

Town Board Minutes

July 6, 2021

Meeting No. 13

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 6th day of July 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
EMILY ORLANDO, DEPUTY TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
WILLIAM KARN, CHIEF OF POLICE
MICHELLE BARBARO, PARK CREW CHIEF
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
JEAN KARN, DOG CONTROL OFFICER

PERSONS ADDRESSING TOWN BOARD:

Gies, Daryl, spoke to the Town Board on the following matter:

- Commented on soil erosion probability if the retention pond's ecosystem is altered.

Hamilton, Bill, spoke to the Town Board on the following matter:

- Questions and comments regarding retention pond maintenance and consideration of wildlife.

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

- Representing Lee Chowaniec regarding Dog Shelter resolutions and bonding.
- Asked about materials used, grant funds awarded and the total cost of the dog shelter building.
- Commented on the Solar project, the IDA funding and the solar panel toxicity.

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

- Concerns regarding notice of violation for the retention pond cleanup and the Stormwater Pollution Prevention Plan.

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

- Asked about locking the gate at the Town brush disposal site and any reimbursement by private companies to the Town.

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

- Comments on the Highway Superintendent's recorded audio regarding the dumping of trees, brush, etc. by private companies on Town property.
- Asked about fulfilling the Comprehensive Master Plan and obtaining additional green spaces.

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
June 21, 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

July 6, 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. 65468 to Claim No. 65631 Inclusive

Total amount hereby authorized to be paid: \$1,185,312.33

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

July 6, 2021

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER MAZUR WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER WOZNIAK, 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
OP-37		American Promotional Events	4975 Transit Rd	Er. Sign - Temp	
OP-38		Boomtastic Fireworks	6114 Broadway	Er. Sign - Temp	
32261		Cortese Brothers Construction	138 Nichter Rd	Er. Res. Add.	
32851		Danile Bruce	29 Bentley Cir	Er. Shed	
32873		Core Strategic	Cell Tower Barton Rd	Inst. Generator	
32880		Dalex Construction Inc.	2025 Como Park Blvd	Re-Roof	(V/L)
32881		Glorified Development	162 Central Ave	Dem. Garage	(V/L)
32885		Severyn Dev. Inc.	0 Camner Ave	Er. Dwlg.-Sin.	(V/L)
32889		Alliance Homes	2 Kevwood Ln	Er. Dwlg.-Sin.	
32893		Xtreme Contracting	5839 Genesee St	Er. Comm. Add./Alt.	
32894		Anthony Lorusso	8 Bridgewater Ct	Er. Fence	
32897		The Vinyl Outlet Inc.	25 Regency Ct	Er. Deck	
32903		Marrano/Marc Equity Corp.	73 Grambo Dr	Er. Patio Home	
32905		The Vinyl Outlet Inc.	85 Avian Way	Er. Deck	
32906		Crist Construction	36 Old Post Rd	Er. Porch/Porch Cover	
32909		Gregory Falardo	39 Woodgate Dr	Er. Fence	
32910		Solar Liberty Energy Systems	44 Creekwood Dr	Inst. Solar Panels	
32911		Race Storage Sheds LLC	295 Enchanted Forest N	Er. Shed	
32912		Crist Construction	8 Tranquility Trl	Er. Porch/Porch Cover	
32913		Crist Construction	48 Middlebury Ln	Er. Porch/Porch Cover	
32915		Majestic Pools Inc.	36 Katherine St	Er. Fence	
32916		Majestic Pools Inc.	36 Katherine St	Er. Pool-In Grnd	
32917		Majestic Pools Inc.	16 Liberty Ave	Er. Pool-In Grnd	(V/L)
32918		Julie Cirbus	249 Warner Rd	Er. Fence	
32919		Daniel Hubbell	100 Newberry Ln	Er. Pool-Abv Grnd	
32920		Beavers Petroleum Equipment Co	5873 Genesee St	Er. Comm. Add./Alt.	
32921		The Vinyl Outlet Inc.	28 Fourth Ave	Er. Deck	(V/L)
32922		John Gasiieki	48 Woodlawn Ave	Re-Roof	(V/L)
32924		Mr. Pool Enterprises Ltd.	47 Woodgate Dr	Er. Pool-In Grnd	
32925		Christian Litwiller	249 Lake Ave	Er. Fence	(V/L)
32926		Robert Van Pelt	3956 Walden Ave	Er. Deck	
32927		Harley Lentola	27 Americo Ct	Er. Porch/Porch Cover	
32928		John Schaller	29 Jonquille Ct	Er. Shed	
32929		Essex Homes of WNY Inc.	19 Weathersfield Ln	Er. Dwlg.-Sin.	
32930		Buscaglia Decks	29 Sedge Run	Er. Deck	
32931		Timothy Hineman	7 Elm Pl	Er. Fence	(V/L)
32932		Carlo Di Rienzo	72 Michaels Walk	Er. Shed	
32934		Tesla Energy Operations Inc.	66 Tranquility Trl	Inst. Solar Panels	
32935		Dalex Construction Inc.	2 Country Pl	Re-Roof	
32936		Stephen Thiemke	42 Burwell Ave	Er. Porch/Porch Cover	(V/L)
32937		Mark Drabik	265 Enchanted Forest N	Er. Porch/Porch Cover	
32938		Franks Commercial & Home	288 Miller Ave	Er. Res. Alt.	
32939		Brian Zelasko	48 Rehm Rd	Er. Fence	
32940		Marrano/Marc Equity Corp.	17 Sedge Run	Er. Patio Home	
32941		BL Landscape	34 Sagebrush Ln	Er. Deck	
32942		WNY Property Kings	12 Rollingwood Dr	Er. Deck	
32943		BB Property Holdings, LLC	25 Garfield St	Re-Roof	(V/L)
32944		Jennifer Buyea	5482 Broadway	Er. Fence	(V/L)
32945		Flexlume Sign Corporation	368 Pleasant View Dr	Er. Signs	
32946		Zenner & Ritter Co. Inc.	6 Quail Hollow	Inst. Generator	
32947		Quinton Cusimano	725 Aurora St	Er. Shed	
32948		Michael Mazurski	205 Aurora St	Re-Roof	(V/L)
32949		Majestic Pools Inc.	17 Schilling Ct	Er. Pool-In Grnd	
32950		Majestic Pools Inc.	17 Schilling Ct	Er. Fence	
32951		Crist Construction	63 Kennedy Ct	Er. Porch/Porch Cover	
32952		ECC Electrical Construction	4 Lake Forest Pky W	Inst. Generator	

