

**Town Board Minutes**

December 20, 2021

Meeting No. 25

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 20<sup>th</sup> day of December 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.

**EXECUTIVE SESSION:**

AT 7:47 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 collective bargaining negotiations per Article 14 of Civil Service Law.

At 8:28 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.

**PUBLIC HEARING SCHEDULED FOR 7:15 P.M.:** No. 1 Special Use Permit Salvatore's Italian Prime Restaurant

ON MOTION BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER LEARY 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 – Salvatore's Italian Prime Restaurant – 6461 Transit 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**

None

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

Decision on this matter was reserved.

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**PUBLIC HEARING SCHEDULED FOR 7:15 P.M.:** No. 2 Special Use Permit O'Connell Electric Company, Inc.

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

At 7:17 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Special Use Permit – O'Connell Electric Company, Inc., 20 Lancaster Parkway matter.

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

**NAME OF PERSONS ADDRESSING  
THE BOARD ON THIS SUBJECT**

**Proponent/  
Opponent/  
Comments/Question**

None

ON MOTION BY COUNCIL MEMBER MAZUR, SECONDED BY COUNCIL MEMBER LEARY AND CARRIED, the public hearing was closed at 7:18 P.M.

Decision on this matter was reserved.

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**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  
December 6, 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

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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:

Check Run #122021

Total amount hereby authorized to be paid: \$345,125.11

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

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

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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 310 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
31201		Argauer Excavating LLC	52 Harvey Dr	Dem. Rear Struc.	(V/L)
32617		Keith DiPirro	9 Valley Overlook Dr	Er. Res. Alt.	
33446		STEM Inc.	149 Gunnville Rd	Er. Sign - Wall	
33599		Flexlume Sign Corp.	4725-4727 Transit Rd	Er. Sign - Pole	
33605		AC Power 14, LLC	55 Gunnville Rd	Solar Facility	
33606		AC Power 14, LLC	53 Gunnville Rd	Solar Facility	
33620		Kulback's Inc.	204 Cemetery Rd	Er. Comm. Add./Alt.	
33621		Kulback's Inc.	204 Cemetery Rd	Er. Comm. Add./Alt.	
33627		Alicia Sears	184 Stony Rd	Er. Fence	
33628		Eugene Dudas	24 Shadyside Ln	Inst. Generator	
33629		Thomas Murphy	521 Central Ave	Inst. Generator	
33630		Anderson Renovations LLC	9 Clark St	Er. Res. Alt.	(V/L)
33632		Richard Vogel	9 Squirrel Run	Er. Fence	
33633		Ronald Bieber	16 Quail Run Ln	Er. Shed	
33634		RRNYGC LLC	317 Seneca Pl	Re-Roof	
33635		Karen Gallagher	19 Oakwood Ave	Er. Fence	(V/L)
33636		Kulback's Inc.	515 Pavement Rd	Er. Comm. Bldg.	
33637		Kulback's Inc.	515 Pavement Rd	Er. Comm. Bldg.	
33638		Gary Arcadi	73 Lake Ave	Dumpster - Temp.	(V/L)
33639		Forbes Homes, Inc.	12 Deepwood Pl	Er. Dwlg.-Sin.	
33641		Marc Hoppy	181 Irwinwood Rd	Inst. Res. Plumbing	(V/L)
33642		Santoro Sign Inc.	19 W Main St	Er. Sign - Wall	(V/L)
33643		Darren Andrews	8 Joseph Dr	Er. Deck	
33644		James Jeziorski	134 Avian Way	Er. Shed	
33645		Stacy Swierczynski	23 Lombardy St	Re-Roof	(V/L)
33647		Sean Schmittendorf	13 Butler Dr	Er. Pool-Abv Grnd	
33648		Timothy Carney	44 Lombardy St	Re-Roof	(V/L)
33650		Diane Swatsworth	794 Ransom Rd	Re-Roof	
33651		Diane Terranova	560 Lake Ave	Inst. Generator	
33653		Angelo Mineo	81 Wilma Dr	Er. Fence	(V/L)
33654		Big L Distributors Inc.	9 Spring Way	Er. Res. Alt.	
33655		David Bosovets	20 Lake Ave	Er. Res. Alt.	(V/L)
33658		Susan Kempf	92 Steinfeldt Rd	Re-Roof	

**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

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

**WHEREAS**, a Public Hearing was held on December 6, 2021, for the purpose of amending Chapter 350 Vehicle and Traffic, Article IX Speed Regulations, § 350-12 Maximum speed limits, by amending subsection B. of the Code Book of the Town of Lancaster, and

**WHEREAS**, persons for and against such amendment have had an opportunity to be heard, and

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

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

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof.
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on December 20, 2021.
3. That a Certified Copy thereof be published in the Lancaster Bee on December 23, 2021.
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board.
5. That Affidavits of Publication and Posting be filed with the Town Clerk.
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

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

December 20, 2021

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

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

**CHAPTER 350 VEHICLE AND TRAFFIC**

ARTICLE IX – Speed Regulations

§ 350-12. Maximum speed limits

**B. Area speed limits shall be posted at 30 miles per hour at all entrance roads and various interconnecting roadways within all subdivisions and business and industrial parks located within the Town of Lancaster.**

December 23, 2021

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

This is to certify that I, **Diane M. Terranova**, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of an Ordinance amendment with the original thereof filed in my office at Lancaster, New York, on the 20<sup>th</sup> day of December 2021 and that the same is a true and correct copy of said original, and of the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of said Town this 20<sup>th</sup> day of December 2021.

