

Town Board Minutes

August 23, 2021

Meeting No. 16

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 23rd day of August 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
WILLIAM KARN, CHIEF OF POLICE
MICHELLE BARBARO, PARK CREW CHIEF
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

EXECUTIVE SESSION:

AT 8:14 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 collective bargaining negotiations per Article 14 of Civil Service Law.

At 9:15 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:

Costello, Gary, President of the Hull House, spoke to the Town Board on the following matter:

- Comments regarding the noise from the Lancaster Speedway.

McCann, Julius, spoke to the Town Board on the following matter:

- Concerns about the spraying of pesticides at Town of Lancaster playing fields.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 1 Special Use Permit Lancaster
Speedway Properties, LLC

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

At 7:15 P.M., the Town Board held a Public Hearing to hear all interested
persons upon a special use permit amendment for Lancaster National Speedway allowing a
small outdoor concert venue on premises located at 57 Gunnville Road matter.

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

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Gary Costello	Comments/Questions
Bernadette Dupre	Comments

ON MOTION BY COUNCIL MEMBER LEARY, SECONDED BY
COUNCIL MEMBER MAZUR AND CARRIED, the public hearing was closed at 7:28 P.M.

Decision on this matter was reserved.

August 23, 2021

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 2V&T Ordinance Stutzman Road and Pleasant View Drive

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

At 7:29 P.M., the Town Board held a Public Hearing to hear all interested persons upon a V&T ordinance turning regulations/restrictions on Stutzman Road and Pleasant View Drive matter.

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

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Christopher White	Comments/Questions
Barbara Andrzejewski	Opponent
Gretchen Galliford	Comments/Questions
Jules McCann	Comments/Questions
Jill Wall	Comments

ON MOTION BY COUNCIL MEMBER MAZUR, SECONDED BY COUNCIL MEMBER LEARY AND CARRIED, the public hearing was closed at 7:48 P.M.

Decision on this matter was reserved.

August 23, 2021

PRESENTATION OF PREFILED RESOLUTIONS:

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

RESOLVED, that the minutes of the Regular Meeting of the Town Board held August 2, 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

August 23, 2021

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WOZNIAK, 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. 65967 to Claim No. 66098 Inclusive

Total amount hereby authorized to be paid: \$1,226,388.19

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

August 23, 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
2020003		Niagara Lutheran	5949 Broadway	Develop Floodplain	
31872		FASTSIGNS	4931 Transit Rd	Er. Sign - Temp	
32186		Catherine Paluszak	3673 Walden Ave	Er. Fence	(V/L)
32232		David Zelak	71 Brandel Ave	Demo Interior Bldg.	(V/L)
32460		Justin Green	6 Blackstone Ct	Er. Shed	
32685		Hidden Meadow Land LLC	40 Hidden Meadow Cros	Er. Dwlg.-Sin.	
32900		House Crafters LLC	5609 William St	Er. Res. Alt.	
33031		Lancaster Com. Baptist Church	520 Ransom Rd	Er. Sign	
33055		Thrifty Roofs LLC	4885 Transit Rd	Re-Roof	
33081		Total Image Solutions	4221 Walden Ave	Er. Signs	
33093		Marrano/Marc Equity Corp.	4 Henslow Way	Er. Patio Home	
33110		Chautauqua Fence	27 Nicholas Ln	Er. Fence	
33112		Majestic Pools Inc.	86 Avian Way	Er. Pool-In Grnd	
33113		Majestic Pools Inc.	86 Avian Way	Er. Fence	
33115		Schultz Renovation & Const.	300 Enchanted Forest N	Er. Res. Alt.	
33118		Franks Commercial & Home	568 Aurora St	Inst. Res. Plumbing	
33122		Buscaglia Decks	18 Henslow Way	Er. Deck	
33123		The Vinyl Outlet Inc	13 Nicholas Ln	Er. Deck	
33124		Majestic Pools Inc.	44 Stream View Ln	Er. Pool-In Grnd	
33125		Andrea Powell	419 Erie St	Re-Roof	
33126		Majestic Pools Inc.	49 Steinfeldt Rd	Er. Pool-In Grnd	
33127		Majestic Pools Inc.	49 Steinfeldt Rd	Er. Fence	
33128		Jerald Linforth	26 Red Clover Ln	Er. Pool-Abv Grnd	
33129		Essex Homes of Western NY Inc.	16 Northfield Ln	Er. Dwlg.-Sin.	
33130		Majestic Pools Inc.	12 Greenmeadow Dr	Er. Pool-In Grnd	
33131		Dalex Construction Inc.	48 Fairfield Ave	Re-Roof	(V/L)
33132		George Simme	147 Sawyer Ave	Er. Fence	(V/L)
33133		Collley's Pool Sales Inc.	165 Siebert Rd	Er. Pool-In Grnd	
33134		Earl Malone	4807 William St	Inst. Fireplace/Stove	
33135		Franks Commercial & Home	287 Seneca Pl	Er. Res. Alt.	
33136		James Warrington	65 Meadow Lea Dr	Er. Fence	
33137		Buscaglia Decks	21 Henslow Way	Er. Deck	
33139		Jenna Salvatore	21 Windsor Ridge Dr	Er. Fence	
33140		Fraem Construction LLC	31 Chestnut Corner	Er. Porch/Porch Cover	
33141		Paul Penner	151 Fourth Ave	Er. Fence	(V/L)
33142		John Joseph Renovation&Design	225 Siebert Rd	Er. Res. Alt.	
33143		John Munzel	96 Harvey Dr	Er. Pool-Abv Grnd	(V/L)
33144		AVA Roofing & Siding Inc.	1197 Ransom Rd	Re-Roof	
33145		Neth & Son Inc.	4733 Transit Rd	Re-Roof	
33146		Zenner & Ritter Co. Inc.	50 Northwood Dr	Inst. Generator	
33147		Majestic Pools Inc.	19 Middlebury Ln	Er. Pool-In Grnd	
33148		Jacob Schu	30 Linden Ave	Er. Shed	(V/L)
33149		Serpei Home Solutions LLC	200 Central Ave	Re-Roof	(V/L)
33150		Gen-Tech Power Systems LLC	2 Parliament Ln	Inst. Generator	
33151		Gen-Tech Power Systems LLC.	289 Enchanted Forest N	Inst. Generator	
33152		Gen-Tech Power Systems LLC	19 Nicholas Ln	Inst. Generator	
33153		Gregory Kabel	26 Signal Dr	Er. Fence	
33154		Kevin McCarthy	50 Chestnut Corner	Er. Fence	
33155		Randolph Krebs	37 Livingston St	Re-Roof	(V/L)
33156		Walter Koneski	368 Broezel Ave	Er. Fence	
33157		Jason Mann	13 Crabapple Ln	Er. Fence	
33158		Scott Ruzala	11 Lucia Ct	Er. Fence	
33159		Jason Bluhm	21 Hidden Meadow Cros	Er. Fence	
33160		Robert Gagliardi	21 Ryan St	Er. Pool-Abv Grnd	

