

Town Board Minutes

June 7, 2021

Meeting No. 11

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held via teleconference on the 7th day of June 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
JEFFREY SMITH, POLICE CAPTAIN
MICHELLE BARBARO, PARK CREW CHIEF
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.

EXECUTIVE SESSION:

AT 8:02 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER MAZUR, SECONDED BY COUNCIL MEMBER DICKMAN 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 and collective bargaining negotiations per Article 14 of Civil Service Law.

At 8:52 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:

Abidi, Kazim, spoke to the Town Board on the following matter:

- Commented on a privacy concerns, traffic congestion and safety concerns as a result of the apartment complex being proposed nearby.

Blue, Rev. Mark, spoke to the Town Board on the following matter:

- Commented on the residents of Cross Creek Subdivision opposition to an apartment complex being proposed nearby.

Buckwald, Terry, spoke to the Town Board on the following matters:

- Talked about the submitted petitions signed by Pleasant View Drive residents regarding installation of sidewalks and various safety concerns.
- Voiced his opposition to the proposed apartment complex.

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

- Comment about the inability to question the Town Board.
- Comments regarding dumping trees, brush, etc. on town property.

Scott, Keith, spoke to the Town Board on the following matter:

- Commented on contractors dumping trees, brush, etc. on town property.

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

- Question regarding response of Freedom of Information Law request about dumping trees, brush, etc. on town property.
- Comments regarding past agreements to dump trees, brush, etc. on town property.

Szachta, Sebastian, spoke to the Town Board on the following matter:

- Voiced his opposition to the proposal of an apartment complex being proposed nearby.

Webster, Ken, spoke to the Town Board on the following matter:

- Commented on the Cross Creek Subdivision and his opposition to the proposed apartment project nearby because of safety and traffic concerns.

Zdziebko, Sarah, spoke to the Town Board on the following matter:

- Comments regarding the proposed apartment project and her opposition.

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 17, 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

June 7, 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. 65097 to Claim No. 65327 Inclusive

Total amount hereby authorized to be paid: \$1,429,885.61

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

June 7, 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
32404		Arthur Tubisz	1236 Penora St	Er. Fence	
32544		Shawn Conrad	45 Fairfield Ave	Er. Shed	(V/L)
32574		William Cognion	1 Chestnut Corner	Re-Roof	
32575		House Crafters LLC	5200 Genesee St	Re-Roof	
32601		Franks Commercial & Home	86 Stutzman Rd	Inst. Res. Plumbing	
32610		Donald Palmisano	1707 Como Park Blvd	Er. Fence	
32612		Tesla Energy Operations Inc.	1 Sweet Brier Ct	Inst. Solar Panels	
32613		Everlasting Fences LLC	5317 Broadway	Er. Fence	(V/L)
32615		Jeffrey R. Lewandowski	28 Stone Hedge Dr	Er. Pool-Abv Grnd	
32627		Santora Sign Inc.	56 Gunnville Rd	Er. Sign - Pole	
32646		Andrew Brocato	10 Via Donato W	Er. Shed	
32654		ARB Jeatomg & Cooling	422 Westwood Rd	Inst. Generator	
32658		City Fence	38 Old Post Rd	Er. Fence	
32659		Lamparelli Construction Co.	4931 Transit Rd	Er. Comm. Add./Alt.	
32660		Hannah Demolition Inc.	77 Livingston St	Dem. Sin. Dwlg	(V/L)
32661		Jonathon Ludwig	3656 Walden Ave	Er. Pool-Abv Grnd	
32662		Majestic Pools Inc.	53 Lake Forest Pky E	Er. Pool-In Grnd	
32663		Majestic Pools Inc.	53 Lake Forest Pky E	Er. Fence	
32664		Wargo Enterprises Inc.	74 William Kidder Rd	Dem. Sin. Dwlg.	
32666		The Vinyl Outlet Inc.	1268 Penora St	Er. Porch/Porch Cover	
32667		Stephanie Bartels	950 Townline Rd	Er. Shed	
32668		Mark Sacco	51 Brunck Rd	Er. Porch/Porch Cover	
32672		Tiffany Howell	12 Fairfield Ave	Re-Roof	(V/L)
32673		Scott Maciejewski	17 Cloverside Dr	Er. Pool-Abv Grnd	(V/L)
32674		Scott Maciejewski	17 Cloverside Dr	Er. Fence	(V/L)
32675		Zaepfel Development Co.	80 W Drullard Ave	Er. Comm. Add./Alt.	(V/L)
32676		Thrifty Roofs LLC	99 Aurora St	Re-Roof	(V/L)
32677		Eric Lewis	35 E Home Rd	Re-Roof	
32678		Home Power Systems LLC	34 Village View	Inst. Generator	
32680		Niagara Lutheran	5949 Broadway	Er. Comm. Add./Alt.	
32681		Lazarus Industries, LLC	3825 Walden Ave	Er. Comm. Add./Alt.	(V/L)
32682		Majestic Pools inc.	15 Juniper Blvd	Er. Pool-In Grnd	
32683		Majestic Pools Inc.	63 Kennedy Ct	Er. Pool-In Grnd	
32684		Kyle McCarthy	15 Wren Ave	Er. Shed	(V/L)
32686		Comfort Window Co. Inc.	3 St Anthony St	Er. Deck	
32687		Steven Newton	8 Weathersfield Ln	Er. Fence	
32688		Schuster Construction LLC	4 Sussex Ln	Er. Porch/Porch Cover	
32689		Patrick Farrar	24 Sagebrush Ln	Er. Fence	
32690		Best of Buffalo Home Improve	54 Lombardy St	Re-Roof	(V/L)
32691		Colley's Pool Sales Inc.	24 Sagebrush Ln	Er. Pool-In Grnd	
32692		Thomas Forsythe	29 Church St	Er. Pool-Abv Grnd	(V/L)
32693		Roofs by Bryan	6 Old Schoolhouse Rd	Re-Roof	
32694		Samantha Attea	17 Charlton Pl	Er. Deck	
32695		Samantha Attea	17 Charlton Pl	Er. Pool-Abv Grnd	
32696		Klyde Kurtz	23 Stream View Ln	Inst. Generator	
32697		John Costello	355 Aurora St	Re-Roof	(V/L)
32698		Superior Decks & Gazebos Ins.	274 Broezel Ave	Er. Deck	
32699		Jeffery Buccieri	24 Red Clover Ln	Er. Pool-In Grnd	
32700		Swinco Manufacturing Inc.	71 Tranquility Trl	Er. Pool-In Grnd	
32701		Majestic Pools Inc.	15 Juniper Blvd	Er. Fence	
32702		Majestic Pools Inc.	63 Kennedy Ct	Er. Fence	
32703		AVA Roofing & Siding Inc.	5642 Broadway	Re-Roof	
32704		AVA Roofing & Siding Inc.	30 Greenbriar Dr	Re-Roof	
32705		Joanne Furlano	36 Rose St	Er. Pool-Abv Grnd	