\_\_\_\_\_  
Diane M. Terranova, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MAZUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER WOZNIAK, 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 “**CHAPTER 206-5 AMENDMENT**,” of the Code of the Town of Lancaster, was introduced to the Town Board of the Town of Lancaster by Council Member Mazur on the 15<sup>th</sup> day of November, 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 the 6<sup>th</sup> day of December, 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.8 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 WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

December 20, 2021



**LEGAL NOTICE  
NOTICE OF ADOPTION  
LOCAL LAW NO. 8 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 December 20, 2021, Local Law No. 8 of the Year 2021, which amends the Code of the Town Code of the Town of Lancaster's Chapter 206-5 Improvements, Public and Private. The new Town Law can be viewed at Town Hall during normal business hours or on the Town's website: <https://www.lancasterny.gov>

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF LANCASTER**

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

December 23, 2021

**Town of Lancaster  
Local Law No. 8 of 2021**

**A Local Law Amending Chapter 206-5 of the Town Code of the Town of Lancaster to  
Simplify the Process of Adopting New Standards to be Enforced Within the Town.**

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

**Section 1: §206-5 Specifications and standards** of the Town of Lancaster Town Code is added to read in its entirety as follows:

- A) Specifications, standards, details and requirements for any public improvements, and all updates and/or revisions to such, shall be approved and adopted by Town Board resolution.**
- B) The most recently adopted version shall be the one currently enforced by the Town and shall supersede all previous versions.**
- C) The Town Engineer shall provide such applicant with the current set of standard specifications and requirements adopted by the Town Board for such work at a cost of \$5 per copy payable by check or money order only made out the Town of Lancaster.**
- D) No work shall be performed except in accordance therewith.**
- E) The applicant for a private improvement permit shall have specifications and requirements designed and sealed by a New York State licensed engineer and approved by the Town Board and Town Engineer.**

**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 COUNCIL MEMBER MAZUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER LEARY , 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 “**CHAPTER 400-73(D) AMENDMENT**”, of the Code of the Town of Lancaster, was introduced to the Town Board of the Town of Lancaster by Council Member Mazur on the 18<sup>th</sup> day of October 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 the 1<sup>st</sup> day of November, and the 6<sup>th</sup> day of December 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. 9 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

December 20, 2021

**LEGAL NOTICE  
NOTICE OF ADOPTION  
LOCAL LAW NO. 9 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 December 20, 2021, Local Law No. 9 of the Year 2021, which amends the Code of the Town of Chapter 400 Zoning, Article XIII Stormwater Control, by amending § 400-73(D) Maintenance and repair of stormwater facilities of the Town Code of the Town of Lancaster. The new Town Law can be viewed at Town Hall during normal business hours or on the Town's website: <https://www.lancasterny.gov>

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF LANCASTER**

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

December 23, 2021

**Town of Lancaster  
Local Law No. 9 of 2021**

**A Local Law Amending § 400-73(D) Maintenance and Repair of Stormwater Facilities  
of the Town Code to Identify the Process Required for Projects Seeking Town Approval.**

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

**Section 1.** Section 400-73 (D) of Chapter 400, Article XIII Stormwater Control of the Town Code is hereby amended to read in its entirety as follows:

Section 400-73 Maintenance and repair of stormwater facilities.

**D. Maintenance agreements. The Town of Lancaster shall approve a formal maintenance agreement for the management of Stormwater Control Facilities within the Town. Which is to be executed by the then real property landowner(s) and the Town Supervisor. The real property landowner shall have it recorded in the Office of the Erie County Clerk as a deed restriction on the property which shall be binding on all subsequent real property landowners. Proof of filing with the County must be provided to the Town Attorney's Office prior to the project receiving Town Board approval and issuance and/or acceptance of any public and/or private improvement permits.**

**Section 2. Severability Clause.** If any part of this local law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this local law. The Town Board of the Town of Lancaster hereby declares that it would have passed this local law and each section and subsection thereof, irrespective of the fact that any one or more of these sections, subsections, sentences, clauses, or phrases may be declared unconstitutional or invalid.

**Section 3. Effective Date.** This local law shall be effective immediately upon filing with the New York Secretary of State.

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

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

**WHEREAS**, after review and consideration, the Town Board of the Town of Lancaster deems it in the public interest to amend Chapter 350 Vehicles and Traffic, Article XIV Truck Route System, by amending subsections of § 350-26(A) Designated Truck Route System to include recommendations provided by the Erie County Department of Public Works (“ECDPW”), and

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

**NOW, THEREFORE,**

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

1. A public hearing for the proposed Local Law of the year 2022, which will incorporate recommendations provided by the ECDPW to the current Truck Route System within the Town of Lancaster by amending Chapter 350 Vehicle and Traffic, Article XIV Truck Route System, § 350-26(A) of the Code of the Town of Lancaster, will be held at 7:15 o'clock P.M. on the 3<sup>rd</sup> day of January 2022, at the Town Hall, 21 Central Avenue, Lancaster, New York, and that Notice of the Time and Place be published in the official newspaper of the Town, and
2. The Town Clerk is hereby directed and authorized to publish public notice of said hearing in the official newspaper and given in accordance with the Municipal Home Rule Law, the Open Meetings Law, and Sections 264 and 265 of the Town Law of the State of New York, and which Notice shall be in the form attached hereto and made a part hereof, and
3. This resolution is effective immediately.