33161	Michael McDonald	21 Woodgate Dr	Er. Fence	
33162	Decks Unlimited Construction	15 Sugarbush Ln	Er. Porch/Porch Cover	
33163	A.G. Roehrig & Son	434 Schwartz Rd	Inst. Generator	
33164	Ian Wortham	27 Cedar Brook Dr	Er. Fence	
33165	Hidden Meadow Land LLC	40 Squirrel Run	Er. Fence	
33166	Robin Cconville	118 Stony Rd	Er. Pool-Abv Grnd	
33167	Randolph Krebs	37 Livingston St	Dumpster - Temp.	(V/L)
33168	Green Lawn Landscapes	38 Newell Ave	Dumpster - Temp.	(V/L)
33169	Nikolay Kolev	3728 Bowen Rd	Er. Res. Add.	
33170	WNY Power and Generator Serv.	27 Hedge Ln	Inst. Generator	
33171	Alexander Gill	1837 Como Park Blvd	Er. Fence	(V/L)
33172	Issac Stimson	228 Peppermint Rd	Dem. Sin. Dwlg	
33173	Anthony Hairston	1161 Penora St	Re-Roof	
33174	Jason Boundy	36 Michaels Walk	Er. Pool-Abv Grnd	
33175	Stephen Goddard	51 Garfield St	Er. Shed	(V/L)
33176	Rob Redenbach	16 Kevwood Ln	Er. Fence	
33177	Armor Heating Co. Inc.	48 Chestnut Corner	Inst. Generator	
33178	City Fence	28 Fourth Ave	Er. Fence	(V/L)
33179	Wayne Kantorski	455 Schwartz Rd	Er. Shed	
33180	Jeffrey Zack	18 Rollingwood Dr	Er. Shed	
33181	Michael Thomas	38 Wainwright Ct	Er. Fence	
33182	Action Roofing, Inc.	204 Cemetery Rd	Re-Roof	
33183	Glamour Pools	90 Stony Rd	Er. Pool-In Grnd	
33184	Darryl Okoniewski	975 Erie St	Er. Deck	
33185	James Towles	23 Harold Pl	Er. Garage	(V/L)
33186	Solar Liberty Energy Systems	13 Hill Valley Dr	Inst. Solar Panels	
33187	Amico Home Improvement	2029 Como Park Blvd	Er. Res. Alt.	(V/L)
33188	Michaels Roofing & Contracting	5100 William St	Re-Roof	
33189	Matthew Caruana	624 Harris Hill Rd	Er. Pool-Abv Grnd	
33190	Gary Jakubowski	69 Avian Way	Er. Fence	
33191	The Vinyl Outlet Inc.	40 Squirrel Run	Er. Deck	
33192	Marrano/Marc Equity Corp.	109 Grambo Dr	Er. Patio Home	
33193	Equity Contracting Inc.	29 Livingston St	Re-Roof	(V/L)
33194	Leubner Construction	7 Tranquility Trl	Er. Res. Alt.	
33195	Ulrich Sign Co. Inc.	4961 Transit Rd	Er. Sign - Pole	
33197	Amish Villa	90 Stony Rd	Er. Shed	
33198	Sitzmans Appliance Center	15 Southpoint Dr	Inst. Generator	
33202	CentiMark Corporation	4381 Walden Ave	Re-Roof	
33204	Chistopher Cirrincione	17 Weathersfield Ln	Er. Shed	
33205	Tony Velazquez	41 Iroquois Ave	Er. Shed	(V/L)
33206	Chautauqua Fence	40 Crabapple Ln	Er. Fence	
33208	Majestic Pools Inc.	201 Nathan's Trl	Er. Pool-In Grnd	
33209	TNT Custom Decks & Remodel.	736 Aurora St	Er. Fence	
33210	HMC Home Improvements	47 W Drullard Ave	Re-Roof	(V/L)
33211	Buccille Construction	1389 Ransom Rd	Er. Res. Alt.	
33213	Great Day Improvements	17 Hidden Meadow Cros	Er. Deck	
33214	Michael Harris	15 Sedge Run	Er. Deck	
33217	Paulette Mayo	147 Fourth Ave	Er. Fence	(V/L)
33219	Andrea Becker	2084 Como Park Blvd	Er. Fence	(V/L)
33220	155 Lake Avenue LLC	155 Lake Ave	Er. Fence	(V/L)
33221	Dennis Bauer	45 Burwell Ave	Er. Porch/Porch Cover	(V/L)
33223	Original Erie Fence Co.	32 Petersbrook Cir	Er. Fence	
33224	Franks Commercial & Home	31 Newell Ave	Er. Res. Alt.	(V/L)
33225	Jason Bauchle	63 Worthington Ln	Er. Shed	
33226	Raymond Haberl	53 Hidden Meadow Cros	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

