

Town Board Minutes

May 17, 2021

Meeting No. 10

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held via teleconference on the 17th day of May 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
MICHELLE BARBARO, PARK CREW CHIEF
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

EXECUTIVE SESSION:

AT 7:55 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER MAZUR, SECONDED BY COUNCIL MEMBER LEARY AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

At 8:17 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:

Blazejewski Mark, spoke to the Town Board on the following matter:

- Questions about policy in regard to dumping.

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

- Questioned reason for a particular Executive Session.
- Asked about using the Opera House for Town Board meetings.

Rinow, David, spoke to the Town Board on the following matter:

- Commented about contractors dumping trees, etc. at town expense.

Sojka, Greg, spoke to the Town Board on the following matter:

- Questions/comments regarding garbage tags, dumping sites, authorization for dumping and who can dispose of materials at no charge.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: Special Use Permit – 387 Schwartz Road

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

At 7:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Special Use Permit – Selmar K. Dorsey II, 387 Schwartz Road for a Home Occupation (Dog Kennel) 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**

None

ON MOTION BY COUNCIL MEMBER LEARY, SECONDED BY COUNCIL MEMBER MAZUR AND CARRIED, the public hearing was closed at 7:17 P.M.

Decision on this matter was reserved.

May 17, 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
May 3, 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

May 17, 2021

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. 64968 to Claim No. 65096 Inclusive

Total amount hereby authorized to be paid: \$925,310.73

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 WOZNAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

May 17, 2021

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
32156		Pool Brite Inc.	119 Avian Way	Er. Pool-Abv Grnd	
32215		OT Builders	4 Commonwealth Ln	Er. Porch/Porch Cover	
32428		Ryan & Son Property Mgmt. LLC	5522 Broadway	Er. Res. Alt.	(V/L)
32476		Yost Neon Displays Inc.	4835 Transit Rd	Er. Sign	
32525		Buffalo's Best Roofing	3 Running Brook Dr	Re-Roof	
32526		Buffalo's Best Roofing	27 Pheasant Run Ln	Re-Roof	
32527		Buffalo's Best Roofing	69 St John St	Re-Roof	(V/L)
32528		Buffalo's Best Roofing	56 Brandel Ave	Re-Roof	(V/L)
32535		John Vrenna	32 Newberry Ln	Er. Fence	
32543		Bryce Blair	6518 Broadway	Er. Res. Alt.	
32546		Best of Buffalo Home Improve	53 Southwest Pky	Er. Porch/Porch Cover	(V/L)
32550		Vito & Sons Construction	5017 William St	Er. Fence	
32552		R&N Builders LLC	38 Heritage Dr	Er. Res. Alt.	
32556		Elaine Skalski	453 Aurora St	Er. Fence	
32557		Iroquois Fence Inc.	98 Stony Rd	Er. Fence	
32561		Buffalo's Best Roofing	35 Cowing St	Re-Roof	(V/L)
32563		City Fence	44 Summit St	Er. Fence	
32566		Robert Charvat	862 Townline Rd	Er. Pool-In Grnd	
32567		Binford Renovate Remodel Inc.	102 Pleasant Ave	Re-Roof	(V/L)
32568		D Allen & Son Contracting	193 Stony Rd	Re-Roof	
32569		D Allen & Son Contracting	67 Carter St	Re-Roof	(V/L)
32570		Timothy Dembski	52 Woodgate Dr	Er. Res. Alt.	
32572		Empire Transport & Vinyl LLC	71 Gale Dr	Er. Shed	
32576		Irwin Roofing	20 Winfield Ave	Re-Roof	(V/L)
32577		Mark Zulawski	111 Peppermint Rd	Er. Shed	
32578		Besroi Construction	814 Ransom Rd	Re-Roof	
32579		Besroi Construction	7 Harewood Run	Re-Roof	
32580		Besroi Construction	54 Irwinwood Rd	Re-Roof	(V/L)
32581		Besroi Construction	72 Country Pl	Re-Roof	
32582		Besroi Construction	21 Grant St	Re-Roof	(V/L)
32583		Richard Nendza	9 Greenbriar Dr	Er. Fence	
32584		Besroi Construction	36 Church St	Re-Roof	(V/L)
32585		Michael Longhouse	35 Rose St	Er. Shed	
32586		David Dunkle	60 Tomahawk Trl	Er. Shed	
32587		David Dunkle	60 Tomahawk Trl	Er. Fence	
32588		Besroi Construction	3687 Walden Ave	Re-Roof	(V/L)
32591		Castle Home Improvements	230 Lake Ave	Re-Roof	(V/L)
32593		VTRN	58 Worthington Ln	Er. Porch/Porch Cover	
32594		David Chase	174 Siebert Rd	Er. Fence	
32595		PCS Plumbing & Heating Inc.	52 Erie St	Inst. Res. Plumbing	(V/L)
32596		United Precision Construction	4725-4727 Transit Rd	Dem. Bldg	
32597		Ulrich Sign Co. Inc.	4779 Transit Rd	Er. Sign - Wall	
32598		Home Power Systems LLC	143 Sixth Ave	Inst. Generator	(V/L)
32599		Iroquois Fence Inc. Co	97 Avian Way	Er. Fence	
32600		Composite Tek	134 Slate Bottom Dr	Er. Deck	
32602		Nathaniel's Construction	143 Nathan's Trl	Re-Roof	
32603		Michael Neel	274 Broezel Ave	Er. Pool-Abv Grnd	
32604		Nicholas Taylor	55 Field Ave	Er. Fence	(V/L)
32605		Buffalo's Best Roofing	25 Donna Lea Dr	Re-Roof	
32606		William Cognion	1 Chestnut Corner	Er. Shed	
32607		Stephen Majewski	61 Erie St	Er. Shed	(V/L)
32608		Daniel Martin	17 Riemers Ave	Er. Shed	
32611		Michael Werelus	431 Ransom Rd	Er. Fence	
32616		Michael Wawrowski	30 Clark St	Er. Fence	(V/L)
32618		Leonard Wienckowski Jr.	162 S Irwinwood Rd	Er. Porch/Porch Cover	(V/L)
32619		Crown Castle USA Inc.	0 Hayes Ave	Cell Tower - Alteration	
32620		Melissa Tuck	5080 William St	Er. Fence	