32706	Cortese Brothers Construction	72 Sterling Pl	Er. Res. Add.	
32707	Cortese Brothers Construction	119 Avian Way	Er. Res. Add.	
32708	Look At That Industries	17 Doris Ave	Re-Roof	(V/L)
32709	Justin Burnham	29 Ann Marie Dr	Er. Shed	
32710	House Crafters LLC	75 Country Pl	Re-Roof	
32711	Darryl Jackson	13 Roosevelt Ave	Re-Roof	(V/L)
32712	Crist Construction	647 Ransom Rd	Re-Roof	
32713	Crist Construction	9 Crabapple Ln	Er. Porch/Porch Cover	
32714	Buscaglia Decks	53 Irwinwood Rd	Er. Deck	(V/L)
32717	James Vrana	2 Huntington Ct	Er. Res. Alt.	
32718	KT Schiffler LLC	94 Hinchey Ave	Er. Res. Alt.	(V/L)
32719	Daniel Grady	37 Hidden Trl	Er. Shed	
32720	City Fence	5490 Broadway	Er. Fence	(V/L)
32721	Scott Brownson	6 Robins Nest Ct	Inst. Generator	
32722	Marksman Fence Inc.	65 Country Pl	Er. Fence	
32724	Parkway Digital	5429 Broadway	Dumpster - Temp.	(V/L)
32725	Franks Commercial & Home	22 Carter St	Inst. Res. Plumbing	(V/L)
32726	Kyle Tauscher	678 Pleasant View Dr	Er. Shed	
32727	McGrath Carpentry	96 Sixth Ave	Er. Deck	(V/L)
32728	Donald Keicher	30 Gale Dr	Er. Shed	
32729	Richard Knauber	261 Erie St	Er. Fence	
32730	Richard Knauber	261 Erie St	Re-Roof	
32731	Daniel McDowell	6 Elm Pl	Dem. Garage	(V/L)
32732	Thomas Wheeler	2 Running Brook Dr	Er. Fence	
32733	Jennifer Smith	5335 William St	Demo Interior Bldg.	
32734	Sylvia Blackshire	20 Petersbrook Cir	Er. Fence	
32736	Wendy Schweitzer	24 Signal Dr	Er. Pool-Abv Grnd	
32737	Luther Enterprises	2 Running Brook Dr	Er. Pool-In Grnd	
32738	Michael Trane	43 Via Donato E	Er. Fence	
32739	Michael Kurzdorfer	41 Irwinwood Rd	Er. Fence	(V/L)
32740	Brian MacPeck	30 Fieldstone Ln	Er. Deck	
32741	Susan Carducci	135 S Irwinwood Rd	Er. Fence	(V/L)
32742	Steven Gontarek	28 Markey Ave	Er. Fence	
32743	The Gutter People of WNY Inc.	110 Central Ave	Re-Roof	(V/L)
32744	Cozy Homes Construction	14 Wainwright Ct	Er. Fence	
32748	Walter Zakowski	10 Evergreen Dr	Er. Fence	
32750	William Lang	4 Middlebury Ln	Er. Fence	
32751	Andrew Wiatrowski	203 Broezel Ave	Er. Fence	
32752	Jason Bluhm	21 Hidden Meadow Cros	Er. Pool-Abv Grnd	
32754	Denise Piechowicz	16 Liberty Ave	Er. Fence	(V/L)
32755	Aqua Systems of WNY	5 Northfield Ln	Inst. Ingrnd. Sprinkler	
32756	Comfort Windows Co. Inc.	15 Liberty Ave	Re-Roof	(V/L)
32757	Farmco Building	98 Southpoint Dr	Er. Shed	
32758	Kamholz Enterprises, LLC	28 Liberty Ave	Er. Deck	(V/L)
32759	Parco Building Systems, Inc.	94 Stony Rd	Er. Pole Barn	
32760	Marco Bona	11 Gale Dr	Er. Fence	
32761	Thomas Luksch	3 Westbury Ln	Er. Fence	
32763	Paul Bauchle	42 Gale Dr	Inst. Generator	
32764	Judith Kaczmarek	35 Michael Anthony Ln	Er. Shed	
32765	Nicholas Gmerek	30 Tranquility Trl	Er. Shed	
32766	Zenner & Ritter Co. Inc.	13 Jonquille Ct	Inst. Generator	
32767	Zenner & Ritter Co. Inc.	460 Central Ave	Inst. Generator	
32768	Richard Zajac`	3563 Walden Ave	Inst. Generator	
32769	All Square Roofing	59 Roosevelt Ave	Re-Roof	(V/L)
32770	Christine Davies	260 Lake Ave	Re-Roof	(V/L)
32771	Ronald Bishop	63 Park Blvd	Re-Roof	(V/L)
32772	Ronald Bishop	63 Park Blvd	Dumpster - Temp.	(V/L)
32773	The KAZ Company	6 Sterling Pl	Er. Deck	
32774	James Winkel	26 Hunters Dr	Er. Fence	
32776	Michael Walsh	70 Country Pl.	Er. Fence	
32777	LJ Construction WNY LLC	10 Nottingham Ln	Re-Roof	
32779	LJ Construction WNY LLC	23 Church St	Re-Roof	(V/L)
32780	LJ Construction WNY LLC	32 Clark St	Re-Roof	(V/L)
32782	Lee Richard	37 Newberry Ln	Er. Shed	
32783	Michael Brown	13 Rue Madeleine Way	Er. Fence	
32784	Turkmasters Contracting LLC	13 Juniper Blvd	Re-Roof	
32785	Jonathon Van Nortwick	68 Avian Way	Er. Fence	
32786	Colley's Pool Sales Inc.	1391 Ransom Rd	Er. Fence	
32787	Timothy Schierer	21 Caswell St	Er. Shed	(V/L)

