb cut and driveway entrance from Pavement Rd.; demolish scale-house structure; install proposed curb cut and driveway apron from Cemetery Rd. frontage on a +/- 114.45 acre parcel located at 300-324 Pavement Road and 293 Cemetery Road (SBL Nos. 105.00-2-14.2, 105.00-2-13.01 & 105.00-2-27) in the Town of Lancaster 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 February 3, 2021 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the project using the short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act ("SEQRA") regulations, and such other information deemed appropriate, including the recommendation of the Town of Lancaster Planning Board.

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.

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

NOW, THEREFORE,

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

1. This project described as a land grading to construct berm screening of quarry operations from along Pavement Rd. frontage and a portion of Heritage Trail; install millings over existing gravel driveway entrance, and remove one curb cut and driveway entrance from Pavement Rd.; demolish scale-house structure; install proposed curb cut and driveway apron from Cemetery Rd. frontage which is located at 300-324 Pavement Road and 293 Cemetery Road (SBL Nos. 105.00-2-14.2, 105.00-2-13.01 & 105.00-2-27) 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

March 1, 2021

NEGATIVE DECLARATION

Determination of Non-Significance

Town of Lancaster Town Board

Dated: March 1, 2021

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

The Town Board of the Town of Lancaster has reviewed the proposed Quarry project submitted by David Kulbacki on a +/- 114.45-acre parcel located at 300-324 Pavement Road and 293 Cemetery Road (SBL Nos. 105.00-2-14.2, 105.00-2-13.01 & 105.00-2-27) and has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Pavement Road Quarry #8102

Location of Action: 300-324 Pavement Road and 293 Cemetery Road (SBL Nos. 105.00-2-14.2, 105.00-2-13.01 & 105.00-2-27), Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted

Description of Action: Land grading to construct berm screening of quarry operations from along Pavement Rd. frontage and a portion of Heritage Trail; install millings over existing gravel driveway entrance and remove one curb cut and driveway entrance from Pavement Rd.; demolish scale-house structure; install proposed curb cut and driveway apron from Cemetery Rd. frontage.

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 DICKMAN, TO WIT:

WHEREAS, David Kulbacki of Kulbacks Inc., has submitted a site plan prepared by Tredo Engineers, which contains a two (2) paged survey (dated April 4, 2019, with drawing dated April 9, 2019) and drawings SP-100, SP-101A, SP-101B, SP-102 all dated August 10, 2020 and received November 2, 2020 for the proposed **Pavement Road Quarry** to be located at 300-324 Pavement Road and 293 Cemetery Road (SBL Nos. 105.00-2-14.2, 105.00-2-13.01 & 105.00-2-27) 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 February 3, 2021 meeting, and

WHEREAS, the Town Planning Board has completed an environmental review for the project on February 3, 2021, in conformance with SEQR (State Environmental Quality Review) regulations and the Town Board, acting as lead agency, issued a Negative Declaration on March 1, 2021.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by David Kulbacki of Kulbacks Inc., prepared by Tredo Engineers, containing a two (2) paged survey (dated April 4, 2019, with drawing dated April 9, 2019) and drawings SP-100, SP-101A, SP-101B, SP-102 all dated August 10, 2020 and received November 2, 2020 for the proposed Pavement Road Quarry to be located at 300-324 Pavement Road and 293 Cemetery Road (SBL Nos. 105.00-2-14.2, 105.00-2-13.01 & 105.00-2-27), with the following conditions:

1. Submittal of Reclamation Plan and acceptance and Close Out of Reclamation from NYSDEC to the Town.
2. Verification of building foundation removal.
3. 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	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

March 1, 2021

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

BE IT RESOLVED, that Julius McCann be and is hereby nominated the
Town of Lancaster's official representative to the Erie County Environmental Management
Council.

BE IF FURTHER,

RESOLVED, that a copy of this resolution be forwarded to the Erie County
Department of Environment and Planning.