32621	Gen-Tech Power Systems LLC	32 Via Donato E	Inst. Generator	
32622	Gen-Tech Power Systems LLC.	21 Worthington Ln	Inst. Generator	
32623	Gen-Tech Power Systems LLC	48 Country Pl	Inst. Generator	
32624	The Kaz Company	368 Lake Ave	Er. Res. Add.	
32626	Leonard Wiza	38 Crabapple Ln	Er. Fence	
32628	Craig Brown	34 Hidden Meadow Cros	Er. Fence	
32629	Shannin Cleveland-Saltzer	42 Lombardy St	Er. Fence	(V/L)
32630	Zenner & Ritter Co. Inc.	34 Hidden Meadow Cros	Inst. Generator	
32631	Mario Loretto	65 Gale Dr	Inst. Generator	
32632	Zenner & Ritter Co. Inc.	83 Heritage Dr	Inst. Generator	
32633	Mark Lehman	14 Haskell Dr	Er. Pool-Abv Grnd	
32634	Jeffrey Sinicki	93 Avian Way	Er. Fence	
32635	Joseph Marino	61 Carter St	Re-Roof	(V/L)
32636	Michael Thiebolt	6 Jonquille Ct	Er. Fence	
32637	John Hadzicki	42 Creekwood Dr	Er. Pool-Abv Grnd	
32638	F&D Construction Inc.	11 Old Orchard Comm	Re-Roof	
32639	Neth & Son Inc.	1 Stream View Ln	Re-Roof	
32640	Neth & Son Inc.	103 Nichter Rd	Re-Roof	
32641	Neth & Son Inc.	152 Pavement Rd	Re-Roof	
32642	George Kilger	48 Country Pl	Re-Roof	
32643	Neth & Son Inc.	15 Clermont Ct	Re-Roof	
32644	Aqua Systems Of WNY	30 Partridge Walk	Inst. Ingrnd. Sprinkler	
32645	Aqua Systems of WNY	6287 Genesee St	Inst. Ingrnd. Sprinkler	
32647	Daniel Santana	3725 Bowen Rd	Er. Fence	
32648	Pauls Premier Remodeling	55 Quail Run Ln	Er. Res. Add.	
32649	Daniel Santana	3725 Bowen Rd	Er. Pool-In Grnd	
32650	Majestic Pools Inc.	274 Westwood Rd	Er. Pool-In Grnd	
32651	Majestic Pools Inc.	274 Westwood Rd	Er. Fence	
32652	Daniel Bruce	29 Bentley Cir	Er. Pool-Abv Grnd	
32655	Brian Wetzal	55 Stony Brook Dr	Er. Fence	
32656	F&D Construction Inc.	1 Sugar Mill Ct	Re-Roof	
32657	Michael Rushok	2 Signal Dr	Er. Fence	
32670	The Gutter People of WNY Inc.	6461 Broadway	Re-Roof	

BE IT FURTHER,

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

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

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

May 17, 2021

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

WHEREAS, before the Town Board of the Town of Lancaster (the “Town Board”) is Local Law No. 1 of 2021 entitled “A Local Law to Provide for the Codification of the Local Laws, Ordinances, and Certain Resolutions of the Town of Lancaster into a Municipal Code to be Designated the ‘Code of the Town of Lancaster’” (the “Action”); and

WHEREAS, the Town Board was declared Lead Agency for the purposes of environmental review with respect to the proposed resolution, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, and the regulations promulgated thereunder at 6 NYCRR Part 617 (collectively, “SEQRA”); and

WHEREAS, the Town Board, as Lead Agency, has advised that the proposed action meets the criteria of a “Type II Action” under SEQRA, and no further action is required; and

WHEREAS, the Town Board held a public hearing on the Local Law, and members of the public were heard at said hearing.

NOW, THEREFORE,
BE IT RESOLVED, by the Town Board of the Town of Lancaster as follows:

1. The attached Local Law No. 1 of 2021 Codifying the Local Laws, Ordinances, and Certain Resolutions of the Town of Lancaster into a Municipal Code to be Designated the “Code of the Town of Lancaster” is hereby adopted and shall take effect upon filing with the New York Secretary of State.
2. This Resolution shall be effective immediately.

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

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

May 17, 2021

**LEGAL NOTICE
NOTICE OF ADOPTION
LOCAL LAW NO. 1 OF THE YEAR 2021
TOWN OF LANCASTER**

PLEASE TAKE NOTICE that there has been adopted by the Town Board of the Town of Lancaster, Erie County, New York, on May 17, 2021 Local Law No. 1 of the Year 2021, which amends the Town of Lancaster Code, by codifying the Town of Lancaster Town Code to be known as the “Code of the Town of Lancaster.” Copies of the Local Law are on file for review in the Lancaster Town Hall, 21 Central Avenue and on the Town of Lancaster’s website, <http://www.lancasterny.gov>.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**By: Diane M. Terranova
Town Clerk**

May 20, 2021

**Town of Lancaster
Local Law No. 1 of 2021**

A Local Law to Provide for the Codification of the Local Laws, Ordinances, and Certain Resolutions of the Town of Lancaster into a Municipal Code to be Designated the “Code of the Town of Lancaster”

BE IT ENACTED by the Town Board for the Town of Lancaster, New York, as follows:

Section 1-1. Legislative Intent. In accordance with Subdivision 3 of Section 20 of the Municipal Home Rule Law, the local laws, ordinances, and certain resolutions of the Town of Lancaster, as codified by General Code, and consisting of Chapters 1 through 400, including any and all attachments shall be known collectively as the “Code of the Town of Lancaster,” hereinafter termed the “Town Code.” Wherever reference is made in any of the local laws, ordinances, and resolutions contained in the Town Code to any other local law, ordinance, or resolution appearing in said Town Code, such reference shall be changed to the appropriate chapter title, chapter number, article number, or section number appearing in the Town Code as if such local law, ordinance, or resolution had been formally amended to so read. This local law and the Town Code adopted hereby shall supersede and replace the 1966 Codification of the Town of Lancaster, as amended and supplemented. The fully amended Town Code is incorporated by reference as if set forth fully herein.