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

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

December 20, 2021

**LEGAL NOTICE**  
**PUBLIC HEARING**  
**TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 23 of the Code of the Town of Lancaster and pursuant to a resolution adopted by the Town Board of the Town of Lancaster on December 20, 2021, the Town Board will hold a Public Hearing on the 3<sup>rd</sup> day of January, 2022 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly adopting a Local Law to amend the Town Code of the Town of Lancaster's Chapter 350 Vehicle and Traffic, Article XIV Truck Route System by amending § 350-26(A) Designated Truck Route System.

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

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF LANCASTER**

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

**December 23, 2021**

**Town of Lancaster  
Local Law No. of 2022**

**A Local Law Amending § 350-26(A) Designated Truck Route System of the Town Code  
to Incorporate Recommendations Provided by the Erie County Department of Public  
Works.**

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

**Section 1.** Section 350-26(A) of Chapter 350 of Article XIV of the Town Code is hereby amended to read in its entirety as follows:

**Section 350-26 Designated Truck Route System**

**A. Truck Route.** All trucks, tractors, and tractor-trailer combinations, excluding tandems, having a total gross vehicle weight rating in excess of **five (5) tons** are permitted to travel and operate on the designated Truck Route consisting of the following Town highways:

1. Wehrle Drive from Transit Road to Harris Hill Road
2. Harris Hill Road from Wehrle Drive to Genesee Street
3. Genesee Street from Transit Road to Town Line Road
4. Gunnville Road from Genesee Street to Lancaster/Clarence town line
5. Ransom Road from Wehrle Drive to Broadway
6. Transit Road from Lancaster/Elma town line to Wehrle Drive
7. Walden Avenue from Transit Road to Town Line Road
8. Cemetery Road from Walden Avenue to Broadway
9. Broadway from Transit Road to Town Line Road
10. Schwartz Road from Broadway to Hall Road
11. Bowen Road from Broadway to Hall Road
12. Town Line Road from Genesee Street to Lancaster/Elma town line
13. Pavement Road from Genesee Street to Walden Avenue

**Section 2. Severability Clause.** If any part of this local law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this local law. The Town Board of the Town of Lancaster hereby declares that it would have passed this local law and each section and subsection thereof, irrespective of the fact that any one or more of these sections, subsections, sentences, clauses, or phrases may be declared unconstitutional or invalid.

**Section 3. Effective Date.** This local law shall be effective immediately upon filing with the New York Secretary of State.



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

**WHEREAS**, J. Renkas and Sons Inc., d/b/a AJ's Auto Parts & Salvage, 955 Ransom Road, Lancaster, New York 14086 has applied for a license to conduct a salvage yard on premises situate at 955 Ransom Road within the Town of Lancaster, pursuant to Chapter 275 of the Code of the Town of Lancaster, and

**WHEREAS**, the application was referred to the Town Board for review, and

**WHEREAS**, the Building Inspector, by letter dated December 7, 2021, has notified the Town Board that he has completed his review and made a favorable recommendation thereto.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that J. Renkas and Sons Inc., d/b/a AJ's Auto Parts & Salvage, 955 Ransom Road, Lancaster, New York be and is hereby authorized to conduct a salvage yard on premises situate at 955 Ransom Road, Lancaster, New York for the period January 1, 2022 to December 31, 2022 in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk.

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

December 20, 2021

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

**WHEREAS**, Advantage Trucks.com LLC, 933 Ransom Road, Lancaster, New York 14086 has applied for a renewal license to conduct a salvage yard on premises situate at 933 Ransom Road within the Town of Lancaster, pursuant to Chapter 275 Salvage Yard and Chapter 400-23 D Junkyard/Salvage Yard Design Standards of the Code of the Town of Lancaster, and

**WHEREAS**, the application was referred to the Town Board for review, and

**WHEREAS**, the Building Inspector, by letter dated November 16, 2021, has notified the Town Board that he has completed his review and made a favorable recommendation thereto.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that Advantage Trucks.com LLC, 933 Ransom Road, Lancaster, New York be and is hereby authorized to conduct a salvage yard on premises situated at 933 Ransom Road, Lancaster, New York for the period January 1, 2022 to December 31, 2022 in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk.

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

December 20 ,2021

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

**WHEREAS**, the Town of Lancaster had applied for funding through the New York State Department of Environmental Conservation's (NYSDEC) Urban and Community Forestry Grant for a Tree Inventory and Management Plan Project in 2019, and

**WHEREAS**, the Town of Lancaster has been awarded \$46,000.00 through the NYDEC's Grant and is not required to provide matching funds, and

**WHEREAS**, Edward Schiller, the Town's Consulting Engineer, solicited five (5) proposals from firms that the NYSDEC recognized and listed in the information provided for the Grant, and received responses from two (2) qualified firms, and

**WHEREAS**, by letter dated December 9, 2021, Park Crew Chief, Michelle Barbaro has recommended awarding the Tree Inventory and Preparation of a Forest Management Plan Project to Davey Resource Group, Inc., being the lowest responsible firm, in the amount of \$46,000.00 per their proposal dated November 17, 2021.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of Lancaster hereby accepts the proposal from Davey Resource Group, Inc., 10 Mitchell Street, Sinclairville, NY 14782 to provide a Tree Inventory and Preparation of a Forest Management Plan for the Town of Lancaster, and authorizes the Supervisor to execute their proposal dated November 17, 2021, for an amount not to exceed \$46,000.00, which will be paid for with funding provided by the New York State Department of Environmental Conservation's (NYSDEC) Urban and Community Forestry Grant.