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

March 1, 2021

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 heretofore held a public hearing pursuant to Chapter 50-Zoning, Article XIV-Administration and Enforcement, Section 78 of the Code of the Town of Lancaster, upon the application of James Basil, of **JBC Properties, LLC/Basil Chevrolet**, to authorize the selling and servicing of new and used motorized vehicles on premises located at 5077 Transit Road, in the Town of Lancaster, New York, and the Board issued such Special Use Permit on March 3, 2008, this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, Megen Schiffler, Controller for **Joe Basil Chevrolet, Inc.**, by letter dated January 27, 2021, has requested that the Town Board renew the Special Use Permit for an additional two (2) year period, and

WHEREAS, the Code Enforcement Officer has recommended the approval of this Special Use Permit renewal and authorized a change in use for this application based on site-plan approval of project # 2031, from the 'selling and servicing of new and used motorized vehicles' to the 'inventorying and parts storage', in his letter dated February 9, 2021.

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

1. That pursuant to Chapter 50-Zoning, Section 18 (B)(1)(a), entitled "General Commercial District (GC)", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit Renewal to **JBC Properties, LLC/Basil Chevrolet**, authorizing the inventorying and parts storage use on premises located at 5077 Transit Road in the Town of Lancaster, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning March 3, 2021 and ending March 2, 2023, and

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

A. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal request is considered upon the property owner submitting a request in writing to the Town Clerk, on or before March 2, 2023.

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. Applicant to provide a copy of their business' New York State Tax Employer Identification Number and, where required, a copy of a valid State License issued by the appropriate regulatory agency for the service being provided.

D. Property address and Building Numbers to be posted.

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

March 1, 2021

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

WHEREAS, on February 8, 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 which reduces the term of the contract from five (5) to three (3) years beginning March 1, 2021 and terminating February 29, 2024 with an automatic annual renewal thereafter unless written notice is provided by either party sixty (60) days prior to the end of the then-current term, 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 provide Public Administration Software and Related Services to Town offices, under their national contract (# 090320-TTI) with Sourcewell (formerly known as National Joint Powers Alliance) and approves the terms and conditions contained therein.

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

March 1, 2021

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER WOZNIAK, 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. 5 in the amount of \$19,678.000, 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. 5 to **A-1 Construction and Painting, Inc.,** with respect to the outlined descriptions provided to the Town Board:

DESCRIPTION OF CHANGE ORDER NO. 5:

Reconstruct curved beam and layered ornamentation of the porch soffit and fascia to match the existing historic ornamentation; and repair and replace as required existing water damaged clap board siding.

CHANGE ORDER NO. 5

The original Contract Sum was	\$	174,000.00
The Contract Sum changed 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 Change Order #3 in the amount of....	\$	1,400.00
The Contract Sum changed by Change Order #4 in the amount of....	\$	0.00
The Contract Sum increased by this Change Order in the amount of....	\$	19,678.00
New Contract Sum including this Change Order will be	\$	206,978.00

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	NO
COUNCIL MEMBER LEARY	VOTED	NO
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

March 1, 2021

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

WHEREAS, the Town Board has previously duly advertised for bids for one (1) new and unused **2021 Ford F150 XL 4x2 Regular Cab, Long Bed Pickup truck**, for use by the Highway Department, and

WHEREAS, two (2) bids were received, opened and reviewed on February 4, 2021, and

WHEREAS, by letter dated February 17, 2021, Deputy Highway Superintendent Louis Cacciotti, has recommended awarding the bid for one (1) new and unused **2021 Ford F150 XL 4x2 Regular Cab, Long Bed Pickup truck**, to West Herr Automotive Group, 5025 Camp Road, Hamburg, New York, being the lowest responsible bidder in the amount of \$30,645.28, and

WHEREAS, the Highway Department will receive a trade-in allowance for their 2013 Ford F150 XL 4 x 2 Regular Cab Long Bed Pickup (Vin# 1FTMF1CM3DKE77875 w/54,000 mi.) in the amount of \$8,500.00 which will bring the total expenditure for the one (1) new and unused **2021 Ford F150 XL 4x2 Regular Cab, Long Bed Pickup truck** to \$22,145.28.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster, upon the recommendation of Louis Cacciotti, Deputy Highway Superintendent, hereby awards the bid for one (1) new and unused **2021 Ford F150 XL 4x2 Regular Cab, Long Bed Pickup truck** to West Herr Automotive Group, 5025 Camp Road, Hamburg, New York, 14075 for use by the Highway Department as it conforms to the specifications on file in the office of the Town Clerk., for a total amount not to exceed \$22,145.28 which will be paid for with funds approved from the 2021 Highway Equipment, Passenger Vehicles, Budget Line Items 13-5110-0220.