Section 1-2. Continuation of Existing Provisions. The provisions of the Town Code, insofar as they are substantively the same as those of local laws, ordinances, and resolutions in force immediately prior to the enactment of the Town Code by this local law, are intended as a continuation of such local laws, ordinances, and resolutions and not as new enactments. The effectiveness of such provisions shall date from the date of adoption of the prior local law, ordinance, or resolution. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Town Board, and it is the intention of the Town Board that each such provision contained within the Town Code is hereby reaffirmed as it appears in said Town Code. Only such provisions of former local laws and ordinances as are omitted from this Town Code shall be deemed repealed or abrogated by the provisions of Section 1-3 below.

Section 1-3. Inconsistent Enactments Repealed. Except as provided in Section 1-4 below, all local laws and ordinances, or parts of local laws and ordinances, inconsistent with the provisions contained in the Town Code adopted by this local law are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Town of Lancaster which is not in conflict with the provisions of the Town Code shall be deemed to remain in full force and effect.

Section 1-4. Enactments Saved From Repeal; Matters Not Affected. The repeal of local laws and ordinances provided for in Section 1-3 of this local law shall not affect the following classes of local laws, ordinances, rights, and obligations, which are hereby expressly saved from repeal:

- A. Any right or liability established, accrued, or incurred under any legislative provision of the Town of Lancaster prior to the effective date of this local law or any action or proceeding brought for the enforcement of such right or liability.
- B. Any offense or act committed or done before the effective date of this local law in violation of any legislative provision of the Town of Lancaster or any penalty, punishment, or forfeiture which may result therefrom.
- C. Any prosecution, indictment, action, suit, or other proceeding pending, or any judgment rendered, prior to the effective date of this local law brought pursuant to any legislative provision of the Town of Lancaster.

- D. Any agreement entered into or any franchise, license, right, easement, or privilege heretofore granted or conferred by the Town of Lancaster.
- E. Any local law or ordinance of the Town of Lancaster providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance, or vacation of any right-of-way, easement, street, road, highway, park, or other public place within the Town of Lancaster or any portion thereof.
- F. Any local law or ordinance of the Town of Lancaster appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the Town of Lancaster or other instruments or evidence of the Town's indebtedness.
- G. Local laws or ordinances authorizing the purchase, sale, lease, or transfer of property or any lawful contract, agreement or obligation.
- H. The levy or imposition of special assessments or charges.
- I. The annexation or dedication of property.
- J. Any local law or ordinance relating to salaries and compensation.
- K. Any local law or ordinance amending the Zoning Map.
- L. Any local law or ordinance relating to or establishing a pension plan or pension fund for Town of Lancaster employees.
- M. Any local law or ordinance or portion of a local law or ordinance establishing a specific fee amount for any license, permit, or service obtained from the Town of Lancaster.
- N. Any local law adopted subsequent to November 16, 2020.¹

Section 1-5. Copy of Town Code on File. A copy of the Town Code, in loose-leaf form, has been filed in the office of the Town Clerk of the Town of Lancaster and shall remain there for use and examination by the public until final action is taken on this local law; and, if this local law shall be adopted, such copy shall be certified by the Town Clerk of the Town of Lancaster by impressing thereon the Seal of the Town, and such certified copy shall remain on file in the office of said Town Clerk to be made available to persons desiring to examine the same during all times while said Town Code is in effect. The enactment and publication of this local law, coupled with the availability of a copy of the Town Code for inspection by the public, shall be deemed, held, and considered to be due and legal publication of all provisions of the Town Code for all purposes.

Section 1-6. Amendments to the Town Code. Any and all additions, deletions, amendments or supplements to any of the local laws, ordinances and resolutions known collectively as the Town Code, or any new local laws, ordinances, or resolutions, when enacted or adopted in such form as to indicate the intention of the Town Board to be a part thereof, shall be deemed to be incorporated into such Town Code so that reference to the Town Code shall be understood and intended to include such additions, deletions, amendments, or supplements. Whenever such additions, deletions, amendments, or supplements to the Town Code shall be enacted or adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Town Code as amendments and supplements thereto. Nothing contained in this local law shall affect the status of any local law, ordinance, or resolution contained herein, and such local laws, ordinances, or resolutions may be amended, deleted, or changed from time to time as the Town Board deems desirable.

Section 1-7. Town Code Book to be Kept Up To Date. It shall be the duty of the Town

¹ The date of the Town Board meeting when the public hearing to amend the Zoning Code was set by the Town Board.

Clerk to keep up to date the certified copy of the book containing the Town Code required to be filed in the office of the Town Clerk for use by the public. All changes in said Town Code and all local laws, ordinances, and resolutions adopted by the Town Board subsequent to the enactment of this local law in such form as to indicate the intention of said Board to be a part of said Town Code shall, when finally enacted or adopted, be included therein by temporary attachment of copies of such changes, local laws, ordinances, or resolutions until such changes, local laws, ordinances, or resolutions are printed as supplements to said Town Code book, at which time such supplements shall be inserted therein.

Section 1-8. Titles and Headings; Editor's Notes.

- A. Chapter and article titles, headings and titles of sections and other divisions of the Town Code are inserted in the Town Code and may be inserted in supplements to the Town Code for the convenience of persons using the Town Code and are not part of the legislation.
- B. Editor's notes indicating sources of sections, giving other information or referring to the statutes or to other parts of the Town Code are inserted in the Town Code and may be inserted in supplements to the Town Code for the convenience of persons using the Town Code and are not part of the legislation.