August 23, 2021

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

WHEREAS, the Lancaster New York Historical Society Museum A.K.A. the Fanny Potter Eaton Home, located at 40 Clark Street, is listed on the National Register of Historic Places but currently does not have a historic marker on the property to identify it as such, and

WHEREAS, by letter dated July 23, 2021, the President of the Lancaster, NY Historical Society, Karen Sutton, has informed the Town that in order to purchase and install a plaque marker the Town of Lancaster as the property owner must provide written permission to the monument company, William G. Pomeroy Foundation, and

WHEREAS, any cost for the purchase, installation, and maintenance of the plaque will be the sole responsibility of the Lancaster, NY Historical Society.

NOW, THEREFORE,

BE IT RESOLVED, the Town Board of the Town of Lancaster, as owner of the Lancaster NY Historical Society Museum A.K.A. the Fanny Potter Eaton Home, located at 40 Clark Street in the Town of Lancaster, does hereby grant permission to the Lancaster, NY Historical Society to make application to the William G. Pomeroy Foundation, for a plaque to be placed on the property acknowledging its inclusion on the National Register of Historic Places, and

BE IT FURTHER,

RESOLVED, that all potential costs associated with acquiring, installing and maintaining this marker will be the sole responsibility of the Lancaster, NY Historical Society.

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

August 23, 2021

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

WHEREAS, on May 17, 2021, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning, Article XIV Administration and Enforcement, §50-78 Special use permits, of the Code of the Town of Lancaster, upon the application of **Selmar K. Dorsey, II**, for a Special Use Permit for a Home Occupation (Dog Kennel) on premises located at 387 Schwartz Road (SBL No. 117.00-3-33.2), Lancaster, New York, and

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

WHEREAS, the Supervising Code Enforcement Officer has recommended his approval of this Special Use Permit in his letter dated April 26, 2021.

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

1. That pursuant to Chapter 50-Zoning, §50-16(F)(1), entitled "Home Occupations" of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Selmar K. Dorsey, II**, for a Home Occupation (Dog Kennel) on his premises located at 387 Schwartz Road (SBL No. 117.00-3-33.2), Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance, for the period beginning August 23, 2021 and ending August 22, 2023, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50 §50-16(F) and §50-78, of the Code of the Town of Lancaster as long as the applicant continues to engage in the home occupation on the premises, namely:

- A) Applicant shall adhere to all applicable requirements established under the New York Consolidated Laws, Agriculture and Markets Law, Article 26-A.
- B) Applicant will obtain necessary Building Department permits and approvals where required for any improvements done to the property.
- C) Only persons residing on the premises shall be engaged in such occupation.
- D) There shall be no change in the outside appearance of the building or premises or visible evidence of the conduct of such home occupation.
- E) Special Use Permit will terminate when the applicant no longer resides on the premises.
- F) Applicant will obtain **and provide at each renewal**:
 - 1) A copy of the business' New York State Tax/Federal Employer Identification Number.
 - 2) A copy of a valid New York State Department of Agriculture and Markets Pet Dealer License.
 - 3) A copy of the most recent Pet Dealer Inspection done by New York State.
- G) Special Use Permit must be renewed every two (2) years at no additional cost to applicant. Renewal is considered upon the property owner submitting a written renewal request to the Town Clerk with all required documents on or before August 22, 2023.