32953	House Crafters LLC	33 Lenox Ave	Re-Roof	(V/L)
32954	House Crafters LLC	20 Beatrix Cir	Re-Roof	
32955	Daniel Sekeret	1204 Penora St	Er. Shed	
32956	Robin McConville	118 Stony Rd	Er. Pool-Abv Grnd	
32957	R&R Pros Inc.	135 Fourth Ave	Re-Roof	(V/L)
32958	Michael Hatsios	5545 Genesee St	Er. Fence	
32959	Building Solutions	31 Redlein Dr	Re-Roof	
32960	Buffalo's Exquisite Fencing	60 Christen Ct	Er. Fence	(V/L)
32961	Taite Augustine	161 Schwartz Rd	Re-Roof	
32962	Jennifer Garwol	20 Ronald Dr	Er. Fence	
32963	Thomas Murphy	521 Central Ave	Er. Shed	
32964	Gary Wilson	15 Crabapple Ln	Er. Shed	
32965	Kurt Schwenk	1 Briggs Pl	Er. Pool-Abv Grnd	
32966	Mr. Pool Enterprises Ltd.	93 Avian Way	Er. Pool-In Grnd	
32967	Black Rock Roofing	3 Robins Nest Ct	Re-Roof	
32968	Black Rock Roofing	5 Robins Nest Ct	Re-Roof	
32969	KCM Custom Built Garages Inc.	36 Newberry Ln	Er. Porch/Porch Cover	
32971	Forbes Homes, Inc.	51 Hidden Meadow Cros	Er. Dwlg.-Sin.	
32972	Kim Barton	50 Hedge Ln	Inst. Generator	
32974	Forbes Homes, Inc.	45 Hidden Meadow Cros	Er. Dwlg.-Sin.	
32975	Anita Schiavone	86 Old Post Rd	Er. Fence	
32977	Maya Darwish	80 Fairfield Ave	Re-Roof	(V/L)
32978	Scott Patterson	98 Avian Way	Er. Fence	
32981	Kevin Arndt	90 Stony Rd	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

July 6, 2021

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

WHEREAS, on September 3, 2019, Wendel was awarded the Design Services Agreement for professional services to provide drawings, and specifications, bidding, construction administration and reimbursable expenses for maintenance repairs including brick, concrete, window and emergency lighting repairs, etc. for the Town of Lancaster Town Hall and Opera House for an amount not to exceed \$14,300.00 per their proposal dated August 22, 2019, and

WHEREAS, the project was suspended due to the COVID-19 pandemic, and

WHEREAS, Town Engineer, Ed Shiller has coordinated with Wendel to have them submit an updated proposal package to include a re-bidding of improvements and re-assessment of the sites to determine the status of previously identified damage and evaluate any new concerns, and

WHEREAS, by memo dated May 24, 2021, Town Engineer Ed Schiller, in consultation with Highway Superintendent Daniel Amatura, has recommended that the Town of Lancaster accept the updated proposal package for an amount not to exceed \$9,765.00 per their proposal dated June 14, 2021, and

WHEREAS, this project has an anticipated completion date of December 31, 2021, and will be paid for with funds appropriated for the Capital Improvements Project in the Bond resolution approved on March 15, 2021.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby accepts the updated proposal package for professional services provide drawings, and specifications, bidding, construction administration and reimbursable expenses for maintenance repairs to three main groups – Masonry, Painting, and Site for the Town of Lancaster Town Hall and Opera House from Wendel, 375 Essjay Road, Suite 200, Williamsville, New York 14221, for an amount not to exceed \$9,765.00 in accordance with their proposal dated June 14, 2021, which will be paid for with funds appropriated for the Town Hall Construction & Reconstruction Capital Improvements Project Bond resolution approved on March 15, 2021.