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

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

December 20, 2021

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

**WHEREAS**, on December 6, 2021, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 400 Zoning, Article IX Communication Towers, §400-48 Procedure, of the Code of the Town of Lancaster, upon the application of **Centerline Communications with American Tower** for a Special Use Permit for the Co-Location to be placed on the current tower located at 00 Transit Road (SBL No. 93.05-1-2.131) (6495 Transit Road, Nextel Partners, Inc., Southwestern Bell Mobile Systems, Inc.), which will be identified as Dish Wireless, LLC, Site ID: SYSYR00022A Upgrade, in the Town of Lancaster, New York, and

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

**WHEREAS** the Town, acting as Lead Agency under the State Environmental Quality Review Act (“SEQRA”) has identified the relevant areas of environmental concern and determined the action to be a Type II action under SEQR.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that pursuant to Chapter 400-Zoning, Article IX Communication Towers, § 400-43 Co-locating antennas, of the Town Code of the Town of Lancaster, the Lancaster Town Board does hereby approve a Special Use Permit for **Centerline Communications with American Tower** for the Co-location of Dish Wireless, LLC, Site ID: SYSYR00022A Upgrade to be placed on the current tower located at 00 Transit Road (SBL No. 93.05-1-2.131) (6495 Transit Road, Nextel Partners, Inc., Southwestern Bell Mobile Systems, Inc.), Lancaster, New York, subject to the applicable terms and conditions as set forth in Article IX Communications Towers and § 400-78 Special use permits with the following condition:

- A copy of the FCC License must be on file with the Town Clerk pursuant to § 400-46 (A)(9).

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

December 20, 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 previously held a public hearing on May 7, 2018, pursuant to Chapter 400-Zoning Article XIV-Administration and Enforcement, Section 78 of the Code of the Town of Lancaster, upon the application of **Timothy Szczepanski, Vice President of Northeast Diversification, Inc.**, for a Special Use Permit to **operate a contractor's storage yard including vehicles, equipment, inventory, and construction materials** on premises locally known as 954 Ransom Road (SBL. No. 95.00-4-22) aka 2 Cadby Industrial Park, currently zoned General Industrial (GI) and the Board issued such Special Use Permit on May 21, 2018, and this Special Use Permit is subject to a yearly renewal upon application by the property owner, and

**WHEREAS**, by letter dated November 16, 2021, **Timothy Szczepanski, Vice President of Northeast Diversification, Inc.**, has requested that the Town Board renew the Special Use Permit for an additional one (1) year period, and

**WHEREAS**, Matt Fischione, the Town's Code Enforcement Officer, completed an onsite inspection and found the property compliant to the original conditions of the Special Use Permit per his letter dated December 6, 2021.

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

1. That pursuant to Chapter 400 Zoning, Article VI Industrial Districts, Section 21(B)(1)(h) of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a renewal of the Special Use Permit to **Timothy Szczepanski, Vice President of Northeast Diversification, Inc.**, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning January 1, 2022 and ending December 31, 2022, and

2. That the applicant will continue in compliance with conditions as set forth in § 400-21(B)(1)(h) Industrial Districts and § 400-78 Special use permits of the Code of Town of Lancaster and with the following conditions:

- A. Permit shall expire on December 31, 2022. The original applicant can renew the permit at no additional cost provided it is for the same location that the original permit was issued under.
- B. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.

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

December 20, 2021

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

**WHEREAS**, Timothy Davis, Manager of **Buffalo Tournament Club, Inc.**, has submitted an application for a Special Use Permit to allow for the operation of a golf course on premises located at 6432 Genesee Street (SBL No. 84.00-4-5.111), in the Town of Lancaster in accordance with provisions of Chapter 400-Zoning, Article IV. Residential Districts, § 400-13 Agricultural Residential Districts (B)(1)(n) of the Code of the Town of Lancaster, and

**WHEREAS**, Chapter 400 Zoning, Article XIV Administration and Enforcement § 400-78 Special use permits 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 § 400-78 Special use permits of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for **Buffalo Tournament Club, Inc.**, to operate a golf course on premises located at 6432 Genesee Street (SBL No. 84.00-4-5.111), in the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 3<sup>rd</sup> day of January, 2022, 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

December 20, 2021

**LEGAL NOTICE  
PUBLIC HEARING  
SPECIAL USE PERMIT - BUFFALO TOURNAMENT CLUB, INC.,  
6432 GENESEE STREET, LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the authority set forth in Chapter 400-Zoning, Section 78 "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 adopted by the Town Board of the Town of Lancaster on the 20<sup>th</sup> day of December, 2021 the said Town Board will hold a Public Hearing on the 3<sup>rd</sup> day of January, 2022, 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 Davis, Manager of **Buffalo Tournament Club, Inc.**, for a Special Use Permit to operate a golf course on premises located at 6432 Genesee Street, 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.

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF LANCASTER**

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

December 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 is required under U.S. Department of Transportation rules as contained in 49 CFR; Parts 40, 382, 391, 392 and 395 to have employees enrolled in a random drug/alcohol testing program, and

**WHEREAS**, by resolution adopted December 4, 2017, the Town contracted with On-Site Employee Testing to provide the aforementioned drug and alcohol testing of Town employees, and

**WHEREAS**, the contract is up for renewal according to the terms and conditions contained therein, and

**WHEREAS**, after review and approval by the Town Attorney the Town Board has decided to renew the contract with On-Site Employee Testing.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute the contract with On-Site Employee Testing for the 2022 calendar year to provide random Town employee drug and alcohol testing at the rates outlined on their 2022 Pricing sheet, and

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor is hereby authorized to execute the DOT Program form provided by On-Site Employee Testing with their contract.

