

Town Board Minutes

April 18, 2022

Meeting No. 8

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 18th day of April 2022 at 7:00 P.M. and there were

PRESENT: MARK BURKARD, COUNCIL MEMBER
ADAM DICKMAN, COUNCIL MEMBER
ROBERT LEARY, COUNCIL MEMBER
DAVID MAZUR, COUNCIL MEMBER
RONALD RUFFINO, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
THOMAS FOWLER, TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
WILLIAM KARN, CHIEF OF POLICE
MICHELLE BARBARO, DEP. HIGHWAY SUPERINTENDENT
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.

EXECUTIVE SESSION:

AT 7:42 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER LEARY for the purpose on entering into an Executive Session to discuss collective bargaining negotiations per Article 14 of Civil Service Law.

The question of entering an Executive Session was duly put to a vote on roll call, which resulted as follows:

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

At 8:39 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.

MOTION WAS MADE BY COUNCIL MEMBER LEARY, SECONDED BY COUNCIL MEMBER BURKARD, to close the Executive Session.

The question of closing the Executive Session was duly put to a vote on roll call, which resulted as follows:

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

April 18, 2022

PERSONS ADDRESSING TOWN BOARD:

White, Christopher, spoke to the Town Board on the following matter:

- Questions regarding the new development, Hillside Commons, on Harris Hill Road.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 1 – L.L. Flood Damage Prevention

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 Local Law Flood Damage Prevention 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
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None

ON MOTION BY COUNCIL MEMBER LEARY, SECONDED BY COUNCIL MEMBER BURKARD AND CARRIED, the public hearing was closed at 7:16 P.M.

Decision on this matter was reserved.

April 18, 2022

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 2 – Partial Exemption Real Property Taxation sixty-five and older.

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

At 7:16 P.M., the Town Board held a Public Hearing to hear all interested persons upon a partial exemption from Real Property taxation for persons sixty-five of age and older on a graduated scale based on income 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
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None

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

Decision on this matter was reserved.

April 18, 2022

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 3 – Local Law Site Plan Review
Procedures

ON MOTION BY COUNCIL MEMBER BURKARD, SECONDED BY
COUNCIL MEMBER LEARY 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 Local Law to amend Chapter 400 Zoning, Article XIV Administration and
Enforcement - site plan review procedures 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
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None

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

Decision on this matter was reserved.

April 18, 2022

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
April 4, 2022 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 BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 18, 2022