H) Applicant will authorize representatives from the Building Inspector's Office and Dog Control 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

August 23, 2021

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 August 5, 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>
Heather Ostermeier-Maher Bowmansville, NY	Tutor	\$16.00	August 5, 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

August 23, 2021

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

WHEREAS, the Town of Lancaster has been in discussions with the Cayuga Club Police Benevolent Association regarding Grievance #01-2021 and would like their resolution of it memorialized.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute on behalf of the Town, the Memorandum of Agreement as presented, between the Town of Lancaster and the Cayuga Club Police Benevolent Association regarding Grievance #01-2021 dated May 26, 2021.

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

August 23, 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 previously held a public hearing pursuant §400-78 Special use permits, of the Code of the Town Lancaster, upon the application of Diesel Gustav LLC, for a Special Use Permit on behalf of **Premier Dog Sports & Event Center** to operate a dog training facility, on premises located at 15 Lancaster Parkway (SBL No. 94.00-3-32.111) in the Town, and the Board issued such Special Use Permit on October 7, 2019, for a two (2) year period, and

WHEREAS, by letter dated July 27, 2021, **Shelly Gordon, Owner** of **Premier Dog Sports & Event Center** has requested that the Town Board renew the Special Use Permit for an additional two (2) year term, and

WHEREAS, Matt Fischione, the Code Enforcement Officer, has recommended the renewal of this Special Use Permit by his letter dated August 9, 2021.

NOW, THEREFORE,

BE IT RESOLVED as follows:

1. That pursuant to Chapter 400-Zoning, Article VI Industrial Districts, §400-20(B)(1)(q), Light Industrial 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 **Shelly Gordon, Owner of Premier Dog Sports & Event Center** to operate a dog training facility, on premises located at 15 Lancaster Parkway (SBL No. 94.00-3-32.111) in the Town of Lancaster, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning October 7, 2021, and ending October 6, 2023, and

2. That the applicant will continue in compliance with conditions as set forth in §400-20 Light Industrial District, §400-22 Supplementary regulations for LI District, 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 occupation listed above on the premises namely:

1. Complete the conditions of the Temporary Certificate of Occupancy by September 16, 2021.
2. Provide the As-built survey as conditioned in the October 7, 2019, site plan approval resolution.
3. This permit must be renewed every two (2) years at no additional cost to the applicant. Renewal request is considered upon the property owner submitting a written request with the required documents to the Town Clerk, on or before October 6, 2023.
4. Applicant to provide a copy of the business' New York State Tax/Federal Employer Identification Number and, where applicable, a copy of a valid New York State License issued by the appropriate regulatory agency for the service being provided.
5. Applicant will provide an annual schedule of major events at the facility and provide advance notification of any schedule changes to the Town Clerk and the Town Police Department.

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

August 23, 2021

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

WHEREAS, Timothy Schmitt, Manager of **Towne AVW, Inc.**, d/b/a **Audi Buffalo and Towne Volkswagen**, on behalf of Towne RE6 LLC (Franklin Downing), has submitted an application for a Special Use Permit to operate an automobile dealership which includes service, repair, painting, and parts sales of motor vehicles on premises located at 5255 Genesee Street (SBL No. 93.06-3-38.11) Bowmansville, New York in accordance with provisions of Chapter 400-Zoning, Section 18 (B)(1)(a) of the Code of the Town of Lancaster, and

WHEREAS, §400-78 of the Zoning Chapter of the Town Code of the Town of Lancaster requires that the Town Board conduct a public hearing before the issuance of a special use permit for a use as proposed.

NOW, THEREFORE,

BE IT RESOLVED, that pursuant to Chapter 400-Zoning, Article XIV Administration and Enforcement, Section 78 Special use permits of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for **Towne AVW, Inc.** d/b/a/ **Audi Buffalo and Towne Volkswagen**, to operate an automobile dealership which includes service, repair, painting, and parts sales of motor vehicles on premises located at 5255 Genesee Street (SBL No. 93.06-3-38.11), Bowmansville, in the Town of Lancaster, New York, will be held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the 7th day of September, 2021, at 7:15 o'clock P.M., Local Time, and that Notice of the time and place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