August 2019 Proposal:	\$14,300.00
June 2021 Updated Proposal:	\$ 9,765.00
 Total Expenditure;	 \$24,065.00

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

July 6, 2021

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

WHEREAS, by letter dated June 22, 2021, Parks Crew Chief, Michelle, Barbaro, has requested that the Town accept the donation from Adrianna Liddell of a Cleveland Select Pear Tree to be planted in the Town of Lancaster's right-of-way located in front of her residence at 77 Middlebury Lane with a value of not more than \$229.00, and

WHEREAS, Ms. Liddell will be purchasing the tree and planting it on the property herself so no additional costs will be incurred by the Town, 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 donation.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby accepts the donation from Adrianna Liddell of a Cleveland Select Pear Tree to be planted in the Town of Lancaster's right-of-way located in front of her residence at 77 Middlebury Lane with a value of not more than \$229.00.

BE IT FURTHER,

RESOLVED, that upon presentation and inspection of the Cleveland Select Pear Tree the Park Crew Chief determines it to be unacceptable the Town reserves its right to refuse the donation.

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

July 6, 2021

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

WHEREAS, Michelle Barbaro, Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated June 24, 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>
Christopher King Lancaster, NY	Laborer	\$13.00	June 28, 2021
Jacob Baker Alden, NY	Lifeguard	\$14.50	June 26, 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

July 6, 2021

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

WHEREAS, Tom Barret, 10 Wendling Court, Lancaster, New York 14086
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 10 Wendling Court, 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. 831,
10 Wendling Court, New York 14086 which is a permit for Private Improvements for the
installation of:

- 6,000 square feet of pre-engineered single story storage building
located in the Northwest corner of the property located at 10 Wendling
Court, Lancaster, New York 14086.

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

July 6, 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 26 of the Town of Lancaster Town Code provide for the adoption and enactment of local laws, and

WHEREAS, a proposed Local Law of the Year 2021 entitled “**TAXATION REVISION**”, of the Code of the Town of Lancaster, was introduced to the Town Board of the Town of Lancaster by Council Member Leary on the 7th day of June, 2021, and

WHEREAS, the Town Board, acting as Lead Agency under the State Environmental Quality Review Act (“SEQRA”) has determined the action is a Type II action under 6NYCRR Part 617.5(c)(33), and

WHEREAS, the Town Board called for, noticed, and held a public hearing on the proposed Local Law on June 21, 2021, where all interested parties were allowed to address the proposed Local Law, and

WHEREAS, the Town Board of the Town of Lancaster after due review and deliberation finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE,

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

1. The attached Local Law No. 2 of 2021 is hereby adopted.
2. The Local Law shall be effective upon its filing with the Secretary of State pursuant to the Municipal Home Rule Law.

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 WOZNAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

July 6, 2021

**LEGAL NOTICE
NOTICE OF ADOPTION
LOCAL LAW NO. 2 OF THE YEAR 2021
TOWN OF LANCASTER**

PLEASE TAKE NOTICE that there has been adopted by the Town Board of the Town of Lancaster, County of Erie, State of New York, on July 6, 2021, Local Law No. 2 of the Year 2021, which amends the Code of the Town of Lancaster's Chapter 320 Taxation, by repealing in its entirety, Article I. Business Investment Exemption.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

July 8, 2021

**Town of Lancaster
Local Law No. 2 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.

Article I. 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 WOZNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MAZUR, TO WIT:

WHEREAS, the Town of Lancaster, in order to preserve public safety and in the face of eminent danger to the public, must consider whether the property located at 15 Ellie Court (SBL No. 128.00-4-43) should be condemned and/or demolished; and

WHEREAS, the above-referenced property is vacant and have unresolved Property Maintenance violations spanning a few years; and

WHEREAS, by virtue of the issuance of Property Maintenance violations, the owners or agents of the owners have been provided notice of the violation as required by Town Code §115-1, had the opportunity to remedy the deficiencies listed in the notice, failed to remedy those deficiencies, and the time to do so has passed; and

WHEREAS, the above-referenced property represent a public nuisance and pose a threat to the health, welfare, and safety of the public and are believed to be a danger given their current condition; and

WHEREAS, the Town Board wishes to afford the public notice of the intent to consider condemning, demolition, and taking all other necessary and appropriate action concerning the above-referenced properties to prevent further harm to the public and remove the existing threat the properties pose to the public; and

WHEREAS, a public hearing addressing the issues and concerns pertaining to the above-referenced properties is therefore necessary.

NOW THEREFORE,

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

1. Pursuant to Chapter 115 of the Town Code, to ensure the public health, welfare, and safety is protected, the Town Board will schedule a public hearing concerning 15 Ellie Court (SBL No. 128.00-4-43), located in the Town, on July 19, 2021, at 7:15PM, to determine whether they should be condemned and/or demolished, and assess what other necessary actions are necessary.

2. A copy of this resolution along with any notice of the public hearing concerning the above-referenced properties shall be served upon the owners of the above-referenced properties, or their agent, either personally or by registered mail to the last known address, if any, of said individuals.