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 #04182022

Total amount hereby authorized to be paid: \$1,006,094.80

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

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

April 18, 2022

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
33618		Michael Berry	8 Crabapple Ln	Er. Shed	
33853		Home Power Systems LLC	31 Hanover St	Inst. Generator	
33880		Iroquois Fence Inc.	40 Deepwood Pl	Er. Fence	
33881		Jason Francabandiero	40 Deepwood Pl	Er. Shed	
33894		Zenner & Ritter Co. Inc.	9 Overton Ct	Inst. Generator	
33900		Dalex Construction Inc.	16 Ronald Dr	Re-Roof	
33911		F&D Construction	28 Tranquility Trl	Er. Res. Add.	
33912		Burke Contracting LLC	480 Aurora St	Er. Comm. Add./Alt.	
33922		Colley's Pool Sales Inc.	122 Michaels Walk	Er. Pool-In Grnd	
33923		Colley's Pool Sales Inc.	13 Katelyn Ln	Er. Pool-In Grnd	
33927		ABC Hardware & Rental Inc.	118 Pheasant Run Ln	Inst. Generator	
33928		ABC Hardware & Rental Inc.	556 Lake Ave	Inst. Generator	
33929		Charles Agnello	114 Avian Way	Er. Fence	
33930		Charles Agnello	114 Avian Way	Er. Shed	
33931		Nicholas Catanzaro	9 Northbrook Ct	Er. Pool-In Grnd	
33932		Castle Home Improvements	665 Erie St	Re-Roof	
33933		Beauty Pools Inc.	44 Brady Ave	Er. Res. Alt.	(V/L)
33934		Maureen DiBartolomeo	554 Lake Ave	Re-Roof	
33935		Nancy Shane	171 Pleasant View Dr	Er. Fence	
33936		Kathryn Gesicki	56 Stony Brook Dr	Er. Porch/Porch Cover	
33937		James Banach	84 Avian Way	Er. Fence	
33938		Arthur Rhodes	15 Kevwood Ln	Er. Shed	
33939		F&D Construction	1 Parkedge Dr	Er. Porch/Porch Cover	
33940		Marrano/Marc Equity Corp.	26 Sedge Run	Er. Patio Home	
33941		Marrano/Marc Equity Corp.	14 Mary Rachel Pl	Er. Townhouses	
33942		Marrano/Marc Equity Corp.	16 Mary Rachel Pl	Er. Townhouses	
33943		Forbes Homes, Inc.	16 Deepwood Pl	Er. Dwlg.-Sin.	
33944		Cortese Brothers Construction	61 Robert Dr	Er. Res. Alt.	(V/L)
33945		Daniel Garretson	1061 Ransom Rd	Er. Shed	
33946		William Clotfelter	18 Petersbrook Cir	Er. Shed	
33947		David Rowell	22 Villa Pl	Er. Res. Alt.	(V/L)
33948		Matthew Schiavone	550 Pavement Rd	Er. Fence	
33949		Daniel DeAngellis	28 Gale Dr	Er. Fence	
33950		Forbes Homes, Inc.	14 Deepwood Pl	Er. Dwlg.-Sin.	
33951		Junchao Hua	18 Rose St	Re-Roof	
33952		Forbes Homes Inc.	30 Deepwood Pl	Er. Dwlg.-Sin.	
33953		Joseph Bish	103 Seneca Pl	Er. Res. Alt.	
33954		Cole Butzek	45 Newberry Ln	Er. Porch/Porch Cover	
33955		Vanessa Lattuca	225 Nathan's Trl	Er. Fence	
33956		Matthew Zeitler	30 Weathersfield Ln	Er. Fence	
33957		Aaron Hoffman	15 Country Pl	Er. Fence	
33958		Thomas White	11 Creekwood Dr	Er. Porch/Porch Cover	
33959		TNT Custom Decks & Remod.	62 Michael Anthony Ln	Er. Deck	
33960		Collingwood Construction Corp.	241 Schwartz Rd	Re-Roof	
33961		Castle Home Improvements	1003 Erie St	Re-Roof	
33962		Castle Home Improvements	309 Aurora St	Re-Roof	(V/L)
33963		Santoro Sign Inc.	19 W Main St	Er. Sign – Wall	(V/L)
33964		Michael Cinquino	49 Lake Ave	Er. Fence	(V/L)
33965		Bliss Construction, LLC	97 Robert Dr	Re-Roof	(V/L)
33966		McFarland Properties, LLC	6060 Broadway	Er. Res. Add./Alt.	
33967		Sahlems Roofing & Siding Inc.	4805 Transit Rd	Re-Roof	
33968		Robert Laskowski	21 Kevwood Ln	Er. Shed	
33971		Marrano/Marc Equity Corp.	16 Sedge Run	Er. Patio Home	