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

December 20, 2021



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

**WHEREAS, MGR Constructors, Inc.,** P.O. Box 61, Bowmansville, New York 14026, the company awarded the contract for the construction of **the Lancaster 2020 Dog Shelter Project**, has submitted Change Order No. 2 extending the Substantial Completion date by approximately sixty (60) days with no cost to the Town, to the Board for their approval, based on the description previously provided to the Town Board.

**NOW THEREFORE,**  
**BE IT RESOLVED,** that the Town Board of the Town of Lancaster hereby approves Change Order No. 2 from MGR Constructors, Inc., with respect to the outlined description provided to the Town Board:

**DESCRIPTION OF CHANGE ORDER NO. 2:**

Extension of the Substantial Completion Date by approximately sixty (60) days, from February 10, 2022, to April 11, 2022, due to material delays related to supply chain issues.

**CHANGE ORDER NO. 2:**

The original Contract Bid Sum was .....	\$	603,444.00
The Contract Bid Sum decreased by Change Order #1 in the amount of....	\$	(128,044.00)
The Contract Bid Sum <b>changed</b> by Change Order #2 in the amount of....	\$	0 .00
The <b>NEW</b> Contract Bid Sum including this Change Order will be.....	\$	475,400.00, and

**BE IT FURTHER,**  
**RESOLVED,** that the Supervisor be and is hereby authorized to execute this Change Order on behalf of the Town of Lancaster.

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

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

December 20, 2021

**PREFILED RESOLUTION NO. 16 – MEETING OF 12/20/2021**

16. Wozniak/\_\_\_\_\_ Approve Purchase For One (1) 900-Eco 12 Yard Truck Mounted Combination Sewer Cleaner To Sourcewell Through Cycon Equipment For Highway Department

At the request of Council Member Wozniak, this resolution was tabled for further study.

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 previously held public hearings, pursuant to Chapter 400-Zoning Article XIV-Administration and Enforcement, Section 78 of the Code of the Town of Lancaster, upon the applications of **Gregory A. Sojka, Owner of Greg's Tree Service**, for Special Use Permits to **operate a contractor's storage yard with storage of tree grind and firewood** on premises locally known as 1230 Town Line Road (SBL. No. 95.00-3-22.1), currently zoned General Industrial (GI), and the Board issued such Special Use Permits on December 19, 2016, which are subject to a yearly renewal upon application by the property owner, and

**WHEREAS**, by letter dated November 4, 2021, **Gregory A. Sojka**, has requested that the Town Board renew the Special Use Permit for an additional one (1) year period, and

**WHEREAS**, Matt Fischione, the Town's Code Enforcement Officer, completed an onsite inspection and found the property compliant to the original conditions of the Special Use Permit and recommended a six (6) month extension pending submittal of a site plan application per his letter dated December 14, 2021.

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

1. That pursuant to Chapter 400 Zoning, Article VI Industrial Districts, Section 21(B)(1)(h) of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a renewal of the Special Use Permit to **Gregory A. Sojka, Owner of Greg's Tree Service**, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning January 1, 2022, and ending June 30, 2022, and

2. That the applicant will continue in compliance with conditions as set forth in § 400-21 Industrial Districts and § 400-78 Special use permits of the Code of Town of Lancaster and with the following conditions:

- A. No more than 200 cubic yards of tree grind and firewood are to be stored at one time on the site.
- B. Permit shall expire on June 30, 2022. The original applicant can renew the permit at no additional cost provided it is for the same location that the original permit was issued under.
- C. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.

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

December 20, 2021

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

**WHEREAS**, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 400-Zoning, Article XIV Administration and Enforcement, §400-78 Special use permits, of the Code of the Town of Lancaster, upon the application of **Donald R. D'Amato**, for a Special Use Permit for a Home Occupation (**Firearm Sales-Vipers Firearms**) on premises located at 43 Greenmeadow Drive (SBL No. 93.18-5-53), Lancaster, New York, and the Board issued such Special Use Permit on January 2, 2018, and

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

**WHEREAS**, by letter dated December 7, 2021, **Donald D'Amato** has requested that the Town Board renew the Special Use Permit for an additional two (2) year term, and

**WHEREAS**, Code Enforcement Officer, Matt Fischione, has recommended approval of this Special Use Permit Renewal per his letter dated December 14, 2021.

**NOW THEREFORE,**

**BE IT RESOLVED, as follows:**

1. That pursuant to Chapter 400-Zoning, Article IV. Residential Districts, §400-16(F) Home Occupations, of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant renewal of the Special Use Permit to **Donald D'Amato**, for a Home Occupation (**Firearm Sales-Vipers Firearms**) on premises located at 43 Greenmeadow Drive (SBL No. 93.18-5-53), Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning January 2, 2022 and ending January 1, 2024, and

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

- A. Only persons residing on the premises shall be engaged in such occupation.
- B. There shall be no change in the outside appearance of the building or premises or visible evidence of the conduct of such home occupation.
- C. This Special Use Permit terminates when the applicant no longer resides on the premises.
- D. Applicant will adhere to all Federal and State regulations concerning firearm sales.
- E. Applicant shall provide a copy of the business' New York State/Federal Tax Employer Identification Number and a copy of a valid NY Federal Firearms License with each renewal request.
- F. 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 request to the Town Clerk, on or before January 1, 2024.
- G. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.