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

March 1, 2021

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

WHEREAS, on June 12, 2020 Governor Cuomo signed an executive order (EO 201) requiring each local government in the State to adopt a policing reform plan by April 1, 2021, and

WHEREAS, under the oversight of the Town of Lancaster Supervisor, Ronald Ruffino Sr., Chief William J. Karn, Jr. and the Lancaster Police Department worked diligently with the Town Board and a committee made up of Town residents to prepare a plan for adoption that will meet the needs and concerns of the community the department serves, and

WHEREAS, the Town of Lancaster Police Reform Collaborative Committee has prepared the April 2021 Lancaster Police Collaborative Plan in response to the Governor's executive order and presented it to the Town Board for their review and adoption, and

WHEREAS, the Town Board of the Town of Lancaster and the Town Attorney have reviewed the April 2021 Lancaster Police Collaborative Plan and deem it in compliance with the Governor's specifications.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town Lancaster hereby approves the April 2021 Lancaster Police Collaborative Plan as prepared and presented by the Town of Lancaster Police Reform Collaborative Committee in accordance with specification set forth by Governor Cuomo's executive order (EO 201), and

BE IT FURTHER,

RESOLVED, that the Supervisor be and hereby is authorized to execute Appendix B of New York State Police Reform and Reinvention Collaborative, August 2020 and submit it along with the April 2021 Town of Lancaster Police Collaborative Plan to Director of the New York State Division of Budget.

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

March 1, 2021

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

WHEREAS, Patrol Captain Marco Laurienzo, of the Town of Lancaster's Police Department, by letter dated February 19, 2021 has advised the Town Board that the Police Department no longer has use for six (6) Code 3 LED Light bars and one (1) Star Sabre LED Light bar and has therefore requested that the Town Board deem these items to be surplus and permit them to be placed on an online auction, and

WHEREAS, the Town Board has given due consideration to the request of the Captain Laurienzo and deems it in the public interest to declare the LED Light bars to be surplus and permits placement of said items on an online auction.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby declares the six (6) Code 3 LED Light bars and one (1) Star Sabre LED Light bar to be surplus and authorizes Police Patrol Captain Laurienzo 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 March 9, 2021 and concluding on March 22, 2021 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 DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

March 1, 2021

PUBLIC AUCTION
OF TOWN OWNED SURPLUS EQUIPMENT

Notice is hereby given that the Town Board of the Town of Lancaster has deemed six (6) Code 3 LED Light bars and one (1) Star Sabre LED Light bar as surplus property.

These items will be auctioned at an online auction with Auctions International, <http://www.auctionsinternational.com> , 11167 Big Tree Road, East Aurora, New York 14052, beginning March 9, 2021, and concluding on March 22, 2021.

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 Marco Laurienzo at 683-2800 to make an appointment.

TOWN BOARD
TOWN OF TOWN OF LANCASTER

By: DIANE M. TERRANOVA
TOWN CLERK

March 4, 2021

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

WHEREAS, by resolution adopted on June 17, 2019 the Town Board of the Town of Lancaster approved Special Use Permit Application submitted by Timothy Schmitt from Towne AVW, Inc. on behalf of Franklin G. Downing of Towne RE6, LLC, real property owner, to operate an automobile dealership which included mechanical servicing and body repairing of motor vehicles on premises located at 5255 Genesee Street, and

WHEREAS, Towne AVW, Inc. has moved to a new location and the real property owner is in contract with **InSite Real Estate Investment Properties, LLC**, to sell the land to them and is requesting that the current Special Use Permit be transferred to **Lancaster, NY (5255 Genesee) LLC**, and

WHEREAS, by letter dated January 13, 2021, Matt Fischione, Town Code Enforcement officer, after having consulted with the Town Attorney, has memorialized that the Special Use Permit is transferable without a public hearing, and