3. This Resolution shall be effective immediately upon its adoption.

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 WOZIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

July 6, 2021

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that the Town Board of the Town of Lancaster shall hold a public hearing at 7:15PM on July 19, 2021, at Town Hall, 21 Central Avenue, Lancaster New York 14086, for the purposes of considering and possibly carrying out the condemnation and/or demolition of 15 Ellie Court (SBL No. 128.00-4-43). Copies of the resolution authorizing this public hearing are available at the Office of the Town Clerk at the above address. At the time and place above, all members of the public shall be heard.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

July 8, 2021

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

WHEREAS, on June 21, 2021, the Town Board of the Town of Lancaster approved the purchase of one (1) **2 Post Surface Mounted Lift, 16,000 lb. Capacity (Model # SP016)** from the New York State Contract No. PC67297, Group 35000, Award No. PGB-22947, from State Contractor Vehicle Service Group, LLC d/b/a Rotary Lift, through authorized installer Filtrec Corporation, 5440 Lockwood Road, Auburn, NY 13021, for an amount not to exceed \$17,744.94, per Rotary Lift's quote (# 2020651) dated June 9, 2021, and

WHEREAS, due to safety concerns Parks, Recreation and Forestry Crew Chief, Michelle Barbaro, has requested that the purchase approval resolution be rescinded as a different lift will be purchased.

NOW, THEREFORE,
BE IT RESOLVED, that the resolution adopted June 21, 2021, approving the purchase of one (1) 2 Post Surface Mounted Lift, 16,000 lb. Capacity (Model # SP016) from the New York State Contract No. PC67297, Group 35000, Award No. PGB-22947, from State Contractor Vehicle Service Group, LLC d/b/a Rotary Lift, through authorized installer Filtrec Corporation, 5440 Lockwood Road, Auburn, NY 13021, for an amount not to exceed \$17,744.94 is hereby rescinded.

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

July 6, 2021

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

WHEREAS, Town of Lancaster's Park's Crew Chief, Michelle Barbaro by letter dated June 29, 2021, has requested to purchase of one (1) **4 Post Surface Mounted Lift, 18,000 lb. Capacity**, (Model # SM18-L) for use by the Parks, Recreation and Forestry Department, and

WHEREAS, the lift is available under New York State Contract No. PC67297, Group 35000, and Award No. PGB-22947, from State Contractor Vehicle Service Group, LLC d/b/a Rotary Lift, through authorized installer Filtrec Corporation, 5440 Lockwood Road, Auburn, NY 13021, for an amount not to exceed \$19,744.44, per Rotary Lift's quote (#2021401) dated June 23, 2021, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, the Town Board deems it in the public interest to approve the purchase of one (1) **4 Post Surface Mounted Lift, 18,000 lb. Capacity**, (Model # SM18-L).

NOW, THEREFORE,

BE IT RESOLVED, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of one (1) **4 Post Surface Mounted Lift, 18,000 lb. Capacity**, (Model # SM18-L) from the 2021 New York State Contractor, Vehicle Service Group, LLC d/b/a Rotary Lift, through authorized installer Filtrec Corporation, 5440 Lockwood Road, Auburn, NY 13021, under New York State Contract No. PC67297, Group 35000, and Award No. PGB-22947, as proposed by Park Crew Chief, Michelle Barbaro for an amount not to exceed \$19,744.44, per Rotary Lift's quote (#2021401) dated June 23, 2021, which will be paid for with funds approved in the Town's March 15, 2021 Parks and Recreation Department Acquisition of Vehicles and Equipment Bond resolution.

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

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

July 6, 2021

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

A BOND RESOLUTION, DATED JULY 6, 2021, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE "TOWN") AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT CONSISTING OF THE CONSTRUCTION OF A DOG CONTROL FACILITY BUILDING LOCATED AT 525 PAVEMENT ROAD IN THE TOWN, AT AN ESTIMATED MAXIMUM COST OF \$485,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$485,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

WHEREAS, the Town Board of the Town of Lancaster, in the County of Erie, New York (the "Town") has determined to undertake a capital improvements project consisting of the construction of a dog control facility building located at 525 Pavement Road in the Town.

NOW, THEREFORE,

BE IT RESOLVED, by the Town Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Town is hereby authorized to undertake a capital improvements project consisting of the construction of a dog control facility building located at 525 Pavement Road in the Town, such work to generally consist of (but not be limited to) the construction of a building to house multiple kennels, office areas, garage and outdoor yard, as well as other such improvements as more fully identified in (or contemplated by) one or more reports prepared by WM Schutt & Associates, P.C., including all preliminary work and necessary equipment, materials and related site work, and any preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$485,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$485,000 of the Town, hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received including, but not limited to, grant funds expected to be received from New York State in the approximate amount of \$225,000. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 3. It is hereby determined that the Purpose is an object or purpose described in subdivision 11(c) of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such Purpose is 15 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution is expected to be in excess of five years.

SECTION 6. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

SECTION 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution.

SECTION 9. This resolution shall constitute the declaration (or reaffirmation) of the Town's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the bonds, notes or other obligations authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 10. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 11. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 12. The Town Supervisor is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with Town officials and the Town's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the Town Clerk.

SECTION 13. The Town has determined that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") are required.