Section 1-9. Penalties for Tampering with Town Code. Any person who alters or tampers with the Town Code in any manner whatsoever which will cause the legislation of the Town of Lancaster to be misrepresented thereby, or who violates any other provision of this local law, shall be guilty of an offense and shall, upon conviction thereof, be subject to a fine of not more than \$250 or imprisonment for a term of not more than 15 days, or both.

Section 1-10. Changes in Previously-Adopted Legislation. In compiling and preparing the local laws, ordinances, and resolutions for publication as the Town Code, certain grammatical changes and other minor non-substantive changes were made in one or more of said pieces of legislation. It is the intention of the Town Board that all such changes be adopted as part of the Town Code as if the local laws, ordinances, and resolutions had been previously formally amended to read as such.

Section 1-11. Incorporation of Provisions into the Town Code. The provisions of this local law are hereby made Article I of Chapter 1 of the Town Code, such local law to be entitled "General Provisions, Article I, Adoption of Code," and the sections of this local law shall be numbered Sections 1-1 through 1-13, inclusive.

Section 1-12. Severability Clause. If any part of this local law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this local law. The Town Board of the Town of Lancaster hereby declares that it would have passed this local law and each section and subsection thereof, irrespective of the fact that any one or more of these sections, subsections, sentences, clauses, or phrases may be declared unconstitutional or invalid.

Section 1-13. Effective Date. This local law shall be effective immediately upon filing with the New York Secretary of State.

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

WHEREAS, on June 5, 2017, the Lancaster Town Board entered into an agreement with Flynn Battaglia Architects, P.C. to provide engineering services for the Town of Lancaster's Exterior Restoration Project at 40 Clark Street, and

WHEREAS, Flynn Battaglia Architects, has requested that the Town Board authorize an invitation to bid for the Exterior Painting Project at 40 Clark Street (Lancaster Historical Society Building) within the Town of Lancaster, and

WHEREAS, the Town Board has given due review and consideration to the request for the Exterior Painting Project at 40 Clark Street (Lancaster Historical Society Building) and deems it in the public interest to invite public bids in conformance with General Municipal Law Section 103 of the State of New York.

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

1. That the Town Board of the Town of Lancaster hereby invites public bids for the Town of Lancaster's Exterior Painting Project at 40 Clark Street, said bids are to be in conformance with the plans and specifications which can be examined at the office of the Town Clerk and the office of Flynn Battaglia Architects, P.C., 617 Main Street, Suite S-401, Buffalo, New York 14203, and completed applications are to be received in the office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on June 3, 2021 and opened thereafter, and
2. Contract documents may be obtained at Avalon Document Services, 40 La Riviere Drive, Suite 150, Buffalo, New York 14202. Plans and specifications can be viewed digitally on the Avalon Buffalo Planroom at <http://avalonbuff-planroom.com> and can be purchased digitally or in hard copy from that website. All addenda, if any, will be sent via email no later than May 28, 2021, and
3. That the Town Clerk be and is hereby authorized to have a Notice to Bidders published in the Lancaster Bee and to have said Notice posted as required by 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

May 17, 2021

NOTICE TO BIDDERS

FOR THE

TOWN of LANCASTER EXTERIOR PAINTING PROJECT - 40 CLARK STREET (Lancaster Historical Society Building)

Sealed bids for the proposed Town of Lancaster Exterior Painting Project at 40 Clark Street in the Village of Lancaster will be received by the Town Clerk at her office in the Town Hall, 21 Central Avenue, Lancaster, New York on or before **10:00 A.M. local time on Thursday June 3, 2021**, at which time they will be publicly opened and read aloud.

Contract Documents may be examined at the office of the Town Clerk and at the office of the ARCHITECT, Flynn Battaglia Architects, P.C., 617 Main Street, Suite S-401, Buffalo, New York 14203 between the hours of 9:00 A.M. and 4:00 P.M., except Saturdays, Sundays and Holidays.

Contract Documents for the Exterior Painting Project at 40 Clark St. may be obtained at Avalon Document Services, 40 La Riviere Drive, Suite 150, Buffalo, New York 14202. Ph. (716) 995-7777. Plans and specifications can be viewed digitally on the Avalon Buffalo Planroom at <http://avalonbuff-planroom.com> and can be purchased digitally or in hard copy from that website. All addenda, if any, will be sent via email no later than May 28, 2021. Please provide email contact information when purchasing documents.

Bidders are encouraged to visit the site to examine the existing conditions and site constraints. Questions for the Architect can be made by email/ Request for Information format to: mmeyer@flynnbattaglia.com.

Proposals shall be made and received upon the following conditions:

Each proposal must be accompanied by the deposit of a certified check, payable to the Town of Lancaster, for a sum equal to five percentum (5%) of the total amount of the Bid, or a bond with sufficient sureties in a penal sum equal to five percentum (5%) of such total bid amount, conditioned that if the proposal is accepted, that he will execute within fifteen (15) days from the date of the acceptance of the proposal, a suitable security bond in the amount of the Contract, conditioned for the faithful and prompt performance and completion of the Work specified in the Contract.

All bid deposits except that of the successful bidder will be returned.

Upon acceptance of his Bid, if the successful bidder fails to enter into a Contract pursuant to the requirements of the Contract Documents or fails to give the further security prescribed in this Notice, with the same time limited therein, then the check deposited as aforesaid and the monies standing to the credit of the same, shall be forfeited to the Town as liquidated damages, or the payment of the bond enforced for the benefit of the Town. The Town of Lancaster reserves the right to waive informalities in or to reject any, and all bids.