33972	Stutzman Family Trust	31 Laverack Ave	Dumpster - Temp.	V/L)
33973	Buffalo's Best Roofing	12 Old Schoolhouse Rd	Re-Roof	
33974	Zenner & Ritter Co. Inc.	6 Avian Way	Inst. Generator	
33975	Zenner & Ritter Co. Inc.	97 Northwood Dr	Inst. Generator	
33976	Katelin Kostek	17 Roosevelt Ave	Re-Roof	(V/L)
33977	Karen Davis	15 Hidden Trl	Er. Fence	
33978	Buffalo's Best Roofing	31 Pheasant Run Ln	Re-Roof	
33979	Kristy Baumgart	305 Aurora St	Er. Pool-Abv Grnd	V/L)
33980	Gen-Tech Power Systems LLC	358 Seneca Pl	Inst. Generator	
33981	Gen-Tech Power Systems LLC	1 St Davids Rd	Inst. Generator	
33982	John Walker	18 Taft Ave	Inst. Generator	
33983	Tri-County Contractors	25 Sugarbush Ln	Er. Res. Add.	
33984	Gen-Tech Power Systems LLC	54 Hidden Meadow Cros	Inst. Generator	
33985	Zenner & Ritter Co. Inc.	40 Nicholas Ln	Inst. Generator	
33986	Buscaglia Decks	15 Arrow Trl	Er. Deck	
33988	Irwin Roofing	26 Cedar Brook Dr	Re-Roof	
33989	Steven Ratka	34 Tranquility Trl	Er. Pool-Abv Grnd	
33991	Michael Schmidt Construction	10 Clermont Ct	Re-Roof	
33992	Hybrid Building Solutions	4543 Walden Ave	Er. Comm. Bldg.	
33994	CMK Builders of Alden, Inc.	10 Kevwood Ln	Er. Dwlg.-Sin.	
33995	Petschke Inc.	12 Petersbrook Cir	Inst. Generator	
33996	Victor Martinez	64 Freeman Dr	Er. Shed	
33997	Schuster Construction LLC	10 Old Orchard Comm	Re-Roof	
33998	Schuster Construction LLC	48 Brunswick Rd	Re-Roof	(V/L)
33999	Sturm Roofing LLC	15 Oxford Ave	Re-Roof	(V/L)
34000	Blackhat Chimney & Fireplace	643 Aurora St	Inst. Fireplace/Stove	
34002	Christopher Lewandowski	23 Rue Madeleine Way	Er. Porch/Porch Cover	
34003	ABC Hardware & Rental Inc.	434 Lake Ave	Inst. Generator	
34004	Susan Burger	37 Running Brook Dr	Er. Fence	
34006	Quality Aluminum II	109 Robert Dr	Er. Fence	(V/L)
34008	Sandra Yale	69 Taft Ave	Re-Roof	
34009	Getterr Done Construction	154 Central Ave	Dem. Sin. Dwlg	V/L)
34010	Beauty Pools Inc.	114 Avian Way	Er. Spa	
34011	Franks Commercial & Home	3 Liberty Ave	Er. Res. Alt.	V/L)

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

April 18, 2022

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

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated April 4, 2022, has requested the addition of three (3) members to the roster of said fire association.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the additions to the membership of the Town Line Volunteer Fire Department the following individuals:

ADDITIONS:

Jean A. Brockner William MacPeek Kevin Buczak

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

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

April 18, 2022

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

WHEREAS, the Town Board is considering the approval of the proposed construction of a Shop and Storage Site to include thirteen (13) storage unit buildings, a storage office building and four (4) warehouse/shop/office buildings with forty-three (43) parking spaces submitted by Christopher Wood P.E. on behalf of Donato Homes Inc., to be located on a +/- 42.6-acre parcel at 5841 Genesee Street (SBL No. 94.00-2-11.11) in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Planning Board has reviewed the environmental impact of this project pursuant to SEQR regulations at their meeting on January 19, 2022, and per comments contained in the NYS Department of Conservation's response letter dated December 28, 2021, have recommended that a Conditioned Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the construction project using the short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act ("SEQRA") regulations, and such other information deemed appropriate, including the recommendation of the Town of Lancaster Planning Board, and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination, and

WHEREAS, the proposed action has been labeled an "Unlisted" action under SEQRA.

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

1. This project is described as construction of a Shop and Storage Site to include thirteen (13) storage unit buildings, a storage office building and four (40) warehouse/shop/office buildings with forty-three (43) parking spaces submitted by Christopher Wood P.E. on behalf of Donato Homes Inc., to be located on a +/- 42.6-acre parcel at 5841 Genesee Street (SBL No. 94.00-2-11.11) will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached conditioned negative declaration of environmental significance for the reasons stated therein.