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

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

December 20, 2021

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

**WHEREAS**, by email dated December 15, 2021, the Town of Lancaster Town Clerk, Diane Terranova, has requested an adjustment to the rate of pay for her two (2) part-time staff members working in the Town Clerk’s Office, and

**WHEREAS**, Diann Lutz and Linda Shepard’s salaries were included in the Town Clerk’s 2021 budget request for an hourly rate of \$18.05 and the Town Board approved that rate for the 2021 calendar year on November 6, 2020, however, they were only paid an hourly rate of \$17.82, a difference of \$.23 per hour.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the hourly salary for Diann Lutz and Linda Shepard, part-time staff members in the Town Clerk’s Office, is hereby adjusted to \$18.05 per hour, as was requested and approved by the Town Board in the Town of Lancaster, New York’s 2021 adopted Budget, and

**BE IT FURTHER,**

**RESOLVED**, that the pay adjustment is to be made effective retroactively to January 1, 2021 and will be paid from the Town Clerk’s 2021 budget, and

**BE IT FURTHER,**

**RESOLVED**, that the Lancaster Town Supervisor and Payroll Supervisor 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	NO
SUPERVISOR RUFFINO	VOTED	NO

December 20, 2021

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

**WHEREAS**, William J. Karn, Jr., Chief of Police for the Town of Lancaster, by letter dated December 8, 2021 has recommended the appointment of Alexandra Lindstrom to the position of Public Safety Dispatcher in the Town of Lancaster Police Department, and

**WHEREAS**, Alexandra Lindstrom 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 Alexandra Lindstrom of Lancaster, New York, be and is hereby appointed to the full-time position of Public Safety Dispatcher, in the Town of Lancaster Police Department, at an annual salary of \$46,163.00 on step which represents 75% of the full salary of \$61,550.00, contingent upon approval by Erie County Department of Personnel, effective January 4, 2022 and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the Lancaster Dispatch Employee Association and all applicable provisions of law.

**BE IT FURTHER,**

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

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

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

December 20, 2021

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

**WHEREAS**, Daniel Amatura, Highway Superintendent of the Town of Lancaster, by letter dated December 7, 2021, has appointed John Snyder of Lancaster, New York, who previously held the title of Heavy Equipment Operator, to the position of Working Crew Chief.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby recognizes the appointment of John Snyder of Lancaster, New York to the position of Working Crew Chief in the Town of Lancaster Highway Department, effective December 20, 2021, contingent upon approval by Erie County Department of Personnel and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA Blue Collar Union and all applicable provisions of law, and

**BE IT FURTHER,**

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

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

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

December 20, 2021



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

**WHEREAS**, Daniel Amatura, Highway Superintendent of the Town of Lancaster, by letter dated December 13, 2021, has appointed Gary Gallagher of Lancaster, New York, who previously held the title of Light Equipment Operator, to the position of Heavy Equipment Operator.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby recognizes the appointment Gary Gallagher of Lancaster, New York to the position of Heavy Equipment Operator in the Town of Lancaster Highway Department, effective December 21, 2021, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA Blue Collar Union and all applicable provisions of law, and

**BE IT FURTHER,**

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

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

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

December 20, 2021

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

**WHEREAS**, Daniel Amatura, Highway Superintendent of the Town of Lancaster, by letter dated December 13, 2021, has appointed Daniel Palumbo of Lancaster, New York, who previously held the title of Maintenance Worker, to the position of Light Equipment Operator.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby recognizes the appointment Daniel Palumbo of Lancaster, New York to the position of Light Equipment Operator in the Town of Lancaster Highway Department, effective December 21, 2021, contingent upon approval by Erie County Department of Personnel and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA Blue Collar Union and all applicable provisions of law, and

**BE IT FURTHER,**

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

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

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

December 20, 2021

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

**WHEREAS**, Daniel Amatura, Highway Superintendent of the Town of Lancaster, by letter dated December 16, 2021, has appointed Steve Prowse to the position of Laborer - Highways in the Town of Lancaster Highway Department, pursuant to New York State Highway Law.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby recognizes the appointment of Steve Prowse of Lancaster, New York to the position of Laborer – Highways in the Town of Lancaster Highway Department effective December 27, 2021, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA Blue Collar Union and all applicable provisions of law, and