32788	Colley's Pool Sales Inc.	1391 Ransom Rd	Er. Pool-In Grnd	
32790	Forbes Homes, Inc.	50 Hidden Meadow Cros	Er. Dwlg.-Sin.	
32791	Forbes Homes, Inc.	15 Hidden Meadow Cros	Er. Dwlg.-Sin.	
32792	Forbes Homes, Inc.	42 Deepwood Pl	Er. Dwlg.-Sin.	
32793	R&R Pros Inc.	11 St Anthony St	Re-Roof	
32794	Gary Geotz	107 Avian Way	Er. Shed	
32795	Christine Martin	114 Stony Rd	Er. Fence	
32796	Jeffrey Banks	17 Willow Ridge Ln	Er. Shed	
32797	Neth & Son Inc.	5539 Broadway	Re-Roof	(V/L)
32798	William Radder	738 Schwartz Rd	Er. Pool-Abv Grnd	
32800	Tend 2 IT Properties	6350 Broadway	Dem. Rear Struc.	
32802	Joseph Polniak	2 Sawgrass Ln	Er. Fence	

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

June 7, 2021

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

WHEREAS, in cooperation with the Erie County Shared Services Plan, the Town Board of the Town of Lancaster hereby approves the Intermunicipal Cooperation Agreement to share services, supplies and materials between the Town of Lancaster and the Village of Lancaster, as presented, allowing the Lancaster Highway Superintendent and the Village of Lancaster's Department of Public Works Superintendent, to rent, exchange, borrow, and lend Highway & Park equipment and necessary personnel to operate said equipment, to assist with the maintaining of Highway/Park properties in the respected municipalities.

WHEREAS, the previous contract expired according to its terms on April 30, 2020 and due to the COVID-19 pandemic and precautions in place it was allowed to remain in effect as an emergency services necessity.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute this agreement which will commence retral to May 1, 2020 and terminate April 30, 2023.

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

June 7, 2021

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

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by letter received May 21, 2021, has requested the addition of one (1) member to the roster of said fire association.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Bowmansville Volunteer Fire Association the following individual:

ADDITION:

Marcos Cornelio De Campos

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

June 7, 2021

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

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 23 of the Code of the Town of Lancaster provide for the adoption and enactment of local laws, and

WHEREAS, after review and consideration, the Town Board of the Town of Lancaster deems it in the public interest to amend Chapter 320 Taxation, by repealing Article I. Business Investment Exemption, in its entirety as the New York State Legislature repealed this exemption on June 27, 1988, and

WHEREAS, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required for repealing a Local Law.

NOW, THEREFORE,

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

1. A public hearing for the proposed Local Law of the year 2021, which repeals in its entirety Article I. Business Investment Exemption of Chapter 320 Taxation, of the Code of the Town of Lancaster, will be held at 7:15 o'clock P.M. on the 21st day of June 2021, at the Town Hall, 21 Central Avenue, Lancaster, New York, and that Notice of the Time and Place be published in the official newspaper of the Town, and

2. The Town Clerk is hereby directed and authorized to publish public notice of said hearing in the official newspaper and given in accordance with the Municipal Home Rule Law, the Open Meetings Law, and Sections 264 and 265 of the Town Law of the State of New York, and which Notice shall be in the form attached hereto and made a part hereof, and

3. This resolution is 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

June 7, 2021

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 23 of the Code of the Town of Lancaster and pursuant to a resolution adopted by the Town Board of the Town of Lancaster on June 7, 2021, the Town Board will hold a Public Hearing on the 21st day of June, 2021 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly adopting a Local Law to amend the Town Code of the Town of Lancaster's Chapter 320 Taxation, by repealing in its entirety, Article I. Business Investment Exemption.

Copies of the proposed Local Law and the Local Law to be repealed, can be reviewed at the Lancaster Town Hall, 21 Central Avenue, during normal business hours. All interested members of the public shall be heard.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

June 10, 2021

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

**A Local Law to Amend the Code of the Town of Lancaster, by Repealing in its Entirety
Article I Business Investment Exemption, of Chapter 320 Taxation.**

Be it hereby enacted by the Town Board of the Town of Lancaster as follows:

Section 1: That Article I Business Investment Exemption, of Chapter 320 Taxation be and is hereby repealed in its entirety.

Section 2: Severability. 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 3: Effective Date. This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

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

WHEREAS, Herbert Schaub, of BrewFun Enterprises, 185 Sunburst Circle, E. Amherst New York 14051 has applied to the Town Board of the Town of Lancaster for a permit for Private Improvements upon real property in the Town of Lancaster within 5839 Genesee Street, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the improvement plans and permit application for the installation of the private improvements requested, and that they conform to the Ordinances of the Town of Lancaster.

NOW, THEREFORE,

BE IT RESOLVED, that Private Improvement Permit Application No. 830 for 5839 Genesee Street, Lancaster, New York 14086 which is a permit for Private Improvements for:

- Brazen Brewery – 5839 Genesee Street, Site Development work DWG's C-100/C-101 Site Plan, C-200 Grading Plan, C-300 Storm Drainage Plan (C-301), C-400 thru C-403 Utility Plan, C-500 thru C-502 Lighting Plan, C-100 Landscape Plan, Planning Board approved – 3/17, Town Board approved -4/5.

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

June 7, 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 Senior Center provides excursions to area Western New York attractions and casinos, using the Niagara Scenic Tours/Know How transportation company, and

WHEREAS, the company will provide vehicles and drivers to transport participants round-trip from the Senior Center to the event for a fee that is paid for by the participants, and

WHEREAS, the Town Attorney has reviewed the insurance certificates for indemnification purposes and approves their contents, and

WHEREAS, the Town Board of the Town of Lancaster has determined that this is a desired service within the community, and it is in the best interest of the Town to continue having Niagara Scenic Tours/Know How provide transportation services for the Senior Center events' participants.