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

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

August 23, 2021

**LEGAL NOTICE
PUBLIC HEARING**

SPECIAL USE PERMIT

**TOWNE AVW, INC. D/B/A/ AUDI BUFFALO AND TOWNE VOLKSWAGEN
5255 GENESEE STREET, BOWMANVILLE**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 400-Zoning, Section 78 entitled Special use permits of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 23rd day of August, 2021 the said Town Board will hold a Public Hearing on the 7th day of September, 2021, at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of Timothy Schmitt, Manager of **Towne AVW, Inc.**, d/b/a **Audi Buffalo and Towne Volkswagen**, on behalf of Towne RE6 LLC (Franklin Downing) to operate an automobile dealership which includes service, repair, painting, and parts sales of motor vehicles on premises located at 5255 Genesee Street, Bowmansville in the Town of Lancaster, County of Erie, State of New York.

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

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

August 26, 2021

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

WHEREAS, the Village of Lancaster requested that the Town of Lancaster assist the Village with various Building Inspection Department services, duties and responsibilities, and

WHEREAS, the Town of Lancaster and the Village of Lancaster had previously negotiated the terms and conditions of a Municipal Cooperative Agreement effective July 1, 2018, whereby the Village will compensate the Town for undertaking this responsibility, and said Agreement has expired according to its terms on June 30, 2021, and

WHEREAS, the Village of Lancaster has approved extending the previous 2018 Municipal Cooperative Agreement until the end of the 2021 calendar year with the same terms and conditions remaining, at their meeting held August 9, 2021, and has requested the Town of Lancaster do the same, and

WHEREAS, Town Board of the Town of Lancaster has given due review and consideration to the proposed agreement and finds that it is in the public interest of the taxpayers of the Town and Village of Lancaster to extend the 2018 Agreement.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby agrees to extend the terms and conditions of the 2018 Municipal Cooperative Agreement, to provide Building Code Administration services, fee processing and Building Code Inspection services for the Village of Lancaster commencing on July 1, 2021 and terminating on December 31, 2021, at such time should a new agreement not be in place all services provided by the Town will cease.

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

August 23, 2021

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

WHEREAS, the Highway Superintendent of the Town of Lancaster by letter dated August 9, 2021, has requested the purchase of **two (2) new and unused 2022 Western Star 4700SB Truck Cabs & Chassis with Viking Cives Equipment** for use by the Highway Department, and

WHEREAS, the above-referenced truck cabs and chassis are available for purchase through the Cattaraugus County DPW Bid No. 72, Class 8, Dump Truck/Plow Truck, utilizing the New York State “PiggyBacking” Law through authorized bid vendor Fleet Maintenance, Inc., at an individual cost of \$264,354.00 each per their quote dated August 4, 2021, which eliminates the need for competitive bidding pursuant to the requirements of General Municipal Law 103. (1), and

WHEREAS, the Town Board deems it in the public interest to approve the purchase of the two (2) new and unused 2022 Western Star 4700SB Truck Cabs & Chassis with Viking Cives Equipment for a total expenditure of **\$528,708.00** from Fleet Maintenance, Inc.

NOW, THEREFORE,

BE IT RESOLVED, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of **two (2) new and unused 2022 Western Star 4700SB Truck Cabs & Chassis with Viking Cives Equipment** through the Cattaraugus County DPW Bid No. 72, Class 8, Dump Truck/Plow Truck Contract, from 2021 authorized vendor, Fleet Maintenance, Inc., 67 Ransier Drive, West Seneca, New York 14224, utilizing New York State’s “PiggyBacking Law” as proposed by the Superintendent of Highways, and

BE IT FURTHER,

RESOLVED, that the Highway Superintendent is authorized to sign and accept the quote dated August 4, 2021 from Fleet Maintenance, Inc. for a total expenditure not to exceed \$528,708.00 and which shall 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

August 23, 2021

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

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster provide for the adoption and enactment of local laws, and

WHEREAS, a proposed Local Law of the year 2021 has been introduced, entitled “**CHAPTER 158 AMENDMENT**”, which will amend the Code of the Town of Lancaster by adding Section 158-1(D)(5) within the current Chapter 158 Electrical Inspections, which reads as follows:

A LOCAL LAW OF THE YEAR 2021 ENTITLED “CHAPTER 158 AMENDMENT”, WHICH WILL AMEND THE TOWN CODE OF THE TOWN OF LANCASTER BY ADDING §158-1(D)(5) TO INCORPORATE THE NEW YORK STATE WORKERS’ COMPENSATION LAW, AND

WHEREAS, the proposed local law of 2021 shall be in the form attached hereto and made a part hereof, and

WHEREAS, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required on the proposed 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 is hereby set for the 7th day of September 2021 at 7:15 o'clock P.M.
2. The Town Clerk is directed to provide notice of the public hearing 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.
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

August 23, 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 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted August 23, 2021, the said Town Board will hold a Public Hearing on the 7th day of September, 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 Chapter 158 of the Town Code of the Town of Lancaster. Copies of the proposed Local Law can be reviewed at Town Hall. At the time and place stated above, all interested members of the public shall be heard.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