SECTION 14. In the absence or unavailability of the Town Supervisor, the Deputy Town Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 15. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 16. This resolution is subject to permissive referendum pursuant to Section 35.00 of the Local Finance Law. The Town Clerk is hereby authorized and directed to publish (one time) and post on the sign-board of the Town, this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 17. If no petitions are filed in the permissive referendum period, the Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

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	NO

July 6, 2021

**NOTICE OF ADOPTION OF BOND RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM
AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT CONSISTING
OF THE CONSTRUCTION OF A DOG CONTROL FACILITY BUILDING
LOCATED AT 525 PAVEMENT ROAD IN THE TOWN**

Notice is hereby given that at its July 6, 2021 meeting the Town Board of the Town of Lancaster adopted a bond resolution authorizing the Town to undertake a capital improvements project consisting of the construction of a dog control facility building located at 525 Pavement Road in the Town, such work to generally consist of (but not be limited to) the construction of a building to house multiple kennels, office areas, garage and outdoor yard, as well as other such improvements as more fully identified in (or contemplated by) one or more reports prepared by WM Schutt & Associates, P.C., including all preliminary work and necessary equipment, materials and related site work, and any preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose") at an estimated maximum cost of \$485,000. Such resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of such serial bonds, in an aggregate principal amount not to exceed \$485,000, such amount to be offset by any federal, state, county and/or local funds received including, but not limited to, grant funds expected to be received from New York State in the approximate amount of \$225,000. Such resolution is subject to permissive referendum pursuant to New York law.

BY ORDER OF THE TOWN BOARD OF
TOWN OF LANCASTER, ERIE COUNTY,
NEW YORK

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 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 **James J. Macken**, for a Special Use Permit for a Home Occupation (Accounting for Sewer Maintenance Company) on premises located at 6479 Broadway, (SBL No. 117.11-2-6), Lancaster, New York, and the Board issued such Special Use Permit on March 6, 2017, 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 dated February 14, 2021, **James J. Macken** 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 approval of this Special Use Permit Renewal per his letter dated June 22, 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 **James J. Macken** for a Home Occupation (Accounting for Sewer Maintenance Company) on premises located at 6479 Broadway, (SBL No. 117.11-2-6), Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning March 6, 2021 and ending March 5, 2023, and

2. That the applicant will continue in compliance with conditions as set forth in §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. This Special Use Permit terminates when the applicant no longer resides on the premises.
- B. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal is considered upon the property owner submitting an application to the Town Clerk, **on or before March 5, 2023.**
- C. 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.
- D. A company logo may be placed on the building but it must comply with conditions stipulated in the Sign Ordinance §400-30(F)(2)(a) of the Town Code and a Sign Permit must be obtained by the applicant.
- E. Only persons residing on the premises shall be engaged in such an occupation.

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

July 6, 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 **Jennifer Cuttitta**, for a Special Use Permit for a Home Occupation (Hair Salon) on premises located at 510 Town Line Road (SBL No. 117.00-2-18.2), Lancaster, New York, and the Board issued such Special Use Permit on July 20 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 dated June 15, 2021, **Jennifer Cuttitta** 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 approval of this Special Use Permit Renewal per his letter dated June 22, 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 **Jennifer Cuttitta**, for a Special Use Permit for a Home Occupation (Hair Salon) on premises located at 510 Town Line Road (SBL No. 117.00-2-18.2), Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning July 20, 2021 and ending July 19, 2023, and

2. That the applicant will continue in compliance with conditions as set forth in §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. This Special Use Permit terminates when the applicant no longer resides on the premises.
- B. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal is considered upon the property owner submitting an application to the Town Clerk, **on or before July 19, 2023.**
- C. Applicant to 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.
- D. There shall be no outdoor sign advertising this business.
- E. Only persons residing on the premises shall be engaged in specified Home Occupation.

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

July 6, 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 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 **Irene J. Colvin**, for a Special Use Permit for a Home Occupation (Cottage Industry – Homemade Pierogi) located at 29 Hawthorne Trail (SBL No. 126.46-2-11), Lancaster, New York, and the Board issued such Special Use Permit on July 17, 2017, 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 dated June 6, 2021, **Irene J. Colvin** 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 approval of this Special Use Permit Renewal per his letter dated June 22, 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 **Irene J. Colvin** for a Home Occupation (Cottage Industry – Homemade Pierogi) located at 29 Hawthorne Trail (SBL No. 126.46-2-11), Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning July 17, 2021 and ending July 16, 2023, and

2. That the applicant will continue in compliance with conditions as set forth in §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. This Special Use Permit terminates when the applicant no longer resides on the premises.
- B. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal is considered upon the property owner submitting an application to the Town Clerk, **on or before July 16, 2023.**
- C. Applicant to 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.
- D. There shall be no outdoor sign advertising this business.
- E. Applicant will authorize representative from the Building Inspector's Office to enter the premises upon reasonable notice to verify compliance with the permit conditions.

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

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

July 6, 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 desires to pursue funding opportunities to purchase a Catch Basin Vacuum Truck. This is a piece of equipment that will be used to clean catch basins by capturing grit and debris, which, if not removed in a timely fashion, can discharge toxic and biological pollutants during rain and/or snow-melt events, and

WHEREAS, the Town Board desires to secure this piece of equipment at the lowest possible cost to the Town and Town taxpayers, and

WHEREAS, the Town Board desires to apply for financial assistance from New York State Department of Environmental Conservation, Division of Water; Water Quality Improvement Project (WQIP) program through the CFA (Consolidated Funding Application), and

WHEREAS, the Town Board commits to providing the required local matching funds to insure the timely purchasing of the piece of equipment proposed.