NOW, THEREFORE,

BE IT RESOLVED, that the Senior Center Recreation Supervisor be and is hereby authorized to execute the Transportation Orders with Niagara Scenic Tours/Know How company, to provide transportation services for the Senior Center events' participants during the 2021 calendar year with fees to be paid for by the participants, should there be a balance owed the remainder will be paid for with funds available in the Town's 2021 Programs for the Aging, Rentals Budget, Line Item 01.7610.0409.

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

June 7, 2021

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

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 400-Zoning, Article XIV Administration and Enforcement, §400-78 Special use permits, of the Code of the Town of Lancaster, upon the application of **Lynette M. Metzger**, for a Special Use Permit for a Home Occupation (Dog Grooming Service) on premises located at **33 Meadow Lea Drive (SBL No. 93.19-6-58)**, Lancaster, New York, and the Board issued such Special Use Permit on May 15, 2006, and

WHEREAS, per its terms and conditions, this Special Use Permit is currently up for renewal, and

WHEREAS, by letter dated April 26, 2021, **Lynette M. Metzger-Truslow** has requested that the Town Board renew the Special Use Permit for an additional two (2) year term, and

WHEREAS, the Supervising Code Enforcement Officer has recommended his approval of this Special Use Permit Renewal per his letter dated May 4, 2021.

NOW, THEREFORE,
BE IT RESOLVED, as follows:

1. That pursuant to Chapter 400-Zoning, Article IV. Residential Districts, §400-16(F) Home Occupations, of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant renewal of the Special Use Permit to **Lynette M. Metzger-Truslow**, for a Home Occupation (Dog Grooming Service) on premises located at **33 Meadow Lea Drive (SBL No. 93.19-6-58)**, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning May 15, 2021 and ending May 14, 2023, and

2. That the applicant will continue in compliance with conditions as set forth §400-16(F) Home Occupations and §400-78 Special use permits, of the Code of the Town of Lancaster as long as the applicant continues to engage in this home occupation on the premises, and to any additional conditions listed herein, namely:

- A. This Special Use Permit terminates when the applicant no longer resides on the premises.
- B. There shall be no outdoor sign advertising this business.
- C. Permit must be renewed every two (2) years at no additional cost to applicant. Permit renewal is considered upon the property owner submitting a written request to the Town Clerk, **on or before May 14, 2023**.
- D. Provide a copy of the 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.
- E. Only persons residing on the premises shall be engaged in such occupation.
- F. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.

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

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

June 7, 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 Chapter 400-Zoning, Article XIV Administration and Enforcement, §400-78 Special use permits, of the Code of the Town of Lancaster, upon the application of **Tonya M. Bradford**, for a Special Use Permit for a Home Occupation (Hair Salon) on premises located at 30 Woodgate Drive (SBL No. 115.18-8-56), Lancaster, New York, and the Board issued such Special Use Permit on May 4, 2015, this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, per its terms and conditions, this Special Use Permit is currently up for renewal, and

WHEREAS, by letter received April 30, 2021, **Tonya M. Bradford** has requested that the Town Board renew the Special Use Permit for an additional two (2) year term, and

WHEREAS, the Supervising Code Enforcement Officer has recommended his approval of this Special Use Permit Renewal per his letter dated May 4, 2021.

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

1. That pursuant to Chapter 400-Zoning, Article IV. Residential Districts, §400-16(F) Home Occupations, of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant the Special Use Permit renewal to **Tonya M. Bradford** for a Home Occupation (Hair Salon) on premises located at 30 Woodgate Drive (SBL No. 115.18-8-56), Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning May 4, 2021 and ending May 3, 2023, and

2. That the applicant will continue in compliance with conditions as set forth in forth §400-16(F) Home Occupations and §400-78 Special use permits of the Code of the Town of Lancaster and to any additional conditions listed herein, as long as the applicant continues to engage in this home occupation on the premises, namely:

- A. There shall be no outdoor sign advertising this business.
- B. This Special Use Permit terminates when the applicant no longer resides on the premises.
- C. Permit must be renewed every two (2) years at no additional cost to applicant. Permit renewal is considered upon the property owner submitting a written request to the Town Clerk, **on or before May 3, 2023**.
- D. Applicant will obtain and provide a copy of the business' New York State Tax/Federal Employer Identification Number and, where required, a copy of a valid State License issued by the appropriate regulatory agency for the service being provided.
- E. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.

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

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

June 7, 2021

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

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 400-Zoning, Article XIV Administration and Enforcement, §400-78 Special Use Permit of the Code of the Town of Lancaster, upon the application of Robert Speyer, General Manager of **Joe Basil Chevrolet, Inc./5123 Transit, LLC** to operate an automobile glass and accessory installation facility on premises located at **5067 Transit Road** (SBL No. 115.09-1-29.11), in the Town of Lancaster, New York, and the Board issued such Special Use Permit on July 3, 2017, and

WHEREAS, per its terms and conditions, this Special Use Permit is currently up for renewal, and

WHEREAS, by letter dated May 12, 2021, Megen Schiffler, **Controller for Joe Basil Chevrolet, Inc./5123 Transit LLC** has requested that the Town Board renew the Special Use Permit for an additional two (2) year term, and

WHEREAS, the Code Enforcement Officer has recommended the renewal of this Special Use Permit per his letter dated May 21, 2021.

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

1. That pursuant to Chapter 400-Zoning, Article V Commercial Districts, §400-18(B)(Schedule A), General Commercial District, of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant the Special Use Permit renewal to **Joe Basil Chevrolet, Inc./5123 Transit LLC** to operate an automobile glass and accessory installation facility on premises located at **5067 Transit Road** (SBL No. 115.09-1-29.11) in the Town of Lancaster, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning July 3, 2021 and ending July 2, 2023, and

2. That the applicant will continue in compliance with conditions as set forth in §400-19 Supplementary regulations and §400-78 Special use permits, of the Code of the Town of Lancaster, and to any additional conditions listed herein, as long as the applicant continues to engage in the automobile occupation listed above on the premises namely:

- A. Business must operate within all confines of the Town of Lancaster's Noise Ordinance.
- B. No new or used car sale shall be displayed on this site.
- C. Permit must be renewed every two (2) years at no additional cost to applicant. Permit renewal is considered upon the property owner submitting a written request to the Town Clerk, on or before July 2, 2023.
- D. 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.
- E. Provide a current copy of the business' valid New York State License issued by the appropriate regulatory agency for the service being provided.