Architect:
Flynn Battaglia Architects, P.C.
617 Main Street, Suite S-401
Buffalo, NY 14203
Ph. (716) 854-2424; f. (716) 854-2428
Date: **May 20, 2021**

By the Order of the Town Board of
Lancaster, Erie County, New York

Diane Terranova
Town Clerk

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. 6 in the amount of \$0.0, 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. 6 to **A-1 Construction and Painting, Inc.,** with respect to the outlined descriptions provided to the Town Board:

DESCRIPTION OF CHANGE ORDER NO. 6:

Extend the project completion time by sixty-one (61) days due to delay in receipt of materials. New completion date to be June 30, 2021.

CHANGE ORDER NO. 6

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 changes by Change Order #5 in the amount of....	\$	
19,678.00		
The Contract Sum increased by this Change Order in the amount of....	\$	0.00
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	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

May 17, 2021

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

WHEREAS, the Village of Lancaster Mayor, Lynne T. Ruda, has requested that a Town of Lancaster Police Lieutenant be present at pre-scheduled Village Board meetings and occasional special meetings when requested by a Village Board member or Village Clerk, to address potential security issues and provide information relating to policing matters, and

WHEREAS, the Village of Lancaster has prepared an Intermunicipal Cooperation Agreement specifying the terms and conditions for said request which has been reviewed and approved by the Chief of Police and the Town Attorney, and

WHEREAS, compensation to the Town for the Lieutenant's attendance at pre-scheduled and special Village Board meetings, will be made in the amount of reimbursable expenses incurred pursuant to the terms of the current collective bargaining agreement between the Town of Lancaster and its police officers.

NOW THEREFORE,

BE IT RESOLVED, the Town Board of the Town of Lancaster hereby approves the Intermunicipal Cooperation Agreement between the Town of Lancaster and the Village of Lancaster, as presented, allowing a Town of Lancaster Police Lieutenant to attend pre-scheduled Village Board meetings and when requested by a Village Board member or Village Clerk, special Village Board meetings, the Village shall reimburse the Town for expenses incurred pursuant to the terms of the current collective bargaining agreement between the Town of Lancaster and its police officers, and

BE IT FURTHER,

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute this agreement which shall take effect immediately and shall remain in effect until such time as either party provides a written sixty (60) days advanced notice indicating a desire to terminate.

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

May 17, 2021

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

WHEREAS, Daniel Amatura, the Highway Superintendent of the Town of Lancaster, by letter dated May 3, 2021 has recommended the appointment of the following individual to the following part-time temporary seasonal position.

NOW, THEREFORE,

BE IT RESOLVED, that the following individual is hereby appointed to the following part-time temporary seasonal position in the Town of Lancaster Highway Department, for a period not to exceed five (5) months, 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 temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Kaitlin Walsh Buffalo, NY	Clerk PT	\$18.54	May 17, 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

May 17, 2021

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

WHEREAS, Jean Karn, the Dog Control Officer of the Town of Lancaster, by letter dated May 5, 2021 has recommended the appointment of the following individual to the following part-time temporary seasonal position.

NOW, THEREFORE,

BE IT RESOLVED, that the following individual is hereby appointed to the following part-time temporary seasonal position in the Town of Lancaster Dog Control Department, for a period not to exceed five (5) months, 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 temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Kim Offhaus Lancaster, NY	Dog Control Officer	\$ 14.00	May 17, 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

May 17, 2021

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

WHEREAS, the Town of Lancaster Youth Bureau has a Band Shell located at 100 Oxford Avenue, which is used to provide the community with the opportunity to attend various outdoor performances and events for their enjoyment, and

WHEREAS, Barb Denny's Studio of Dance, The Dancing Pointe, and House of Hips have all requested to use the Town's Band Shell for their dance recitals which will be held on separate dates in May, June, and July 2021, and

WHEREAS, the Town Attorney's Office has prepared a Release of Liability and Assumption of Risk for Use of the Town of Lancaster Youth Bureau's Band Shell which provides the terms and conditions for its use and each entity is required to sign and submit it with proof of liability insurance prior to their event taking place.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby grants Barb Denny's Studio of Dance, The Dancing Pointe, and House of Hips permission to use the Youth Bureau's Band Shell located at 100 Oxford Avenue for the 2021 dates and times specified below upon the submission of the required documents:

1. The Dancing Pointe; May 21 4:00 P.M. to 8:30 P.M., May 22 10:00 A.M. to 5:30 P.M.; with a rain date of May 23 10:00 A.M. to 5:00 P.M.
2. Barb Denny's Studio of Dance; June 24 5:00 P.M. to 10:00 P.M., June 26 1:00 to 6:00 P.M., June 27 1:00 P.M. to 6:00 P.M.; with a rain date of June 28 5:00 P.M. to 10:00 P.M.
3. House of Hips; July 31 4:00 P.M. to 7:00 P.M.

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

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

May 17, 2021

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

WHEREAS, the **Law Enforcement Foundation of WNY, Inc.**, strengthens the partnership between law enforcement professionals and the Western New York community through education and donation of needed resources to various law enforcement or security service entities, and

WHEREAS, the Law Enforcement Foundation of WNY, Inc., has offered to donate new Peltor Comtac radio equipment for use by the Town of Lancaster Police Department's Emergency Response Team, valued at not more than \$15,330.69, and

WHEREAS, by letter dated May 5, 2021, Chief of Police William J. Karn, Jr. has requested that the Town accept the donation and confirmed that there will be no additional expenses incurred by the Town by doing so, and

WHEREAS, after due consideration, the Town Board of the Town of Lancaster has determined that it is in the interest of the community to accept this generous donation.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby accepts the donation from the Law Enforcement Foundation of WNY, Inc., of new Peltor Comtac radio equipment for use by the Town of Lancaster Police Department's Emergency Response Team valued at not more than \$15,330.69 as requested by the Lancaster Police Chief, William J. Karn Jr.