WHEREAS, the Town Board of the Town of Lancaster has reviewed this request and finds that the application for an Automotive Dealership Facility with necessary operations; and Mechanical Servicing and Body Repair of Motor Vehicles as described in their Special Use Application dated January 13, 2021, meets the requirements listed in Town Code §50-18 (A) and has decided that the Special Use Permit issued on June 17, 2019 to Towne AVW, Inc., for location 5255 Genesee Street, may be transferred to **Lancaster, NY (5255 Genesee) LLC**;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Special Use Permit issued on June 17, 2019 to Towne AVW, Inc., for location 5255 Genesee Street, be transferred to **Lancaster, NY (5255 Genesee) LLC**, for an Automotive Dealership Facility to include: the sale of new and pre-owned vehicles, parts, accessories and energy related products which requires the delivery, display and storage of new and pre-owned automobiles, parts, accessories and energy related products, along with general offices to support the facility; Mechanical Servicing and Body Repair of Motor Vehicles including but not limited to: standard servicing and maintenance of vehicles such as software updates; tire replacement, tire balancing & alignment; battery maintenance and replacement; vehicle charging and car washing; Body Repair to include: motor vehicle collision and body repair as well as operation of a vehicle repair booth as described in their Special Use Application dated January 13, 2021, with the following conditions:

- A. Business must operate within all confines of the Town of Lancaster's Noise Ordinance
- B. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal request is considered submittal of an application to the Town Clerk, on or before June 16, 2021.
- C. 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.
- D. 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.
- E. This transfer will take effect upon the deed being recorded to **Lancaster, NY (5255 Genesee) LLC**.

- F. If the property owner leases the property to another entity to operate the business, the lessee shall apply to the Town to be added to the permit and must agree to all permit conditions.

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

March 1, 2021

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

WHEREAS, the Town operates and maintains public parks and recreational programs for the benefit of the Town's residents, and

WHEREAS, the Lancaster Depew Baseball League, Inc., has served the Town's youth for many years by operating a little league program, and

WHEREAS, the Town and Lancaster Depew Little League previously entered into a partnership agreement on August 19, 2013 for the use and operation of the indoor baseball facility and fields at Westwood Park with said agreement's term being 2014 through 2028, and

WHEREAS, according to Section 5 and Attachment No. 2 of the agreement the Lancaster Depew Little League agreed to pay an annual fee of \$164,635; with the first installment of \$82,317.50 being paid no later than January 31 of each year and the second installment of \$82,317.50 being paid no later than July 31 of each year, and

WHEREAS, due to the prior COVID shutdown the 2020 Lancaster Depew Baseball League season was initially postponed and the League requested an amendment to the payment terms of the agreement concerning its second installment payment of July 31, 2020, and

NOW, THEREFORE,

BE IT RESOLVED, that the Supervisor of the Town of Lancaster is hereby authorized to enter into an amended agreement with the Lancaster Depew Little League whereby Attachment No. 2, paragraph 1 is amended with respect to the 2020 calendar year only and according to the amended terms the League will pay \$41,158.75 to the Town for its second installment by July 31, 2020 and the remaining amount of \$41,158.75 will be paid with its final installment in 2028.