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

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

June 7, 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 400-Zoning, Article XIV Administration and Enforcement, §400-78 Special Use Permit of the Code of the Town of Lancaster, upon the application of Robert Speyer, General Manager of **Joe Basil Chevrolet, Inc./5123 Transit, LLC** to operate a facility which installs accessories on automobiles serviced through Joe Basil Dealerships on premises located at **5071 Transit Road** (SBL No. 115.09-1-28), in the Town of Lancaster, New York, and the Board issued such Special Use Permit on July 3, 2017, and

WHEREAS, per its terms and conditions this Special Use Permit is currently up for renewal, and

WHEREAS, by letter dated May 12, 2021, Megen Schiffler, **Controller for Joe Basil Chevrolet, Inc./5123 Transit LLC** has requested that the Town Board renew the Special Use Permit for an additional two (2) year term, and

WHEREAS, the Code Enforcement Officer has recommended the renewal of this Special Use Permit per his letter dated May 21, 2021.

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

1. That pursuant to Chapter 400-Zoning, Article V Commercial Districts, §400-18(B) (Schedule A), General Commercial District, of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant the Special Use Permit renewal to **Joe Basil Chevrolet, Inc./5123 Transit LLC** to operate a facility which installs accessories on automobiles serviced through Joe Basil Dealerships on premises located at **5071 Transit Road** (SBL No. 115.09-1-28) in the Town of Lancaster, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning July 3, 2021 and ending July 2, 2023, and

2. That the applicant will continue in compliance with conditions as set forth in §400-19 Supplementary regulations and §400-78 Special use permits, of the Code of the Town of Lancaster, and to any additional conditions listed herein, as long as the applicant continues to engage in the automobile occupation listed above on the premises namely:

- A. Business must operate within all confines of the Town of Lancaster's Noise Ordinance.
- B. No new or used car sale shall be displayed on this site.
- C. Permit must be renewed every two (2) years at no additional cost to applicant. Permit renewal is considered upon the property owner submitting a written request to the Town Clerk, on or before July 2, 2023.
- D. 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.
- E. Provide a current copy of the business' valid New York State License issued by the appropriate regulatory agency for the service being provided.

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

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

June 7, 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 400-Zoning, Article XIV Administration and Enforcement, §400-78 Special Use Permit of the Code of the Town of Lancaster, upon the applications of James and Mary Beth Basil, of **JBC Properties, LLC/Basil Chevrolet**, to operate an automobile dealership on premises located at 5111 Transit Road, and a Kwik Lube and car wash facility, on premises located at 5123-5127 Transit Road, in the Town of Lancaster, New York, and the Board issued such Special Use Permits on July 3, 2017, and

WHEREAS, those parcels have since been combined into one parcel identified as 5111 Transit Road (SBL No. 115.05-2-45.111) and per their terms and conditions those Special Use Permits are currently up for renewal, and

WHEREAS, by letter dated May 12, 2021, Megen Schiffler, **Controller for Joe Basil Chevrolet, Inc./JBC Properties, LLC**, has requested that the Town Board renew the Special Use Permits for additional two (2) year terms, and

WHEREAS, the Code Enforcement Officer has recommended the renewal of these Special Use Permits and also recommended that they be combined into one (1) permit per his letter dated May 21, 2021.

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

1. That pursuant to Chapter 400-Zoning, Article V Commercial Districts, §400-18(B)(Schedule A), General Commercial District, of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant the Special Use Permit renewal to **Joe Basil Chevrolet, Inc./JBC Properties, LLC**, to operate an automobile dealership facility, Kwik Lube Oil Change, and carwash facility on premises located at **5111 Transit Road (SBL No. 115.05-2-45.111)** in the Town of Lancaster, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning July 3, 2021 and ending July 2, 2023, and

2. That the applicant will continue in compliance with conditions as set forth in §400-19 Supplementary regulations and §400-78 Special use permits, of the Code of the Town of Lancaster, and to any additional conditions listed herein, as long as the applicant continues to engage in the automobile occupations listed above on the premises namely:

- 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. Permit renewal is considered upon the property owner submitting a written request to the Town Clerk, on or before July 2, 2023.
- 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 a valid New York State License issued by the appropriate regulatory agency for the service being provided.
- E. Pole sign LED cabinet must display stagnant messages, at no less than eight (8) second intervals in compliance with NY State Department of Transportation standards.

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

June 7, 2021

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

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 400-Zoning, Article XIV Administration and Enforcement, §400-78 Special use permits of the Code of the Town of Lancaster, upon the application of **Charles A Giambrone**, for a Special Use Permit for **QUAD 4 WHEEL DRIVE, Inc.**, to provide automotive repair services on premises located at 501 Erie Street, Building 505 Unit A, (SBL No. 105.00-5-45.121), in the Town of Lancaster, New York, and the Board issued such Special Use Permit on April 4, 2011, and

WHEREAS, per its terms and conditions this Special Use Permit is currently up for renewal, and

WHEREAS, by letter dated May 7, 2021, **Charles A Giambrone** has requested that the Town Board renew the Special Use Permit for an additional two (2) year term, and

WHEREAS, the Supervising Code Enforcement Officer has recommended the renewal of this Special Use Permit per his letter dated May 18, 2021.