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

May 17, 2021

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

WHEREAS, Patrol Captain Marco Laurienzo, of the Town of Lancaster's Police Department, by letter dated May 10, 2021 has advised the Town Board that the Police Department no longer has use for a 2011 Ford Fusion (VIN #3FAHP0HG2BR120262 w/approx. 83,186 mi.) and has therefore requested that the Town Board deem this vehicle to be surplus and permit it 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 2011 Ford Fusion to be surplus and permits placement of said vehicle on an online auction.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby declares the 2011 Ford Fusion (VIN #3FAHP0HG2BR120262 w/approx. 83,186 mi.) to be surplus and authorizes Police Patrol Captain Laurienzo to place said vehicle up for public bid at an online auction with Auctions International, *www.auctionsinternational.com*, 11167 Big Tree Road, East Aurora, New York 14052, beginning May 20, 2021 and concluding on May 31, 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

May 17, 2021

PUBLIC AUCTION
OF TOWN OWNED SURPLUS EQUIPMENT

Notice is hereby given that the Town Board of the Town of Lancaster has deemed a 2011 Ford Fusion (VIN #3FAHP0HG2BR120262) as surplus.

This vehicle will be auctioned at an online auction with Auctions International, <http://www.auctionsinternational.com> , 11167 Big Tree Road, East Aurora, New York 14052, beginning May 20, 2021, and concluding on May 31, 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

May 20, 2021

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

WHEREAS, Wm. Schutt Associates, P.C., the Town of Lancaster's consulting engineer, has requested that the Town Board authorize an invitation to bid for the Highway Capital Improvement Project on Maple Drive to reduce the vertical curve where the railroad formerly crossed, within the Town of Lancaster, and

WHEREAS, the bonding for this project was authorized at the March 15, 2021 Town Board Meeting, and

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

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby invites public bids for the Highway Capital Improvement Project on Maple Drive to reduce the vertical curve where the railroad formerly crossed, said bids are to be in conformance with the plans and specifications which are available at the office of Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 and to be received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on June 9, 2021 and opened thereafter.

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

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

May 17, 2021

NOTICE TO BIDDERS

FOR THE

**TOWN OF LANCASTER
MAPLE DRIVE
VERTICAL PAVEMENT CURVE**

Sealed bids for the Maple Drive Vertical Pavement Curve Project will be received by the Town Clerk at her office in the Town Hall, 21 Central Avenue, Lancaster, New York on or before 10:00 A.M. local time on June 9, 2021 at which time they will be publicly opened and read aloud.

Contract Documents may be examined at the office of the Town Clerk and at the office of the ENGINEER, Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 between the hours of 9:00 A.M. and 4:00 P.M., except Saturdays, Sundays and Holidays.

Contract Documents may be obtained at the office of the ENGINEER.

Proposals shall be made and received upon the following conditions:

Each proposal must be accompanied by the deposit of a certified check, payable to the Town of Lancaster, for a sum equal to five percent (5%) of the total amount of the Bid, or a bond with sufficient sureties in a penal sum equal to five percent (5%) of such total bid amount, conditioned that if the proposal is accepted, that he will execute within fifteen (15) days from the date of the acceptance of the proposal, a suitable security bond in the amount of the Contract, conditioned for the faithful and prompt performance and completion of the Work specified in the Contract.

All bid deposits except that of the successful bidder will be returned.

Upon acceptance of his Bid, if the successful bidder fails to enter into a Contract pursuant to the requirements of the Contract Documents or fails to give the further security prescribed in this Notice, with the same time limited therein, then the check deposited as aforesaid and the monies standing to the credit of the same, shall be forfeited to the Town as liquidated damages, or the payment of the bond enforced for the benefit of the Town. The Town of Lancaster reserves the right to waive informalities in or to reject any and all bids.

Consulting Engineers:
William Schutt & Associates, P.C.
37 Central Avenue
Lancaster, NY 14086-2143
(716) 683-5961
Date: May 20, 2021

By the Order of the Town Board of
Lancaster, Erie County, New York

Diane Terranova
Town Clerk

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

WHEREAS, Darlene Bartlett, of **The Rock Child Care Center**, has submitted an amended site plan, prepared by Professional Civil Engineering, LLC, consisting of drawing C3A dated July 11, 2018 and received March 19, 2021 for the proposed installation of an additional five (5) piece playground set adjacent to the existing center located at 3970 Walden Avenue (SBL No. 94.17-1-49), in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their April 7, 2021 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 SEQR.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Darlene Bartlett, and prepared by Professional Civil Engineering, LLC, consisting of drawing C3A dated July 11, 2018 and received March 19, 2021 for the proposed installation of an additional five (5) piece playground set adjacent to the existing Rock Child Care Center located at 3970 Walden Avenue (SBL No. 94.17-1-49), in the Town of Lancaster with the following conditions .

1. Fence permit to be obtained from Building Department.
2. Applicant to provide an “As-built” survey to the Building Department upon completion of installation.

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

May 17, 2021

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

WHEREAS, the Lancaster Garden Club (“The Club”) has requested to use the Town of Lancaster Senior Center’s parking lot for their plant and garden décor fundraiser which will be held on June 5, 2021 from 10:00 A.M.to 5:00 P.M., and

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

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby grants the Lancaster Garden Club permission to use the Senior Center’s parking lot located at 100 Oxford Avenue for their plant and garden décor fundraiser which will be held on June 5, 2021 from 10:00 A.M. to 5:00 P.M.

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

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

May 17, 2021

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

WHEREAS, a Public Hearing was held on the 3rd day of May, 2021 the purpose of amending Chapter 46 - Vehicle and Traffic Ordinance of the Code of the of Lancaster and persons for and against such amendments have had an opportunity to be heard, and

WHEREAS, a Notice of said Public Hearing was duly published and posted.

NOW, THEREFORE,

BE IT RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof.
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on May 17, 2021.
3. That a Certified Copy thereof be published in the Lancaster Bee on May 20, 2021.
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board.
5. That Affidavits of Publication and Posting be filed with the Town Clerk.
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.
7. That the Highway Superintendent is authorized to sign the Erie County Sign Permit once received from the Erie County Traffic Safety Engineer.

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

May 17, 2021

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

CHAPTER 46. VEHICLE AND TRAFFIC

ARTICLE IX - Speed Regulations

§46-9 Maximum Speed Limits.