**BE IT FURTHER,**

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

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

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

December 20, 2021

## **COMMUNICATIONS & REPORTS**

- 1001. Town Clerk to Town Board –  
Town Clerk Monthly Report for November 2021.  
Disposition = Received & Filed**
- 1002. Alan J. Knauf, Esq., Knauf Shaw LLP to Town Clerk –  
4781 Transit Road Rezoning Protest Petition = Disposition = Received & Filed**
- 1003. Planning Board Chairman to Planning Board, Town Board, Town Attorney,  
Engineering Consultant, Highway Superintendent and Building Inspector --  
Draft copy of minutes from Dec. 1, 2021 Planning Board Meeting.  
Disposition = Received & Filed**
- 1004. NYS Dept. of Public Service to Supervisor –  
Information regarding Low Income Household Water Assistance Program.  
Disposition = Received & Filed**
- 1005. Town Engineer to Town Board –  
Request approval of Change Order 2 for the Lancaster Dog Control Facility.  
Disposition = Resolution 12/20/21**
- 1006. Lee Chowaniec to Town Board –  
Comments regarding Dec. 6, 2021, Highway resolution to recognize Highway  
laborer hiring. Disposition = Received & Filed**
- 1007. Sarah Zdziebko to Supervisor and Town Board –  
Comments and concerns regarding 4-phase mandates put in place by the  
County Executive to deal with Covid-19. Disposition = Received & Filed**
- 1008. Code Enforcement Officer to Town Board –  
Comments regarding a Special Use Permit Application for Anderson’s Frozen  
Custard, 4855 Transit Rd., Depew, NY. Disposition = Planning Committee**
- 1009. Code Enforcement Officer to Town Board –  
Recommend renewal of a Special Use Permit for Northeast Diversification,  
954 Ransom Rd. aka 2 Cadby Industrial Park.  
Disposition = Resolution 12/20/21**
- 1010. Code Enforcement Officer to Town Board –  
Recommend renewal of a Salvage Yard License for AJ’s Auto, LLC,  
955 Ransom Rd. Disposition = Resolution 12/20/21**
- 1011. Code Enforcement Officer to Town Board –  
Recommend renewal of a License to Conduct a Salvage Yard for 2022 for  
Advantage Trucks.com, LLC, 933 Ransom Rd.  
Disposition = Resolution 12/20/21**
- 1012. Code Enforcement Officer to Town Board –  
Renewal of a License to Conduct a Salvage Yard for 2022 for Ransom Auto  
Parts, Inc, 867 Ransom Rd. may not be appropriate and should be revoked.  
Disposition = For Resolution**
- 1013. Dog Control Officer to Town Board –  
Monthly Dog Report for November 2021. Disposition = Received & Filed**
- 1014. Town Clerk to Code Enforcement Officer –  
Special Use Application for 6432 Genesee St.  
Disposition = Code Enforcement, For Resolution**

- 1015. Town Clerk to Town Board –  
Summaries of taxes collected, a consolidated report of the 2021-2022 school tax collection, and tax warrants for each of the five school districts.  
Disposition = Received & Filed**
- 1016. Town Clerk to Code Enforcement Officer –  
Request for renewal of Special Use Permit for a Home Occupation (Firearm Sales) on premises at 43 Greenmeadow Dr. Disposition = Resolution 12/20/21**
- 1017. Town Attorney to NYSDEC, US Army Corps of Engineers, Erie County Water Authority, Erie County Health Dept., NYSDOT, Erie County D.E.P. and Division of Sewerage Management –  
Request for lead agency status regarding Coordinated Review, Site Plan: Shop & Storage (Donato), 5841 Genesee St., Proj. #2129.  
Disposition = Planning Committee**
- 1018. Town Attorney to NYSDEC, US Army Corps of Engineers, Erie County Water Authority, Erie County Health Dept., NYSDOT, Erie County D.E.P. and Division of Sewerage Management –  
Additional Site Plan Information regarding 4781 Transit Road Rezone: General Commercial to Multi Family Use, 3-Story Mixed-Use Bldg. & 14 multi-family units. Disposition = Planning Committee**
- 1019. Town Attorney to NYSDEC, US Army Corps of Engineers, Erie County Water Authority, Erie County Health Dept., NYSDOT, Erie County D.E.P. and Division of Sewerage Management –  
Request for lead agency status regarding Coordinated Review, Site Plan: Adam’s Nursery, 5799 Genesee St., Proj. #5028.  
Disposition = Planning Committee**
- 1020. David Rinow to Supervisor and Town Board –  
Request to be appointed to the Lancaster Industrial Development Agency Board. Disposition = Received & Filed**
- 1021. Highway Superintendent to Planning Board Chairman –  
No comment regarding Site Plan Review Proposed Shop & Storage, Proj. #2129.  
Disposition = Received & Filed**
- 1022. Highway Superintendent to Planning Board Chairman –  
No comment regarding Site Plan Review Adam’s Farms Storage Building, 5799 Genesee St., Proj. #5028. Disposition = Received & Filed**
- 1023. Code Enforcement Officer to Town Board –  
Comments regarding Special Use Permit Application – Buffalo Tournament Club, 6432 Genesee St. Disposition = Planning Committee**
- 1024. Pamela CuvIELLO to Town Clerk –  
Letter of interest to remain on as the Chief Financial Officer of Lancaster Industrial Development Agency for 2022. Disposition = Received & Filed**
- 1025. Town Attorney to NYSDEC, US Army Corp of Engineers, Erie County Water Authority, Erie County Health Dept., Erie County DPW, Erie County D.E.P., Division of Sewerage Management –  
Request for lead agency status regarding Coordinated Review Fieldstream Subdivision, 6061 Broadway/fronting on William St., Proj. #2020.  
Disposition = Planning Committee**
- 1026. Town Attorney to Town Board and Planning Board –  
SEQR response from NYSDOT regarding Salvatore’s Restaurant Patio, 6461 Transit Road, Proj. #1408. Disposition = Planning Committee**