NOW THEREFORE,
BE IT RESOLVED, as follows:

1. That pursuant to Chapter 400-Zoning, Article V Commercial Districts, §400-18(B)(Schedule A), General Commercial District, of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant the Special Use Permit renewal to **Charles A Giambrone**, owner of **QUAD 4 WHEEL DRIVE, Inc**, to provide an automotive repair business on premises located at 501 Erie Street, Building 505 Unit A, (SBL No. 105.00-5-45.121), in the Town of Lancaster, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning April 4, 2021 and ending April 3, 2023, and

2. That the applicant will continue in compliance with conditions as set forth in §400-19 Supplementary regulations and §400-78 Special use permits, of the Code of the Town of Lancaster, and to any additional conditions listed herein, as long as the applicant continues to engage in the automotive occupation listed above on the premises namely:

- A. Business must operate within all confines of the Town of Lancaster's Noise Ordinance.
- B. Bay doors on east side of building cannot be open more than seven (7) feet except when bringing vehicles in or out of the business.
- C. Security cameras will be positioned away from the backyard of the residence to the east of the business.
- D. Permit must be renewed every two (2) years at no additional cost to applicant. Permit renewal is considered upon the property owner submitting a written request to the Town Clerk, on or before April 3, 2023.
- E. Enclosure of waste materials. All waste materials, including garbage and trash, shall be stored in covered containers in a screened or enclosed area.
- F. This Special Use Permit terminates when the applicant no longer owns the business.

- G.** Provide a current copy of the business' valid New York State License issued by the appropriate regulatory agency for the service being provided.

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

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

June 7, 2021

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

WHEREAS, Daniel Amatura, Highway Superintendent of the Town of Lancaster, by letter dated June 1, 2021, has appointed Joseph Lista of Lancaster, New York, who previously held the title of Laborer-Highway, to the position of Maintenance Worker.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby recognizes the appointment of Joseph Lista of Lancaster, New York to the position of Maintenance Worker in the Town of Lancaster Highway Department, effective June 7, 2021, contingent upon approval by Erie County Department of Personnel and that such appointments shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA Blue Collar Union and all applicable provisions of law, and

BE IT FURTHER,

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

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

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

June 7, 2021

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

WHEREAS, Jeremy A. Colby, Town Justice for the Town of Lancaster, by letter dated May 14, 2021, has recommended the appointment of the following individual to the position of Court Officer part-time provisional in the Town Justice Court Department of the Town of Lancaster, and

WHEREAS, the following individual qualifies 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 the following individual is hereby appointed to the position of Court Officer part-time provisional in the Town Justice Court Department in the Town of Lancaster, contingent upon approval by Erie County Department of Personnel, working not more than nineteen and three-quarter hours per week and that these being part-time positions, provide no health insurance, sick days, vacation, or other fringe benefits not specifically mandated for part-time employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Edward Pastorek Lancaster, NY	Court Officer	\$19.10	June 7, 2021

BE IT FURTHER,

RESOLVED, that when Mr. Pastorek is called upon to serve as Court Officer, he shall receive a minimum of three (3) hours pay, or pay for the actual number of hours worked, whichever is greater, and

BE IT FURTHER,

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

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

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

June 7, 2021

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

WHEREAS, Michelle Barbaro, Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated June 1, 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 and 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>
John Pilato Lancaster, NY	Forestry Supervisor	\$28.85	June 8, 2021
George Besch Lancaster, NY	Recreation Attendant	\$18.25	June 8, 2021
Kirsten Brady Cheektowaga, NY	Recreation Attendant	\$13.00	June 8, 2021
Gabrielle Cumbo Lancaster, NY	Recreation Attendant	\$13.00	June 8, 2021
Samuel Parrinello Lancaster, NY	Recreation Attendant	\$13.00	June 8, 2021
Mitch Rayno Depew, NY	Recreation Attendant	\$13.00	June 8, 2021
Mark Stancampiano Lancaster, NY	Recreation Attendant	\$13.00	June 8, 2021
Paige Szymusiak Lancaster, NY	Recreation Attendant	\$13.00	June 8, 2021
Julia Taboni Depew, NY	Recreation Attendant	\$13.00	June 8, 2021
Danielle Masse Lancaster, NY	Recreation Attendant	\$14.50	June 8, 2021
Lucas Maciejewski Lancaster, NY	Recreation Attendant	\$14.50	June 8, 2021
Ian Fijardo Lancaster, NY	Recreation Attendant	\$13.50	June 8, 2021

McKenna Guari Lancaster, NY	Recreation Attendant	\$13.50	June 8, 2021
Stephanie Herrnreiter Bowmansville, NY	Recreation Attendant	\$13.50	June 8, 2021
Travis Odrobina Lancaster, NY	Recreation Attendant	\$13.50	June 8, 2021
Alexis Odrobina Lancaster, NY	Recreation Attendant	\$13.50	June 8, 2021
Madelyn Robinson Lancaster, NY	Recreation Attendant	\$13.50	June 8, 2021
Tyler Sokolowski Lancaster, NY	Recreation Attendant	\$13.50	June 8, 2021
Robert Wilkowski Lancaster, NY	Lifeguard	\$15.50	June 8, 2021
Konstantin Nikolov Lancaster, NY	Lifeguard	\$15.50	June 8, 2021
Katherine Wilkowski Lancaster, NY	Lifeguard	\$15.00	June 8, 2021
Colin Gasiewicz Lancaster, NY	Lifeguard	\$14.50	June 8, 2021
Molly Mahony Lancaster, NY	Lifeguard	\$14.50	June 8, 2021
Jared Rupp Lancaster, NY	Lifeguard	\$14.50	June 8, 2021
Amelia Stack Lancaster, NY	Lifeguard	\$14.50	June 8, 2021
Michael Steffens Lancaster, NY	Lifeguard	\$14.50	June 8, 2021
Hanna Wozniak Lancaster, NY	Lifeguard	\$14.50	June 8, 2021
Patrick Dorsey Depew, NY	Lifeguard	\$14.50	June 8, 2021
Kiernan Coyne West Seneca, NY	Lifeguard	\$14.50	June 8, 2021
Aaron Gasiewicz Lancaster, NY	Lifeguard	\$14.50	June 8, 2021
Kirstin Heffler Lancaster, NY	Lifeguard	\$14.50	June 8, 2021
Cameron Heffler Lancaster, NY	Lifeguard	\$14.50	June 8, 2021
Allyson Koedel Depew, NY	Lifeguard	\$14.50	June 8, 2021

Kalyn Kwasniewski Lancaster, NY	Lifeguard	\$14.50	June 8, 2021
Dominic Mintz Lancaster, NY	Lifeguard	\$14.50	June 8, 2021
Timothy Steffens Lancaster, NY	Lifeguard	\$14.50	June 8, 2021
James Wilkowski Lancaster, NY	Lifeguard	\$14.50	June 8, 2021
James Zagario Lancaster, NY	Lifeguard	\$14.50	June 8, 2021
Marilou Owczarczak Lancaster, NY	Recreation Instructor	\$20.00	June 8, 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	ABSTAINED
SUPERVISOR RUFFINO	VOTED YES

June 7, 2021

* Council Member Wozniak abstained due to his daughter being one of the part time temporary seasonal lifeguard appointments.