H. A speed limit of 25 miles per hour shall be posted on the following designated highways.

- (2) Pleasant View Drive for both eastbound and westbound traffic between Forton Drive and Stendahl Parkway. The speed zone shall be effective only on school days between the hours of 7:00 AM and 6:00 PM., and

ARTICLE XIX. Miscellaneous and Auxiliary Warnings

§ 46-29. Advanced Traffic Control

A. **Speed Reduction.** The following roadways will have speed reduction warning signs placed on them according to the directives provided in the current New York State Supplement to the Manual on Uniform Traffic Control Devices.

- (1) Pleasant View Drive, for eastbound and westbound traffic 190 feet in advance of the 25 MPH speed zones between Forton Drive and Stendahl Parkway.

May 20, 2021

**STATE OF NEW YORK :
COUNTY OF ERIE : SS:
TOWN OF LANCASTER:**

THIS IS TO CERTIFY that **I, DIANE M. TERRANOVA**, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 17TH day of May 2021, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 17th day of May 2021.

Diane M. Terranova, Town Clerk

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

WHEREAS, Michelle Barbaro, Park Crew Chief of the Town of Lancaster, by letter dated May 10, 2021, has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

NOW, THEREFORE,

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

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Kyle Backert Lancaster, NY	Laborer	\$14.00	May 18, 2021
John Cook Lancaster, NY	Laborer	\$14.86	May 18, 2021
Cole Laskowski Lancaster, NY	Laborer	\$14.00	May 18, 2021
Conor Mahony Lancaster, NY	Laborer	\$14.00	May 18, 2021
Thomas Monin Lancaster, NY	Laborer	\$14.86	May 18, 2021
Brady O'Brien Lancaster, NY	Laborer	\$13.00	May 18, 2021
Noah Speyer Lancaster, NY	Laborer	\$14.86	May 18, 2021
Daniel Speyer Lancaster, NY	Cleaner	\$15.92	May 18, 2021
Richard Frey Lancaster, NY	Recreation Supervisor	\$20.00	May 18, 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

May 17, 2021

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

WHEREAS, Matthew Fischione, Code Enforcement Officer for the Town of Lancaster, by letter dated May 13, 2021 has recommended the appointment of Bryan L. Pokorski to the position of Assistant Code Enforcement Officer in the Town of Lancaster Building Department, and

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

NOW, THEREFORE,

BE IT RESOLVED, that Bryan L. Pokorski of Lancaster, New York, be and is hereby appointed to the full-time position of Assistant Code Enforcement Officer, in the Town of Lancaster Building Department, effective June 1, 2021, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA White Collar Union and all applicable provisions of law.

BE IT FURTHER,

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

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

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

May 17, 2021

COMMUNICATIONS & REPORTS

313. Doreen Espinosa to Supervisor –
Questions and concerns regarding the sidewalk proposal for Pleasant View Drive. Disposition = Received & Filed
314. Linda Lee Burgess to Supervisor –
Comments and concerns regarding the sidewalk proposal for Pleasant View Drive. Disposition = Received & Filed
315. Town Clerk to Code Enforcement Officer –
Copy of letter from Tonya Bradford requesting a renewal of her Special Use Permit for 30 Woodgate Drive for Home Occupation (Hair Salon).
Disposition = Code Enforcement
316. Charter Communications to Town Clerk –
Upcoming changes to channel lineup. Disposition = Received & Filed
317. Charter Communications to Town Clerk –
Upcoming changes to monthly programming fees for customers.
Disposition = Received & Filed
318. NYS Dept. of Public Service to Town Clerk –
Notice of Virtual Public Statement Hearings for Gas System Planning Process Proposal and the Moratorium Management Proposal.
Disposition = Received & Filed
319. Town Attorney to Town Board and Planning Board –
SEQR response from NYSDOT regarding Site Plan Amendment: The Rock Child Care Center, 3970 Walden Avenue, Proj. #1709.
Disposition = Planning Committee
320. Town Attorney to Town Board and Planning Board –
SEQR response from NYSDEC regarding Pleasant View Garden Apts., 538 Pavement Rd., Proj. #1468. Disposition = Planning Committee
321. Code Enforcement Officer to Drainage & Storm Sewer Committee –
MS4 Report, April 2021. Disposition = Received & Filed
322. Supervisor to residents of Town of Lancaster –
Emergency Executive Order declaring a local State of Emergency in the Town of Lancaster effective May 3, 2021 and remaining in effect for 5 days or until removed due to Covid-19 disease. Disposition = Received & Filed
323. Supervising Code Enforcement Officer to Town Board –
Recommend renewal of Special Use Permit for a Home Occupation (Hair Salon) at 30 Woodgate Drive; original conditions noted.
Disposition = For Resolution
324. Supervising Code Enforcement Officer to Town Board –
Recommend renewal of Special Use Permit for a Home Occupation (Dog Grooming) at 33 Meadow Lea Dr.; original conditions noted.
Disposition = For Resolution
325. Code Enforcement Officer to Town Board –
Recommend holding the renewal of a Special Use Permit for Manko's Truck and Auto Repair, 4885 Transit Rd. until a recurring violation has been remedied.
Disposition = For Resolution
326. Town Clerk to Thomas and Patricia Manko –
Letter stating that the Town Building Dept. recommends that a Special Use Permit to conduct an automotive service and repair business be held until a recurring violation has been remedied. Disposition = Received & Filed