August 26, 2021

Town of Lancaster
Local Law No. ____ of 2021

**A Local Law Amending Chapter 158 of the Town Code of the Town of Lancaster to
update information relating to the Town's Electrical Inspections**

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

Section 1: §158-1(D)(5) of the Town of Lancaster Town Code is added to read in its entirety as follows:

(5) Proof of Workers Compensation and New York State Disability insurance
must be provided as follows:

Coverage provided for NYS domiciled employees require Forms C 105.2 for Workers Compensation and DB 120.1 for NYS DBL.

a. Workers Compensation:

Part 1: Workers Compensation: Statutory

Part 2: Employers Liability: \$1,000,000.

Note: If New York State domiciled employees are used, coverage to be New York Statutory for both Parts 1 and 2

b. New York Disability Benefits Liability: Statutory coverage if New York State domiciled employees are used.

c. Affidavit of Exemption: Form CE-200: Proof that the business listed is exempt from providing workers' compensation and/or disability coverage in New York State.

Section 2: Severability. Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be 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 SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER LEARY, TO WIT:

WHEREAS, the Twin District Fire Company by letter 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 Twin District Fire Company the following
individual:

ADDITION:

Morgan Melbourne
Lancaster, New York

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

August 23, 2021

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

WHEREAS, Nicholas Kwasniak, of Greenfield Health & Rehab, 5949 Broadway, 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 5949 Broadway 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. 832 for 5949 Broadway Street, Lancaster, New York 14086 which is a permit for Private Improvements for:

- Greenfield parking lot improvements – resurface the front parking lot and add additional parking spaces.

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

August 23, 2021

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

WHEREAS, George Peppes, 5153 Transit Road, Depew, New York 14043 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 5153 Transit Road, 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. 833 for 5153 Transit Road, Depew, New York 14043 which is a permit for Private Improvements for:

- Detention Basin, Storm Sewer, Water Line and Sanitary Sewer at 5153 Transit Road, Depew, New York 14043.

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

August 23, 2021

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

WHEREAS, Ronald Hoffmann is presently employed in the position of Laborer in the Town of Lancaster Parks, Recreation and Forestry Department, and

WHEREAS, Dan Amatura, Highway Superintendent for the Town of Lancaster, by letter dated August 16, 2021, has recommended the appointment of Ronald Hoffmann to the position of Laborer - Highways in the Town of Lancaster Highway Department.

NOW, THEREFORE,

BE IT RESOLVED, that Ronald Hoffmann of Lancaster, New York, be and is hereby appointed to the position of Laborer – Highways in the Town of Lancaster Highway Department, effective August 24, 2021 at an hourly rate of \$29.66 with terms of employment in accordance with the CSEA Blue Collar Agreement with the Town of Lancaster, and

BE IT FURTHER,

RESOLVED, that the Town Board hereby approves, as presented, the Memorandum of Agreement between the Town, and the CSEA Blue Collar Unit regarding Mr. Hoffmann’s employment, 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

August 23, 2021

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

WHEREAS, Ronald Ruffino, Sr., Town Supervisor of the Town of Lancaster, by letter dated August 17, 2021 has requested the creation of the position of Accountant, and has recommended the appointment of Diana Chamberlain to this position in the Town Supervisor’s Office; and

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

NOW, THEREFORE,

BE IT RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) for authorization by the County of Erie Department of Personnel to create one (1) new position of Accountant part-time and to create one (1) new position of Accountant.

BE IT FURTHER,

RESOLVED, that Diana Chamberlain be and is hereby appointed to the position of Accountant part-time in the Town Supervisor’s Office, at the pay rate of \$26.93 per hour, effective September 1, 2021, contingent upon approval by Erie County Department of Personnel, working not more than nineteen and three-quarter hours per week and that this being a part-time position, provides no health insurance, sick days, vacation, or other fringe benefits not specifically mandated for part time employees, and

BE IT FURTHER,

RESOLVED, that Diana Chamberlain be and is hereby appointed to the position of Accountant full-time provisional in the Supervisor’s Office, effective September 20, 2021 at an annual salary of \$49,006.00 on step which represents 85% of the full salary of \$57,654.00, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of law and shall be governed by the same terms and conditions as apply to other non-represented, full-time Town employees, 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

August 23, 2021

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MAZUR, 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 provide for the adoption and enactment of local laws, and

WHEREAS, a proposed Local Law of the year 2021 has been introduced, entitled “**CHAPTER 206 AMENDMENT**”, which will amend Chapter 206 Improvements, Public and Private of the Code of the Town of Lancaster by adding Section 206-5(A) within the current Chapter §206-5 Specifications and standards, which reads as follows:

A LOCAL LAW OF THE YEAR 2021 ENTITLED “CHAPTER 206 AMENDMENT”, WHICH WILL AMEND THE TOWN CODE OF THE TOWN OF LANCASTER BY ADDING §206-5(A) TO IDENTIFY THE STANDARD SPECIFICATIONS THE TOWN IS CURRENTLY ENFORCING, and

WHEREAS, the proposed local law of 2021 shall be in the form attached hereto and made a part hereof, and

WHEREAS, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required on the proposed 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 is hereby set for the 7th day of September 2021 at 7:15 o'clock P.M.
2. The Town Clerk is directed to provide notice of the public hearing 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.
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

August 23, 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 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted August 23, 2021, the said Town Board will hold a Public Hearing on the 7th day of September, 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 Chapter 206-5 Improvements, Public and Private of the Town Code of the Town of Lancaster. Copies of the proposed Local Law can be reviewed at Town Hall. At the time and place stated above, all interested members of the public shall be heard.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

August 26, 2021

Town of Lancaster
Local Law No. ____ of 2021

**A Local Law Amending Chapter 206 of the Town Code of the Town of Lancaster to
Identify the Standard Specification the Town is Currently Enforcing.**

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

Section 1: §1206-5(A) of the Town of Lancaster Town Code is added to read in its entirety as follows:

- A) Standard Specifications – September 2020 (Wendel) including
Appendixes A and B.**

Section 2: Severability. Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be 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.

COMMUNICATIONS & REPORTS

- 672. Cheektowaga Town Clerk to Lancaster Town Clerk –
Notice of Public Hearing - Special Use Permit – 4890 Transit Road on August 10,
2021 at 8:00PM. Disposition = Received & Filed**
- 673. Town Clerk to Code Enforcement Officer –
Copy of letter from Shelly Gordon, 15 Lancaster Parkway requesting a renewal
of a Special use Permit to operate a dog training facility.
Disposition = Resolution 8/23/21**
- 674. Town Clerk to Code Enforcement Officer –
Transmittal of Special Use Permit Application for 5255 Genesee St.
Disposition = Town Attorney**
- 675. Lisa Marong to Supervisor and Town Board –
Letter of support for Sidewalk Project on Pleasant View Dr.
Disposition = Received & Filed**
- 676. Gregory Sojka to Supervisor and Town Board –
Request for true and complete information regarding the private companies
who purportedly have been granted permission to dispose at the Lancaster dump
sites located at 525 Pavement Road and Genesee St., Lancaster, NY.
Disposition = Received & Filed**
- 677. UAW-FCA-FORD-GENERAL MOTORS Legal Services Plan to Supervisor –
Letter of opposition to sidewalk project on Pleasant View Drive.
Disposition = Received & Filed**
- 678. Town resident to Town Clerk –
Letter of opposition to sidewalk project on Pleasant View Dr.
Disposition = Received & Filed**
- 679. Jamie Cinelli to New York State Dept. of Transportation Commissioner –
Letter of support for sidewalk project on Pleasant View Dr.
Disposition = Received & Filed**
- 680. Jennifer Sikora to New York State Dept. of Transportation Commissioner =
Letter of support for sidewalk project on Pleasant View Dr.
Disposition = Received & Filed**
- 681. Gregory & Jennifer Smith to New York State Dept. of Transportation
Commissioner =
Letter of support for sidewalk project on Pleasant View Dr.
Disposition = Received & Filed**
- 682. Julie Buccieri to New York State Dept. of Transportation Commissioner =
Letter of support for sidewalk project on Pleasant View Dr.
Disposition = Received & Filed**
- 683. Kristin Boorman to Supervisor and Town Board –
Letter of support for sidewalk project on Pleasant View Dr.
Disposition = Received & Filed**
- 684. Jennifer Killinger-Reese to Town Board –
Letter of support for sidewalk project on Pleasant View Dr.
Disposition = Received & Filed**
- 685. Lori Reid to Town Clerk –
Letter of support for sidewalk project on Pleasant View Dr.
Disposition = Received & Filed**