NOW, THEREFORE,

BE IT RESOLVED, that Ronald Ruffino Sr., as Supervisor of the Town of Lancaster, is hereby authorized and directed to accept funds from the New York State Department of Environmental Conservation, Division of Water; Water Quality Improvement Project (WQIP) program, in an amount not to exceed \$325,000 (of the total equipment cost of \$460,825), and enter into and execute a project agreement with the State for such financial assistance to the Town of Lancaster to purchase a Catch Basin Vacuum Truck, and

BE IT FURTHER,

RESOLVED, that upon approval of the application for financial assistance that the Town make available at least \$135,825 > 25% in matching funds to satisfy the requirements of the funding program, and

BE IT FURTHER,

RESOLVED, that the Supervisor is hereby authorized and directed to execute all documents pertaining to the New York State Department of Environmental Conservation, Division of Water; Water Quality Improvement Project (WQIP) program application and to the acquisition of said funding.

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	NO
SUPERVISOR RUFFINO	VOTED	YES

July 6, 2021

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

WHEREAS, the Town Board desires to pursue funding opportunities for the resurfacing of the Westwood Park Trail and Lancaster Heritage Trail, and

WHEREAS, the Town Board desires to provide this improvement to residents at the lowest possible cost to the Town and Town taxpayers, and

WHEREAS, the Town Board desires to apply for financial assistance from the Office of Parks, Recreation & Historic Preservation Environmental Protection Fund Grants Program for Recreational Trails Program through the CFA (Consolidated Funding Application), and

WHEREAS, the Town Board commits to providing the required local matching funds to insure the timely implementation of the proposed project.

NOW, THEREFORE,

BE IT RESOLVED, that Ronald Ruffino Sr., as Supervisor of the Town of Lancaster, is hereby authorized and directed to accept funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$250,000.00 (less than 80% of the total project cost of \$455,000.00), and enter into and execute a project agreement with the State for such financial assistance to the Westwood Park Trail and Lancaster Heritage Trail Project, and

BE IT FURTHER,

RESOLVED, that upon approval of the application for financial assistance that the Town will make available \$205,000.00 (more than 20%) in matching funds to satisfy the requirements of the funding program, and

BE IT FURTHER,

RESOLVED, that the Supervisor is hereby authorized and directed to execute all documents pertaining to the New York State Office of Parks, Recreation and Historic Preservation: Recreational Trails Program application and to the acquisition of said funding.

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

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

July 6, 2021

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

WHEREAS, the Town Board desires to pursue funding opportunities for the Westwood Park All Inclusive Playground Project, and

WHEREAS, the Town Board desires to provide this type of equipment to residents at the lowest possible cost to the Town and Town taxpayers, and

WHEREAS, the Town Board desires to apply for financial assistance from the New York State Office of Parks, Recreation and Historic Preservation: Environmental Protection Fund Grant through the CFA (Consolidated Funding Application), and

WHEREAS, the Town Board commits to providing the required local matching funds to insure the timely implementation of the proposed project.

NOW, THEREFORE,

BE IT RESOLVED, that Ronald Ruffino Sr., as Supervisor of the Town of Lancaster, is hereby authorized and directed to accept funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$249,171.72 (50% of the total project cost of \$498,343.43), and enter into and execute a project agreement with the State for such financial assistance to the Westwood Park All Inclusive Park Improvement Project, and

BE IT FURTHER,

RESOLVED, that upon approval of the application for financial assistance that the Town will make available \$249,171.72 (50%) in matching funds to satisfy the requirements of the funding program, and

BE IT FURTHER,

RESOLVED, that the Supervisor is hereby authorized and directed to execute all documents pertaining to the New York State Office of Parks, Recreation and Historic Preservation: Environmental Protection Fund Grant Program application and to the acquisition of said funding.

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

July 6, 2021

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER WOZNIAK, 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 25, 2021, has requested the purchase of **one (1) new and unused 2021 20 Ft. Deck 10-ton Trailer (FT-20-2LP)** for use by the Highway Department, and

WHEREAS, this trailer is available under New York State Contract PC69232 Group 40625 Award No. PGB-22792, from New York State Contractor Felling Trailers, Inc., through NYS Authorized Dealer Baschmann Services, Inc., for a cost of \$22,327.20, per their quote dated June 10, 2021, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, the Town Board deems it in the public interest to approve the purchase of the **one (1) new and unused 2021 20 Ft. Deck 10-ton Trailer (FT-20-2LP)** from Baschmann Services, Inc.

NOW, THEREFORE,

BE IT RESOLVED, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of **one (1) new and unused 2021 20 Ft. Deck 10-ton Trailer (FT-20-2LP)** off of New York State Contract PC69232, Group 40625 Award No. PGB-22792, from the 2021 approved State Felling Trailers, Inc., through NYS Authorized Dealer Baschmann Services, Inc., 1101 Maple Road, Elma, New York, as proposed by the Town of Lancaster Highway Superintendent for a total cost not to exceed \$22,327.20, per their quote dated June 10, 2021, and which will be paid for with funds approved in the March 15, 2021 Highway Department Acquisition of Equipment & Machinery Bond Resolution.