2. The Town Clerk shall file a copy of the Conditioned Negative Declaration in the file for the Project.

3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.

4. This resolution is effective immediately.

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

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

April 18, 2022

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: April 18, 2022

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town Board of the Town of Lancaster has reviewed the proposed Shop and Storage Site construction on a +/- 42.6-acre parcel located at 5841 Genesee Street (SBL No. 94.00-2-11.11) submitted by Christopher Wood, P.E. on behalf of Donato Homes, Inc; and the Town Board has determined the project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Shop and Storage Site # 2129

Location of Action 5841 Genesee Street (SBL No. 94.00-2-11.11), Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted

Description of Action: The proposed development project will consist of the construction of (13) storage unit buildings, a storage office building and (4) warehouse/shop/office buildings. Construction will also include a stormwater management system, utility improvements, and a total of 43 parking spaces. The Project Site is currently vacant with mixed vegetated cover and located on the south side of Genesee Street (NYS Route 33) and approximately 600 feet west of Gunville Road in the Town of Lancaster. The Project Site consists of approximately 42.6 acres total site area with construction disturbance of approximately 8.4 acres. The site is zoned (LI) Light Industrial District.

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? **Impact. Per the Erie County Department of Environment and Planning's letter dated January 4, 2022, subject site is located within 500' of land in Erie County's Agricultural District #16-Lancaster Alden. Future development on this site may require an Agricultural Data Statement be prepared as required in Section 283-a of Town law and Article 25-AA of the NYS Agriculture and Markets Law.**
2. Will the proposed action result in a change in the use or intensity of use of land? **No impact.**
3. Will the proposed action impair the character or quality of the existing community? **No impact.**
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? **The Town of Lancaster has not established a Critical Environmental Area (CEA).**
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? **No impact.**
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? **No impact.**

7. Will the proposed action impact existing:
 - a. public/private water supplies? **No impact**
 - b. public/private wastewater treatment utilities? **No impact.**

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? **Small impact. Per the NYS Office of Parks, Recreation and Historic Preservation’s letter dated December 23, 2021, the Pre-Contact Site Locus 4 (USN 02917.000165) has potential impacts therefore, the site and a fifty-foot (50 ft.) buffer zone should be avoided.**

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna)? **Impact. Per the NYSDEC letter dated December 28, 2021, proposed action may require additional permitting for potential wetlands. Ellicott Creek contains Endangered Mussel Species.**

10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **Small impact. Per the NYSDEC letter dated December 28, 2021, proposed action may result in development within a 100- year floodplain.**

11. Will the proposed action create a hazard to environmental resources or human health? **No Impact.**

12. It is noted that a Conditioned Negative Declaration is recommended with the following conditions: **1.** Project to be appropriately designed to allow future access to nearby gas well regulated by the DEC’s Division of Mineral Resources under Article 23 of the Environmental Conservation Law. **2.** Subject site is located within 500’ of land in Erie County’s Agricultural District #16-Lancaster Alden. Future development on this site may require an Agricultural Data Statement be prepared as required in Section 283-a of Town law and Article 25-AA of the NYS Agriculture and Markets Law. **3.** Donato Pre-Contact Site locus 4 (USN 02917.000165) site and a fifty-foot (50-foot) buffer zone, be avoided, and a Short-Term Avoidance and Preservation Plan be implemented during construction and a legally binding Protective Deed Covenant be registered with the County Clerk’s Office.