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

March 1, 2021

COMMUNICATIONS & REPORTS

- 112. Town Clerk to Town Engineer and Building Inspector –
Copy of application for a Dumping Permit for 277 Pavement Road.
Disposition = Resolution 3/1/21**
- 113. NYS Department of Environmental Conservation to Supervisor –
Copy of letter to National Fuel Gas Distribution Corp. regarding Wetland LA-15
Boundary Verification, Town of Lancaster & Elma, Erie County.
Disposition = Received & Filed**
- 114. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Dept. of Health regarding Brazen Brewery,
5839 Genesee St., Proj #2063. Disposition = Planning Committee**
- 115. Kevin Lemaster to Town Clerk –
Questions for landowner, AC Power 14 LLC for Public Hearing on March 1,
2021. Disposition = Received & Filed**
- 116. Town of Cheektowaga Office of Building Inspections to Town Clerk –
Notice of meeting of Zoning Board of Appeals on February 17, 2021 at 7:00PM
to consider and Area Variance for 6386 Transit Road.
Disposition = Received & Filed**
- 117. Town Clerk to Code Enforcement Officer –
Copy of letter from Ronald Fronckowiak requesting renewal of his Special
Use Permit for 10 Sussex Lane. Disposition = Received & Filed**
- 118. Highway Superintendent to Town Board –
Request for resolution to purchase one new and unused 2021 16' long/8' wide
all aluminum constructed enclosed Tandem Axle Cargo Trailer from PJ
Niagara Falls Blvd Auto Inc., 6885 Shawnee Rd. North Tonawanda, NY.
Disposition = Resolution 3/1/21**
- 119. Code Enforcement Officer to Town Board –
Request for the appointment of William Revelas as Fire Inspector, Part-Time
effective March 1, 2021. Disposition = Resolution 3/1/21**
- 120. Supervisor to Town residents –
Emergency Executive Order declared in the Town of Lancaster beginning on
February 7, 2021 and continuing for a period of 5 days or until removed due
to Coronavirus Disease (COVID-19). Disposition = Received & Filed**
- 121. FeedMore WNY to Supervisor –
Request for funds from the Town of Lancaster to support Town residents
who rely on the services of FeedMore WNY. Disposition = Received & Filed**
- 122. Patrol Captain Laurienzo to Planning Board Chairman –
No objections to Site Plan Review – Project #6445.
Disposition = Received & Filed**
- 123. Planning Board Chairman to Town Board, Planning Board, Town Attorney
Engineering Consultant, Highway Superintendent and Building Inspector –
Draft copy of minutes from February 3, 2021 Planning Board Meeting.
Disposition = Received & Filed**
- 124. Planning Board to Town Board –
Memo recommending approval of the Site Plan Review for Pavement Road
Quarry, 300-324 Pavement Road & 293 Cemetery Road; conditions noted.
Disposition = Resolution 3/1/21**

125. **Town Engineer to Town Board –
Memo regarding Dumping Permit for 277 Pavement Road.
Disposition = Resolution 3/1/21**
126. **Code Enforcement Officer to Town Board –
Recommend renewal of Special Use Permit for Joe Basil Chevrolet, 5077
Transit Rd.; stipulations noted. Disposition = Resolution 3/1/21**
127. **Code Enforcement Officer to Town Board –
Recommend approval of Application for Dumping Permit for Thomas Suchy, Jr.,
277 Pavement Rd.; conditions noted. Disposition = Resolution 3/1/21**
128. **Federal Aviation Administration to AC Power, LLC –
Copy of Determination of No Hazard To Air Navigation regarding Solar Panel
NELancasterPanel. Disposition = Received & Filed**
129. **Federal Aviation Administration to AC Power, LLC –
Copy of Determination of No Hazard To Air Navigation regarding Solar Panel
NWLancasterPanel. Disposition = Received & Filed**
130. **Federal Aviation Administration to AC Power, LLC –
Copy of Determination of No Hazard To Air Navigation regarding Solar Panel
SELancasterPanel. Disposition = Received & Filed**
131. **Federal Aviation Administration to AC Power, LLC –
Copy of Determination of No Hazard To Air Navigation regarding Solar Panel
SWLancasterPanel. Disposition = Received & Filed**
132. **Federal Aviation Administration to AC Power, LLC –
Copy of Determination of No Hazard To Air Navigation regarding Utility
Pole A1. Disposition = Received & Filed**
133. **Federal Aviation Administration to AC Power, LLC –
Copy of Determination of No Hazard To Air Navigation regarding Utility
Pole A2. Disposition = Received & Filed**
134. **Federal Aviation Administration to AC Power, LLC –
Copy of Determination of No Hazard To Air Navigation regarding Utility
Pole A3. Disposition = Received & Filed**
135. **Federal Aviation Administration to AC Power, LLC –
Copy of Determination of No Hazard To Air Navigation regarding Utility
Pole A4. Disposition = Received & Filed**
136. **Federal Aviation Administration to AC Power, LLC –
Copy of Determination of No Hazard To Air Navigation regarding Utility
Pole A5. Disposition = Received & Filed**
137. **Federal Aviation Administration to AC Power, LLC –
Copy of Determination of No Hazard To Air Navigation regarding Utility
Pole A6. Disposition = Received & Filed**
138. **Federal Aviation Administration to AC Power, LLC –
Copy of Determination of No Hazard To Air Navigation regarding Utility
Pole B1. Disposition = Received & Filed**
139. **Federal Aviation Administration to AC Power, LLC –
Copy of Determination of No Hazard To Air Navigation regarding Utility
Pole B2. Disposition = Received & Filed**
140. **Federal Aviation Administration to AC Power, LLC –
Copy of Determination of No Hazard To Air Navigation regarding Utility
Pole B3. Disposition = Received & Filed**