1027. **Town Attorney to Town Board and Planning Board –  
SEQR response from NYSDOT regarding Buffalo Tournament Club,  
6432 Genesee St., Proj. #1269. Disposition = Planning Committee**
1028. **Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Dept. of Public Works regarding Rezone  
338 Harris Hill Road. Disposition = Planning Committee**
1029. **Town Clerk to Jerrod Blake, Sr., Waste Management of New York, LLC –  
2022 Solid Waste Collection License including license decals and a copy of  
Exhibit “B” from the application. Disposition = Received & Filed**
1030. **Lynne Ruda to Town Board –  
Letter expressing interest in serving on the Lancaster Industrial Development  
Agency Board. Disposition = Received & Filed**
1031. **Scott McKay, Senior Design Engineer NYSDOT to Town Clerk –  
Synopsis of the work and a location map for the Walden Avenue project.  
Disposition = Received & Filed**
1032. **Jill Monacelli to Town Board –  
Request to be considered for appointment as chairperson of the Lancaster  
Zoning Board of Appeals. Disposition = Received & Filed**
1033. **Cynthia Maciejewski to LIDA Chair Ruffino and LIDA Members –  
Request to be reappointed as the LIDA Administrative Secretary & Records  
Management Officer. Disposition = Received & Filed**
1034. **Cynthia Maciejewski to Supervisor and Town Board –  
Request to be reappointed as the Town of Lancaster Planning Board  
Secretary. Disposition = Received & Filed**
1035. **Deputy Highway Superintendent to Town Board –  
Request for resolution to purchase one new and unused 900-ECO 12 Yard  
Truck Mounted Combination Sewer Cleaner from Cyncon Equipment,  
7494 W. Henrietta Road, Rush, NY 14543. Disposition = Resolution 12/20/21**
1036. **Town Engineer to Town Board –  
Recommend approval of Change Order 1 for Aurora St. Bridge  
Disposition = For Resolution**
1037. **Park Crew Chief to Town Board –  
Request for resolution awarding a Town wide tree inventory and preparation  
of a forest management plan to Davey Resource Group, Inc., 10 Mitchell St.,  
Sinclairville, NY 14782. Disposition = Resolution 12/20/21**
1038. **Thomas E. Fowler, Jr. to Town Clerk –  
Letter of interest relative to the anticipated opening of the position of Lancaster  
Town Attorney. Disposition = Received & Filed**
1039. **Code Enforcement Officer to Town Board –  
Recommend approval of renewal of Special use Permit for 43 Greenmeadow Dr.  
(Firearms Sales). Disposition = Resolution 12/20/21**
1040. **Highway Superintendent to Planning Board Chairman –  
Concern regarding Site Plan Review – Anderson’s Frozen Custard, Proj. #2135.  
Disposition = Received & Filed**
1041. **Code Enforcement Officer to Town Board –  
Recommend 6-month Extension for a Contractors Yard with Storage for  
Special Use Permit Renewal – Gregory Sojka/Greg’s Tree Service, 1230 Town  
Line Rd. Disposition = Resolution 12/20/21**

1042. David Stabler to Town Board –  
Request to be considered for the position of Lancaster Town Prosecutor.  
Disposition = Received & Filed
1043. Jeffery Palumbo to Planning Board Chairman –  
Request for 4781 Transit Road project to be placed on the January 20, 2022  
Planning Board Meeting. Disposition = Received & Filed
1044. Beth Cook to Town Clerk –  
Request to be considered for the position of Secretary to the Lancaster  
Planning Board. Disposition = Received & Filed
1045. Patrick Farruggio to Town Clerk –  
Request to continue as Town of Lancaster Bingo Inspector.  
Disposition = Received & Filed
1046. Town Attorney to Town Board and Planning Board –  
SEQR response from NYSDOT regarding Anderson’s Site Amendment,  
4855 Transit Rd., Proj. #2135. Disposition = Planning Committee
1047. Town Attorney to Town Board and Planning Board –  
SEQR response from NYSDOT regarding Adams Nursery Site Amendment,  
5799 Genesee St., Proj. #5028. Disposition = Planning Committee
1048. Town Attorney to Town Board and Planning Board –  
SEQR response from NYSDOT regarding Rezone – 338 Harris Hill Road.  
Disposition = Planning Committee
1049. Recreation Supervisor to Supervisor and Town Board –  
Request for resolution to adjust the rate of pay for listed employees effective  
January 1, 2022. Disposition = Received & Filed
1050. Police Chief to Supervisor and Town Board –  
Request for resolution appointing Alexandra Lindstrom, Lancaster, NY to the  
position of public safety dispatcher in the Lancaster Police Dept. effective  
January 4, 2022. Disposition = Resolution 12/20/21
1051. Highway Superintendent to the Town Board –  
Request for approval of appointment of John Snyder, Lancaster, NY  
to the position of Working Crew Chief in the Town of Lancaster Highway  
Department effective December 20, 2021. Disposition = Resolution 12/20/21
1052. Highway Superintendent to the Town Board –  
Request for approval of appointment of Gary Gallagher, Lancaster, NY to the  
position of Heavy Equipment Operator in the Town of Lancaster Highway  
Department effective December 21, 2021. Disposition = Resolution 12/20/21
1053. John Copas to Whom it May Concern –  
Request for consideration for appointment to committee positions that will  
assist him in benefiting the community of Lancaster, NY.  
Disposition = Received & Filed
1054. Highway Superintendent to the Town Board –  
Request for approval of appointment of Daniel Palumbo, Lancaster, NY to the  
position of Light Equipment Operator in the Town of Lancaster Highway  
Department effective December 21, 2021. Disposition = Resolution 12/20/21
1055. Highway Superintendent to the Town Board –  
Request for approval of appointment of Steve Prowse, Lancaster, NY to the  
position of Laborer Grade #1 in the Town of Lancaster Highway Department  
effective December 27, 2021. Disposition = Resolution 12/20/21

**1056. Police Chief to Town Clerk –  
Articles and communications. Disposition = Received & Filed**



**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER MAZUR AND SECONDED BY  
COUNCIL MEMBER LEARY AND CARRIED,** the meeting was adjourned in memory of  
Gerald Caci, Daniel J. DellaSala, Michael Jeziorski, David Kraemer and James Macken  
at 8:29 P.M.

Signed \_\_\_\_\_

Diane M. Terranova, Town Clerk