327. **Town Clerk to Town Board –
Town Clerk Monthly Report for April 2021. Disposition = Received & Filed**
328. **Town Clerk to Code Enforcement Officer –
Additional information regarding a Special Use Permit for Kevin Lewandowski
6260 Genesee St. Disposition = Code Enforcement**
329. **Town Clerk to Various News Media –
Notice of Town of Lancaster Ethics Board Meeting via teleconference on
Wednesday, May 19, 2021 at 4:00PM. Disposition = Received & Filed**
330. **Town Clerk to Irene Colvin-Spencer –
Reminder that Special Use Permit for 29 Hawthorne Trail, Home Occupation
(Cottage Industry – Homemade Pierogi) shall expire on July 16, 2021 and will
need to be renewed. Disposition = Received & Filed**
331. **Town Clerk to Basil Chevrolet –
Reminder that Special Use Permit for 5067 Transit Road, for an automobile
glass and accessory installation facility shall expire on July 2, 2021 and will
need to be renewed. Disposition = Received & Filed**
332. **Town Clerk to Basil Chevrolet –
Reminder that Special Use Permit for 5071 Transit Road to operate a facility
which installs accessories serviced through Joe Basil Dealership shall expire on
July 2, 2021 and will need to be renewed. Disposition = Received & Filed**
333. **Supervisor to residents of Town of Lancaster –
Emergency Executive Order declaring a local State of Emergency in the Town
of Lancaster effective May 8, 2021 and remaining in effect for 5 days or until
removed due to Covid-19 disease. Disposition = Received & Filed**
334. **Town Clerk to Basil Chevrolet –
Reminder that Special Use Permit for 5111 Transit Road to operate an
automobile dealership shall expire on July 2, 2021 and will need to be renewed.
Disposition = Received & Filed**
335. **Town Clerk to Basil Chevrolet –
Reminder that Special Use Permit for 5123-5127 Transit Road to operate a
Kwik Lube and carwash facility shall expire on July 2, 2021 and will
need to be renewed. Disposition = Received & Filed**
336. **Highway Superintendent to Supervisor and Town Board –
Request for resolution appointing Kaitlin Walsh to the position of part-time
seasonal at the Town Highway Department effective May 17, 2021.
Disposition = Resolution 5/17/21**
337. **Town Engineer to Town Board –
Request for approval of Change Order 6 for Lancaster Historical Building
Portico Rehabilitation. Disposition = Resolution 5/17/21**
338. **Dog Control Officer to Supervisor and Town Board –
Request for resolution appointing Kim Offhaus to the position of temporary
seasonal Dog Control Officer effective May 17, 2021.
Disposition = Resolution 5/17/21**
339. **Erie County Board of Elections to Town Clerk –
Sample ballots for Primary Day Elections on June 22, 2021.
Disposition = Received & Filed**
340. **Planning Board Chairman to Town Board, Planning Board, Town Attorney,
Engineering Consultant, Highway Superintendent and Building Inspector –
Draft copy of minutes from May 5, 2021 Planning Board Meeting.
Disposition = Received & Filed**

341. **Planning Board to Town Board –**
Memo recommending reapproval of Site Plan Review for Angry Buffalo Sports Arena, Wehrle Drive; conditions noted. Disposition = Planning Committee
342. **Town Clerk to Code Enforcement Officer –**
Copy of letter from Charles Giambrone requesting renewal of his Special Use Permit for 505 Erie Street, Building A to operate an Automobile Repair Business. Disposition = Code Enforcement
343. **Town of Cheektowaga Office of Building Inspections to Town Clerk –**
Notice of Application for Change of Zoning Classification regarding 4796, 4798 & 4800 Transit Road. Disposition = Received & Filed
344. **Town of Cheektowaga Office of Building Inspections to Town Clerk –**
Development Review Application regarding 4890 Transit Road. Disposition = Received & Filed
345. **Town Engineer to Town Board –**
Request for Town Board to authorize publication of the Notice to Bidders for the contract to Paint the Historic Building, 40 Clark St. Disposition = Resolution 5/17/21
346. **Town Engineer to Town Board –**
Request for Town Board to authorize publication of the Notice to Bidders for the contract to reduce the Vertical Curve on Maple Drive. Disposition = Resolution 5/17/21
347. **Millgrove Volunteer Fire Dept. Chief to Supervisor –**
Concerns regarding access to rear entrance for the Fox Valley Country Club off Peppermint Road. Disposition = Received & Filed, Public Safety
348. **Patrol Captain Laurienzo to Supervisor and Town Board –**
Request for Town Board to deem listed vehicle as surplus property to be sold at public auction. Disposition = Resolution 5/17/21
349. **Town Clerk to Code Enforcement Officer –**
Additional information regarding the Special Use Permit application for 4839 Transit Road. Disposition = Code Enforcement
350. **Park Crew Chief to Supervisor and Town Board –**
Request for resolution appointing a partial list of individuals to the position of part-time temporary seasonal employees for the 2021 spring/summer season in the Parks, Recreation & Forestry Dept. Disposition = Resolution 5/17/21
351. **Code Enforcement Officer to Town Board –**
Request for resolution appointing Bryan L. Pokorski, Lancaster NY to the position of Assistant Code Enforcement Officer effective June 1, 2021. Disposition = Resolution 5/17/21
352. **Town Attorney to NYSDEC, Erie County DPW, Erie County Health Dept., US Army Corps of Engineers, Division of Sewerage Management, Planner, Review Planner and Erie County Water Authority –**
Request for lead agency designation regarding Car Wash, 3620 Walden Ave. & 371 Central Ave. Disposition = Planning Committee
353. **Town Attorney to Town Board and Planning Board –**
SEQR response from Erie County Dept. of Public Works regarding Hidden Grove Subdivision 21-Lot, Harris Hill Rd. south of Ellicott Creek. Disposition = Planning Committee

- 354. Supervisor to residents of Town of Lancaster –
Emergency Executive Order declaring a local State of Emergency in the Town
of Lancaster effective May 13, 2021 and remaining in effect for 5 days or until
removed due to Covid-19 disease. Disposition = Received & Filed**
- 355. Charter Communications to Town Clerk –
Upcoming changes to Spectrum TV Choice package.
Disposition = Received & Filed**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER LEARY AND SECONDED BY
COUNCIL MEMBER MAZUR AND CARRIED,** the meeting was adjourned at 8:18 P.M.

Signed _____

Diane M. Terranova, Town Clerk