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

WHEREAS, John Trojanowsky, Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated June 1, 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 Youth Bureau, 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>
Lynn Dalfonso Lancaster, NY	Tutor	\$20.30	June 14, 2021
Robert Pacillo Lewiston, NY	Tutor	\$20.30	June 14, 2021
Ryan Kaminski Buffalo, NY	Tutor	\$17.76	June 14, 2021
Kim Pesany-Au Lancaster, NY	Tutor	\$18.27	June 14, 2021
Karol Cassel Lancaster, NY	Tutor	\$16.24	June 14, 2021
Taylor Carlson Depew, NY	Tutor	\$15.23	June 14, 2021
Kathryn Berton Lancaster, NY	Tutor	\$14.00	June 14, 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

June 7, 2021

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

WHEREAS, Daniel Amatura, Town of Lancaster’s Drainage Officer, has made the Town Board aware of severe drainage issues associated with the Town’s Storm Sewer Piping on Meadow Lea Drive within the Town of Lancaster, and

WHEREAS, by email dated June 1, 2021, Town Engineer Edward Schiller has requested that the Town Board authorize an invitation to bid for the Meadow Lea Drive 36-inch Storm Sewer Project, 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 Meadow Lea Drive 36-inch Storm Sewer Project, 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 July 7, 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

June 7, 2021

NOTICE TO BIDDERS

FOR THE

**TOWN OF LANCASTER
MEADOW LEA DRIVE
36-INCH STORM SEWER**

Sealed bids for the **Meadow Lea Drive 36-inch Storm Sewer** 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 July 7, 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: June 10, 2021

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

Diane Terranova
Town Clerk

COMMUNICATIONS & REPORTS

356. Town Clerk to Code Enforcement Officer –
Copy of a letter from Megen Schiffler, Controller, Joe Basil Chevrolet, Inc. requesting a renewal of the Special Use Permit for an automobile glass and accessory installation facility at 5067 Transit Rd.
Disposition = Code Enforcement, Resolution 6/7/21
357. Town Clerk to Code Enforcement Officer –
Copy of a letter from Megen Schiffler, Controller, Joe Basil Chevrolet, Inc. requesting a renewal of the Special Use Permit to operate a facility which installs accessories on automobiles at 5071 Transit Rd.
Disposition = Code Enforcement, Resolution 6/7/21
358. Town Clerk to Code Enforcement Officer –
Copy of a letter from Megen Schiffler, Controller, Joe Basil Chevrolet, Inc. requesting a renewal of the Special Use Permit to operate an automobile dealership at 5111 Transit Rd.
Disposition = Code Enforcement, Resolution 6/7/21
359. Town Clerk to Code Enforcement Officer –
Copy of a letter from Megen Schiffler, Controller, Joe Basil Chevrolet, Inc. requesting a renewal of the Special Use Permit to operate a Kwik Lube and carwash facility at 5123-5127 Transit Rd.
Disposition = Code Enforcement, Resolution 6/7/21
360. Robert Heil, SLA Solutions to Town Clerk –
Request for waiver of the 30-day municipality notification for renewal of liquor license for JPR Fox Valley Golf Club LLC. Disposition = Town Attorney
361. Supervisor to residents of Town of Lancaster –
Emergency Executive Order declaring a local State of Emergency in the Town of Lancaster effective May 15, 2021 and remaining in effect for 30 days or until removed due to Covid-19 disease. Disposition = Received & Filed
362. Supervisor to residents of Town of Lancaster –
Local State of Emergency has been declared in the Town of Lancaster effective May 15, 2021 and remaining in effect for a period not to exceed 30 days. Disposition = Received & Filed
363. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Dept. of Public Works regarding Pleasant View Garden Apartments, 538 Pavement Rd., Proj. #1468.
Disposition = Planning Committee
364. Town Attorney to Town Board and Planning Board –
SEQR response from NYSDEC regarding Angry Buffalo: Revised Site Plan, Wehrle Drive, Proj. #1519. Disposition = Planning Committee
365. Erie County Dept. of Real Property Tax Services to Supervisor –
Revised schedule indicating the amount of Tax Cancellation and Refunds authorized by Erie County Legislature for the calendar year 2019.
Disposition = Received & Filed
366. Erie County Dept. of Real Property Tax Services to Supervisor –
Schedule of Tax Cancellation and Refunds authorized by the Erie County Legislature for the calendar year 2020 for your school district.
Disposition = Received & Filed
367. Town Clerk to Town Board –
Minutes from the Ethics Board Meeting held on May 19, 2021.
Disposition = Received & Filed