141. **Federal Aviation Administration to AC Power, LLC –
Copy of Determination of No Hazard To Air Navigation regarding Utility Pole B4. Disposition = Received & Filed**
142. **Federal Aviation Administration to AC Power, LLC –
Copy of Determination of No Hazard To Air Navigation regarding Utility Pole B5. Disposition = Received & Filed**
143. **Federal Aviation Administration to AC Power, LLC –
Copy of Determination of No Hazard To Air Navigation regarding Utility Pole B6. Disposition = Received & Filed**
144. **VFW Post 7275 to Supervisor –
German Dinner on Sunday, February 28, 2021 12PM to 4PM.
Disposition = Received & Filed**
145. **New York International Raceway Park, LLC to Town Clerk –
30-Day Advance Notice for new application for a liquor license.
Disposition = Town Attorney**
146. **Town Attorney to NYSDEC, Erie County Water Authority, Erie County DEP,
Division of Sewerage Management, US Army Corps of Engineers and NYS
Office of Parks, Recreation and Historic Preservation –
Coordinated Review Hull House Barn Reconstruction, 5976 Genesee St.,
Proj. #645. Disposition = Planning Committee**
147. **Lancaster Rural Cemetery Association to Supervisor and Town Board –
Request for 1st installment of the 2021 annual allowance.
Disposition = Resolution 3/1/21**
148. **Charter Communications to Town Clerk –
Upcoming changes to channel line-up. Disposition = Received & Filed**
149. **Amvets Post 7275 to Supervisor –
BBQ Baby Back Rib Dinner on March 14, 2021 – Noon until sold out.
Disposition = Received & Filed**
150. **Supervisor to Town residents –
Emergency Executive Order declared in the Town of Lancaster beginning on
February 12, 2021 and continuing for a period of 5 days or until removed due
to Coronavirus Disease (COVID-19). Disposition = Received & Filed**
151. **Supervisor to Town residents –
Local State of Emergency or Declaration declared in the Town of Lancaster
beginning on February 15, 2021 and continuing for a period not to exceed 30
days due to Coronavirus Disease (COVID-19). Disposition = Received & Filed**
152. **New York International Raceway Park (Lancaster Speedway/Dragway) to
Town Board –
2021 Schedule for New York International Raceway Park, 57 Gunnville Rd.
Disposition = Received & Filed**
153. **Town Engineer to Town Board –
Request to approve Change Order 5 for Lancaster Historical Building,
Portico Rehabilitation. Disposition = Resolution 3/1/21**
154. **Supervisor to Town residents –
Emergency Executive Order declared in the Town of Lancaster beginning on
February 17, 2021 and continuing for 5 days or until removed due to
Coronavirus Disease (COVID-19). Disposition = Received & Filed**