686. Amy See to Supervisor and Town Board –
Letter of support for sidewalk project on Pleasant View Dr.
Disposition = Received & Filed
687. Town Clerk to Town Board –
Town Clerk Monthly Report for July 2021. Disposition = Received & Filed
688. Code Enforcement Officer to Drainage & Storm Sewer Committee –
MS4 Report for July 2021. Disposition = Received & Filed
689. Town Attorney to NYSDEC, US Army Corps of Engineers, Erie County Water Authority, Erie County Health Dept., Erie County DEP, Division of Sewerage Management, NYSDOT, Erie County DPW and Erie County DEP –
Request for lead agency designation for a Coordinated Review, 2-Lot Subdivision, 00 Broadway, Proj. #2113. Disposition = Planning Committee
690. Town Attorney to Town Board and Planning Board –
SEQR responses from NYSDEC regarding Raw Rutes, 4266 Walden Ave.: Proj. #2836 and Division Street Minor Subdivision; Proj. #2836.
Disposition = Planning Committee
691. Dog Control Officer to Town Board –
Dog Control Report for July 2021. Disposition = Received & Filed
692. Code Enforcement Officer to Town Board –
Recommends approval with stipulations for Special Use Permit for Wreckmasters, 5550 Genesee St. Disposition = For Resolution
693. Code Enforcement Officer to Town Board –
Recommends approval with stipulations for Special Use Permit Renewal for Diesel Gustav, LLC, 15 Lancaster Parkway. Disposition = Resolution 8/23/21
694. Code Enforcement Officer to Town Board –
Recommends approval with stipulation for Special use Permit Application for Towne AVW, Inc., 5255 Genesee St. Disposition = For Resolution
695. Code Enforcement Officer to Town Board –
Request for Building and Zoning Department to return to original operating hours of 8 AM to 4 PM. Disposition = For Resolution
696. Executive Director, Youth Bureau to Supervisor and Town Board –
Recommend appointing one individual to the position of substitute tutor in the Youth Bureau's Summer Art Program effective Aug. 5, 2021 through Aug. 31, 2021. Disposition = Resolution 8/23/21
697. Planning Board Chairman to Planning Board, Town Board, Town Engineer, Town Attorney, Highway Superintendent and Building Inspector –
Draft copy of minutes from August 4, 2021 Planning Board Meeting.
Disposition = Received & Filed
698. Planning Board to Town Board –
Memo recommending approval of Site Plan Review for Greenfield Health and Rehab Center, 5949 Broadway, Proj. #4163. Disposition = Planning Committee
699. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed
700. Charter Communications to Town Clerk –
Upcoming changes to channel lineup. Disposition = Received & Filed
701. Clean Energy Coordinator, UB Regional Institute to Supervisor –
Information regarding interest in developing an Environmental Municipal Committee. Disposition = Received & Filed

702. **Town Engineer to Supervisor –
Consultant selection for Town of Lancaster 2021 Water Projects.
Disposition = Received & Filed**
703. **Twin District Fire Company to Town Clerk –
Change in roster. Disposition = Resolution 8/23/21**
704. **Highway Superintendent to Town Board –
Request for resolution to purchase two (2) new and unused 2022 Western Star
4700SB Truck Cabs & Chassis with Viking Cives equipment from Fleet
Maintenance, Inc., 67 Ransier Dr., West Seneca, NY.
Disposition = Resolution 8/23/21**
705. **Executive Director Youth Bureau to Supervisor and Town Board –
Request for Town of Lancaster to continue to participate in the collaborative
effort with the Lancaster Central School District providing a School and
Community Support Program from 9/1/2021 – 6/24/2022.
Disposition = For Resolution**
706. **Executive Director Youth Bureau to Supervisor and Town Board –
Request for Town of Lancaster to continue to participate in the collaborative
effort with the Lancaster Central School District providing a Program
Coordinator for the Family Support Center from 9/1/2021 – 6/30/2022.
Disposition = For Resolution**
707. **Richard Goss, Director of Bands Lancaster High School to Supervisor –
Request the use of the Lions Picnic Shelter for the annual band picnic/party
on Sunday, September 19, 2021 from 10AM to 2PM.
Disposition = Received & Filed**
708. **Town Engineer to Town Board –
Recommend accepting Change Order No. 1 for Maple Drive, Vertical
Pavement Curve Project. Disposition = For Resolution**
709. **Peter Sorgi, Esq. to Town of Lancaster Zoning Board of Appeals –
Request that Application for Area Variance for Pleasant View Gardens, LLC
be tabled at the August 19, 2021 Zoning Board of Appeals Meeting.
Disposition = Received & Filed**
710. **Highway Superintendent to Town Board –
Request for Town Board to appoint Ronald Hoffman to the position of Laborer
Grade #1 in the Town of Lancaster Highway Department effective Aug. 24, 2021.
Disposition = Resolution 8/23/21**
711. **Town resident to Town Clerk –
Letter of support for sidewalk project and additional streetlights on
Pleasant View Drive. Disposition = Received & Filed**
712. **Town Supervisor to Town Board –
Request for resolution creating one new position of Accountant in the
Town Supervisor’s Office and appointing Diana Chamberlain to the position
on a part-time basis effective Sept. 1, 2021 and effective Sept. 20, 2021 on a full-
time permanent basis. Disposition = Resolution 8/23/21**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER DICKMAN AND SECONDED BY
COUNCIL MEMBER LEARY AND CARRIED,** the meeting was adjourned in memory of
Lieselotte Dolinski, Jerry A. Kajfasz, Alice Kryszcynski, Mary Marmion, Elinore Oddo, John
D. Travis and Ellen R. Wanat at 9:16 P.M.

Signed_____

Diane M. Terranova, Town Clerk