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

July 6, 2021

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

WHEREAS, Michelle Barbaro, Department of Parks, Recreation and Forestry Crew Chief, by letters dated June 29, 2021, has requested the purchase of **one (1) new and unused 2022 Ford F-550 XL Reg Cab 4x2 Pickup Truck and one (1) new and unused 2022 Ford F-550 XL Reg Cab 4x4 Pickup Truck with plow package** for use by the Parks, Recreation and Forestry Department, and

WHEREAS, the above-referenced trucks are available from the Onondaga County Department of Purchasing, Bid Ref No. ONGOV-106-19 Reference: 7974, through authorized vendor Van Bortel Ford, Inc., which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, the cost for the **2022 Ford F-550 XL Reg Cab 4x2 Pickup Truck** is **\$60,967.89** per their quote #32398 dated June 18, 2021 and the cost for the **2022 Ford F-550 XL Reg Cab 4x4 Pickup Truck with plow package** is **\$93,293.64** per their quote #32397 dated June 25, 2021, and

WHEREAS, the Parks Department has accepted a trade-in allowance for a 2016 Ford F-550 XL Pick-up with Dump Body (VIN# 1FDUF5HY8GEB17731 w/approx. 24,904 mi.) in the amount of \$25,500.00 to offset the cost of the **2022 Ford F-550 XL Reg Cab 4x4 with plow package** which will bring the total expenditure for that vehicle to **\$67,793.64**, and

WHEREAS, the Town Board deems it in the public interest to approve the purchase of one (1) new and unused 2022 Ford F-550 XL Reg Cab 4x2 Pickup Truck and one (1) new and unused 2022 Ford F-550 XL Reg Cab 4x4 Pickup Truck with plow package.

NOW, THEREFORE,

BE IT RESOLVED, as follows:

the Town Board of the Town of Lancaster hereby approves the purchase of **one (1) new and unused 2022 Ford F-550 XL Reg Cab 4x2 Pickup Truck** in the amount not to exceed **\$60,967.89** per quote #32398 dated June 18, 2021 **and one (1) new and unused 2022 Ford F-550 XL Reg Cab 4x4 Pickup Truck with plow package** in the amount not to exceed **\$67,793.64** per quote #32397 dated June 25, 2021, through the Onondaga County Department of Purchasing, Bid Ref No. ONGOV-106-19 Reference: 7974, from authorized vendor Van Bortel Ford, Inc., 71 Marsh Road, East Rochester, New York, as proposed by the Town of Lancaster's Park Crew Chief, which will be paid for with funds approved in the Town's March 15, 2021 Parks and Recreation Department Acquisition of Vehicles and Equipment Bond resolution.

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 WOZNAIK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

July 6, 2021

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

WHEREAS, the Town Board of the Town of Lancaster recognizes that due diligence should be used as a means of promoting fiscal responsibility and keeping the Town Board informed so it is able to adequately represent the taxpayers of the Town of Lancaster including being consistently apprised of all financial and budgetary matters within the Town; and

WHEREAS, pursuant to New York State Town Law Section 51(3) a Town Board can require from the Supervisor concerning the conduct of the official business of the Town and the performance by Town officers and employees of their functions, powers, and duties.

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

The Town Board of the Town of Lancaster hereby requires that the Supervisor's Office provide the Council Members monthly budget summaries in a format reflecting and coded to match that of the annual Town Budgets, the reports shall include but not be limited to, current fund expenses and balances, equipment and contractual expenses, bond and bond debt information and monthly overtime and compensatory time reports for all departments in order to be properly apprised of the state of the Town's finances.

**BE IT FURTHER,
RESOLVED**, that any additional request, from Town Board Members, for specific invoices pertaining to the monthly budget summaries from the Supervisor's Office be provided in a timely manner and no later than seven (7) calendar days from the initial request.