155. **Town Clerk to Code Enforcement Officer –**
Copy of letter requesting a renewal of a Special Use Permit for 6479 Broadway.
Disposition = For Resolution
156. **Highway Superintendent to Town Board –**
Request for resolution to purchase one new and unused 2021 Ford F150 XL
4X2 Regular Cab, Long Bed Pickup from West Herr Automotive Group, Inc.
Disposition = Resolution 3/1/21
157. **NYSDOT to Town Clerk –**
Designation of Restricted Highway: Transit Road from 1,000 feet of South of
Terrace Blvd. to 1,000 ft North of North Transit Hill Dr.
Disposition = Received & Filed
158. **Commissioner of Erie County Dept. of Environment & Planning to Supervisor –**
Request for re-designation or nominate new representative for Erie County
Environmental Management Council. Disposition = Received & Filed
159. **Planning Board Chairman to Planning Board, Town Board, Town Attorney,**
Engineering Consultant, Highway Superintendent and Building Inspector –
Draft copy of minutes from February 17, 2021 Planning Board meeting.
Disposition = Received & Filed
160. **Planning Board to Town Board –**
Memo recommending approval of Site Plan Review for Hull House Barn,
5976 Genesee St., Proj. #6445; condition noted. Disposition = For Resolution
161. **Supervisor to Town residents –**
Emergency Executive Order declared in the Town of Lancaster beginning on
February 22, 2021 and continuing for 5 days or until removed due to
Coronavirus Disease (COVID-19). Disposition = Received & Filed
162. **Town Attorney to Town Board and Planning Board –**
SEQR response from Erie County DEC regarding Brazen Brewery,
5839 Genesee St., Proj. #2063. Disposition = Planning Committee
163. **Patrol Captain Laurienzo to Supervisor and Town Board –**
Request for items to be deemed surplus property to be sold at public auction.
Disposition = Resolution 3/1/21
164. **Patrol Captain Laurienzo to Supervisor and Town Board –**
Request for resolution authorizing the purchase of five (5) new 2021 Dodge
Chargers and one (1) new 2021 Dodge Durango from Robert Green Auto &
Truck of Rock Hill, NY. Disposition = Resolution 3/1/21
165. **Town Clerk to Code Enforcement Officer –**
Copy of letter from Dan and Julie Curtis requesting renewal of the
Special Use Permit for 732 Aurora Street, Two Chicks and a Rooster.
Disposition = For Resolution
166. **NYSDEC to Town Clerk –**
NYSDEC certifies cleanup requirements achieved at State Superfund Site
located at 3460-3466 Genesee St., Cheektowaga, NY 14225.
Disposition = Received & Filed
167. **Highway Superintendent to Town Board –**
Revised request for resolution to purchase one new and unused 2021 Ford
F150 XL 4X2 Regular Cab, Long Bed Pickup from West Herr Automotive
Group, Inc. Disposition = Resolution 3/1/21
168. **Code Enforcement Officer to Lucas James, LI Construction –**
Request for documentation related to parcel located at 0 William St.,
SBL#116.00-2-70. Disposition = Received & Filed

- 169. Town Clerk to Code Enforcement Officer –
Copy of letter from Robert Sugg requesting renewal of his Special Use Permit for 505 Erie Street Building A for Automotive Repair Business.
Disposition = Code Enforcement**
- 170. Patrol Captain Laurienzo to Planning Board Chairman –
No objection to Amended Site Plan Review – Proj. #1703.
Disposition = Planning Committee**
- 171. Supervising Code Enforcement Officer to Town Clerk –
Recommend approval of Special Use Permit for 732 Aurora St.; original conditions noted. Disposition = For Resolution**
- 172. Town Attorney to NYSDEC, Erie County Water Authority, Erie County DPW, Erie County Health Dept., US Army Corp of Engineers, Division of Sewerage Management and Erie County DEP –
Request for lead agency designation regarding Amended Site Plan: Rolite Manufacturing, 10 Wendling Court; Proj. #1703. Disposition = Received & Filed**
- 173. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Sewerage Management regarding Hull House Barn Renovation, 5976 Genesee St.; Proj. #6445.
Disposition = Planning Committee**
- 174. Town Clerk to Various News Media –
Press Release announcing that a Public Hearing will be held via ZOOM on March 10, 2021 at 7:00PM regarding potential construction of sidewalks and/or bicycle lanes along Pleasant View Dr from Transit Road to Pavement Road. Disposition = Received & Filed**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER LEARY AND SECONDED BY
COUNCIL MEMBER DICKMAN AND CARRIED,** the meeting was adjourned in
memory of Samuel “Jack” Amico, Jr., Neal V. Choops, Doreen “Dodie” Fuller, Anthony
Galasso and Arthur Nowak at 9:25 P.M.

Signed _____

Diane M. Terranova, Town Clerk