368. **Supervising Code Enforcement Officer to Town Board –
Recommend renewal of Special Use Permit for 501 Erie St. 505A Quad Four
Wheel Drive, Inc. Disposition = For Resolution**
369. **Code Enforcement Officer to Town Board –
Recommend renewal of Special Use Permit for Joe Basil Chevrolet, Inc.
5067 Transit Rd. to operate as an Automotive Glass and Accessory Installation;
conditions noted. Disposition = For Resolution**
370. **Code Enforcement Officer to Town Board –
Recommend renewal of Special Use Permit for Joe Basil Chevrolet, Inc.
5071 Transit Rd. to operate as an Automotive Accessory Installation Facility;
conditions noted. Disposition = Resolution 6/7/21**
371. **Code Enforcement Officer to Town Board –
Recommend renewal of Special Use Permit for Joe Basil Chevrolet, Inc.
5071 Transit Rd. to operate an Automobile Dealership Facility; conditions noted.
Disposition = Resolution 6/7/21**
372. **Code Enforcement Officer to Town Board –
Recommend renewal of Special Use Permit for Joe Basil Chevrolet, Inc.
5071 Transit Rd. to operate as an Automotive Kwik Lube and Car Wash Facility;
conditions noted. Disposition = Resolution 6/7/21**
373. **Town Attorney to NYSDEC, US Army Corps of Engineers, Erie County Water
Authority, Erie County Health Dept., NYSDOT, Erie County DEP and Division
of Sewerage Management –
Request for lead agency status regarding Niagara Lutheran Health Amended
Site Plan Parking Lot Improvement, 5949 Broadway; Proj. #4163.
Disposition = Planning Committee**
374. **Daniel Speyer, Jr. to Payroll Supervisor –
Notice of resignation from employment with the Town of Lancaster effective
May 28, 2021. Disposition = Received & Filed**
375. **Bowmanville Volunteer Fire Association to Town Clerk –
Change in roster. Disposition = Resolution 6/7/21**
376. **Town Attorney to NYSDEC, US Army Corps of Engineers, Erie County Water
Authority, Erie County Health Dept., Erie County DPW, Erie County DEP and
Division of Sewerage Management –
Request for lead agency status regarding Kulbacks Pavement Road Storage
Facility, East side of Pavement Rd @ Pleasant View Dr.; Proj. #2107.
Disposition = Planning Committee**
377. **Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Dept. of Public Works regarding Amended
Site Plan – Angry Buffalo, Wehrle Dr.; Proj. #1501.
Disposition = Planning Committee**
378. **Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Dept. of Public Works regarding Car Wash,
3620 Walden Ave. & 371 Central Ave.; Proj. #1920.
Disposition = Planning Committee**
379. **Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Dept. of Environment & Planning regarding
Pleasant View Garden Apartments, 538 Pavement Rd.; Proj. #1468.
Disposition = Planning Committee**
380. **Charter Communications to Town Clerk –
Upcoming changes to channel lineups. Disposition = Received & Filed**

381. **Planning Board Chairman to Planning Board, Town Board, Town Attorney, Engineering Consultant, Highway Superintendent and Building Inspector – Draft copy of minutes from May 19, 2021 Planning Board meeting. Disposition = Received & Filed**
382. **Planning Board to Town Board – Memo recommending approval of Site Plan Review for Storage Shed for Ponies equipment at Walden Pond Park. Disposition = Planning Committee**
383. **Dog Control Officer to Town Board – Dog Control Report for April/May 2021. Disposition = Received & Filed**
384. **Highway Superintendent to Town Board – Notice of appointment of Joseph Lista, Lancaster, NY to the position of Maintenance Worker in the Town Highway Dept. effective June 7, 2021. Disposition = Resolution 6/7/21**
385. **Town Justice Jeremy Colby to Supervisor and Town Board – Request for resolution appointing Edward Pastorek to the position of Court Officer at Lancaster Town Court effective June 7, 2021. Disposition = Resolution 6/7/21**
386. **Amy Revelas to Judge Jeremy Colby – Notice of resignation from the position of Court Officer at Lancaster Town Court effective June 15, 2021. Disposition = Received & Filed**
387. **Highway Superintendent to Town Board – Request for resolution to purchase one new and unused 2021 E60 R2-Series Bobcat Compact Excavator from Clark Equipment Company d/b/a Bobcat Company, 250 E. Beaton Dr., West Fargo, ND. Disposition = For Resolution**
388. **Cross Creek Estates Community to Town Clerk – Residents/property owners in the Cross Creek Estates Subdivision expressing strong opposition to the Pleasant View Garden Apartments. Proj. #1468. Disposition = Received & Filed**
389. **Erie County Clerk to Supervisor – Information regarding Erie County Clerk’s ZOMBIES Initiative emergency training via Zoom on Tuesday, June 22, 2021. Disposition = Received & Filed**
390. **Town Clerk to Jennifer Cuttitta – Information regarding renewal of Special Use Permit for 510 Town Line Road to operate a home occupation (Hair Salon). Disposition = Received & Filed**
391. **Code Enforcement Officer to Drainage & Sewer Committee – MS4 Report for May 2021. Disposition = Received & Filed**
392. **Park Crew Chief to Supervisor and Town Board – Request for resolution to appoint individuals to the position of part-time temporary seasonal employees for the summer of 2021 in the Parks, Recreation & Forestry Dept. Disposition = Resolution 6/7/21**
393. **Greg Sojka to Supervisor and Town Board – Request for information regarding private companies who purportedly have been granted permission to dispose at the Lancaster dump sites at 525 Pavement Road and on Genesee St., Lancaster, NY. Disposition = Received & Filed**
394. **Police Chief to Town Clerk – Articles and communications. Disposition = Received & Filed**
395. **Town Clerk to Town Board – Town Clerk Monthly Report for May 2021. Disposition = Received & Filed**

- 396. Law Enforcement Training Academy to Police Chief –
Thank you for participation in the panel discussion at the Police Supervision
School on May 3, 2021. Disposition = Received & Filed**
- 397. Executive Director Youth Bureau to Supervisor and Town Board –
Recommendation of individuals for various positions in the Youth Bureau’s
Summer Skills Reinforcement & Enrichment Programs effective June 14, 2021
through August 31, 2021. Disposition = Resolution 6/7/21**
- 398. Paul DeBergalis to Town Board –
Notice of intent to retire from the Town of Lancaster Highway Dept.
effective July 1, 2021. Disposition = Received & Filed**
- 399. Town Attorney to Town Board and Planning Board –
SEQR response from NYS Office of Parks, Recreation & Historic Preservation
regarding Pleasant View Garden Apts., 538 Pavement Rd., Proj. #1468.
Disposition = Planning Committee**
- 400. Town Attorney to Town Board and Planning Board –
SEQR response from NYSDEC regarding Car Wash, 3620 Walden Ave. &
371 Central Ave., Proj. #1920. Disposition = Planning Committee**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER DICKMAN AND SECONDED BY
COUNCIL MEMBER MAZUR AND CARRIED,** the meeting was adjourned in memory
of Marie Bumbalo, Thomas P. Ryan and Jerome Szeffel at 8:53 P.M.

Signed _____

Diane M. Terranova, Town Clerk