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

July 6, 2021

COMMUNICATIONS & REPORTS

438. Erie County Dept. of Public Works Division of Highways to Town Clerk –
Permit to furnish, install and maintain a “25 MPH School Speed Limit” on Pleasant View Drive (CR 161) in the vicinity of Lancaster High School.
Disposition = Received & Filed, Highway
439. James Wier to Town Clerk –
30-Day Advance Notice for renewal of an on-premises Liquor License for Lancaster VFW Post #7275, 3741 Walden Ave. Disposition = Town Attorney
440. Town Clerk to Code Enforcement Officer –
Commercial Special Use Permit Application for 20 Lancaster Parkway.
Disposition = Code Enforcement, For Resolution
441. Town Clerk to Town Engineer and Building Inspector –
Application for Dumping Permit for PM Peppermint Inc., 760 Schwartz Rd.
Disposition = For Resolution
442. Town Attorney to Town Board & Planning Board –
SEQR response from Erie County Dept. of Public Works for Kulback’s Storage Facility, East of Pavement Rd. at Pleasant View Dr., Proj. #2107.
Disposition = Planning Committee
443. Code Enforcement Officer to Town Board –
Renewal of Special Use Permit for 6479 Broadway for a Home Occupation may be issued with original 5 conditions. Disposition = Resolution 7/6/21
444. Code Enforcement Officer to Town Board –
Renewal of Special use Permit for 29 Hawthorne for a Home Occupation can be renewed with original conditions. Disposition = Resolution 7/6/21
445. Code Enforcement Officer to Town Board –
Renewal of Special Use Permit for 510 Town Line Rd. can be renewed with original conditions. Disposition = Resolution 7/6/21
446. Buffalo Newspaper Guild to Supervisor –
Request for support for the campaign to protect local journalism.
Disposition = Received & Filed
447. Park Crew Chief to Town Board –
Request for resolution accepting the donation from Adrienne Liddell of a Cleveland Select Pear tree to be planted in the Town right-of-way in front of her residence. Disposition = Resolution 7/6/21
448. Code Enforcement Officer to Town Board –
Request to commence Chapter 115 Unsafe Building – 15 Ellie Court.
Disposition = Resolution 7/6/21
449. Town Clerk to Town Engineer and Building Inspector –
Application for Dumping Permit – 568 Town Line Road.
Disposition = For Resolution
450. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Sewerage Management regarding Kulback’s Storage Facility, East of Pavement Road at Pleasant View Drive; Proj. #2107. Disposition = Planning Committee
451. Town Attorney to Town Board and Planning Board –
SEQR response from NYSDEC regarding Kulback’s Storage Facility, East of Pavement Road at Pleasant View Drive; Proj. #2107.
Disposition = Planning Committee

452. **Town Engineer to Town Board –**
Recommend not to approve the Application for Dumping Permit, 760 Schwartz Road until proposed grades are submitted. Disposition = Planning Committee
453. **NYS Senator Patrick Gallivan to Supervisor –**
Letter of support for Town of Lancaster application for funding for the construction of a sidewalk project along Pleasant View Drive.
Disposition = Received & Filed
454. **Highway Superintendent to Town Board –**
Request for resolution to purchase one new and unused 2021 20-ft. deck, 10-ton trailer from Baschmann Services, Inc., 1101 Maple Road, Elma, NY.
Disposition = Resolution 7/6/21
455. **President Lancaster Volunteer Ambulance Corps to Supervisor –**
Request for much needed and appreciated contribution.
Disposition = Received & Filed
456. **Commissioner Erie County Dept. of Public Works to Supervisor –**
Letter of support for the application for the Pleasant View Drive Sidewalk grant.
Disposition = Received & Filed
457. **Director Lancaster Public Library to Supervisor –**
2020 Annual Report and thanks for continued support.
Disposition = Received & Filed
458. **Park Crew Chief to Supervisor and Town Board –**
Request for resolution appointing two individuals to the position of part-time temporary seasonal employee for the summer of 2021 in the Parks, Recreation and Forestry Department effective July 6, 2021. Disposition = Resolution 7/6/21
459. **Town Engineer to Town Board –**
Recommend approval of Application for Dumping Permit, 568 Town Line Road; condition noted. Disposition = For Resolution
460. **Code Enforcement Officer to Town Board –**
Request to commence Chapter 115 Unsafe Building – 15 Ellie Court.
Disposition = Resolution 7/6/21
461. **Park Crew Chief to Town Board –**
Request for resolution to purchase one new and unused 2022 Ford F-550 XL Regular Cab 4X2 Truck from Van Bortel Ford, Inc., 71 Marsh Rd., East Rochester, NY. Disposition = Resolution 7/6/21
462. **Park Crew Chief to Town Board –**
Request for resolution to purchase one new and unused 2022 Ford F-550 XL Regular Cab 4X4 Truck with Plow Package from Van Bortel Ford, Inc., 71 Marsh Rd., East Rochester, NY. Disposition = Resolution 7/6/21
463. **Town Engineer to Town Board –**
Recommend Exterior Painting of the Historic Building Project be awarded to Sicoli Construction Services, Inc, 4800 Hyde Park Blvd., Niagara Falls, NY, pending concurrence from Town Attorney. Disposition = For Resolution
464. **Park Crew Chief to Town Board –**
Request resolution to purchase a 4-Post Surface Mounted Lift 18,000 lb. Capacity with installation from Filtrec Corporation, 5440 Lockwood Rd., Auburn, NY. Disposition = Resolution 7/6/21
465. **Town Clerk to Code Enforcement Officer –**
Commercial Special Use Permit Application for 57 Gunnville Road.
Disposition = Code Enforcement, For Resolution

- 466. Cheektowaga Town Clerk to Lancaster Town Clerk –
Notice of Public Hearing for 4945–4959 Genesee St. on July 13, 2021 at 8:00PM
at 3301 Broadway, Cheektowaga, NY. Disposition = Received & Filed**
- 467. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**
- 468. Village of Lancaster to Supervisor –
Information regarding 4th of July Celebration in the Village of Lancaster.
Disposition = Received & Filed**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER LEARY AND SECONDED BY
COUNCIL MEMBER MAZUR AND CARRIED,** the meeting was adjourned in memory
of Eric Beckman, Joseph Capone and Jim Cavanaugh at 8:30 P.M.

Signed _____

Diane M. Terranova, Town Clerk