For Further Information:

Contact Person: Thomas E. Fowler, Jr., Town Attorney

Address: Town of Lancaster
 21 Central Avenue
 Lancaster, New York 14086

Telephone Number: (716) 684-3342

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

WHEREAS, in cooperation with the Erie County Shared Service Plan, Highway Superintendent by letter dated March 25, 2022, has requested that the Town enter into the Erie County, New York Inter-municipal Highway Shared Service Agreement (August 2021), and

WHEREAS, the agreement would allow municipalities that entered into it to share Highway services, tools, machinery, and equipment (with or without operators) among themselves to maximize services provided in a more cost-effective manner, and

WHEREAS, there is no cost associated with participation in this agreement and it will remain in effect until terminated by the Town of Lancaster.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Erie County, New York Intermunicipal Highway Shared Services Agreement (August 2021), as presented, authorizing the Highway Superintendent to share Highway services, tools, machinery, and equipment (with or without operators) which will provide a cost savings by maximizing the effective utilization of all parties' resources, and

BE IT FURTHER,

RESOLVED, that the Supervisor is hereby authorized to execute this agreement which will remain in effect until the Town of Lancaster decides to terminate its participation.

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

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

April 18, 2022

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

WHEREAS, the Town of Lancaster’s Band Shell, located at 100 Oxford Avenue, is used to provide community enjoyment by allowing various outdoor performances/events to be held there, and

WHEREAS, by letter dated March 29, 2022, Deputy Highway Superintendent, Michelle Barbaro is requesting that the Town of Lancaster hire Hit’N Run, West Of The Mark, and Busted Stuff to perform at the Lancaster Band Shell during the Summer of 2022, for a total amount not to exceed \$3,000.00, and

WHEREAS, the above-named bands are under contract with Tom McGill/Starstruck Productions, and

WHEREAS, the agreement and required insurance information has been reviewed and approved by the Town Attorney’s Office, and

WHEREAS, the Town Board of the Town of Lancaster has determined that it the community would enjoy having these bands perform.

NOW, THEREFORE,

BE IT RESOLVED that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to execute the contract, as presented, with Tom McGill/Starstruck Productions for the following performances to occur tentatively on the following dates from 6:30 P.M. to 8:30 P.M. during the 2022 Concert Series at the Band Shell located at 100 Oxford Avenue:

1. Hit’N Run, June 22, 2022
2. West Of The Mark, July 13, 2022
3. Busted Stuff, August 3, 2022, and

BE IT FURTHER,

RESOLVED, that the cost shall not exceed \$3,000.00 which will be paid based on the terms and conditions contained in the contract and with funds available in the Town’s 2022 Playgrounds and Recreation, Contractual Expenses, Special Celebrations Budget (Line Item: 01-7140-0415).

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

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

April 18, 2022

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 April 11, 2022 has recommended the appointment of Gabrielle R. Jakubik to the position of Public Safety Dispatcher in the Town of Lancaster Police Department, and

WHEREAS, Gabrielle R. Jakubik 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 Gabrielle R. Jakubik 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 May 3, 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 BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 18, 2022

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

WHEREAS, the Town Board of the Town of Lancaster has held a public hearing on April 4, 2022, pursuant to Chapter 400 Zoning Article XIV Administration and Enforcement, §400-78 Special Use Permits, of the Code of the Town Lancaster, upon the application of Isaac Barnhill, Licensing Coordinator for **7-Eleven, Inc.**, for a Special Use Permit to operate operate a convenience store with gas station and car wash on premises located at 4949 Transit (SBL No. 115.03-1-49.11) in the Town of Lancaster, Erie County, New York, and

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

WHEREAS, Matt Fischione, the Code Enforcement Officer, has recommended a provisional approval of this Special Use Permit by his letter dated March 10, 2022.

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

1. Pursuant to Chapter 400-Zoning, Article V Commercial Districts, Section 18 (B)(1)(f), General Commercial(GC), Permitted uses of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to Isaac Barnhill, Licensing Coordinator for **7-Eleven, Inc.**, to operate a convenience store with gas station and car wash on premises located at 4949 Transit (SBL No. 115.03-1-49.11), in the Town of Lancaster, New York, upon the conditions as set forth in the Zoning Ordinance for the period beginning April 18, 2022 and ending April 17, 2023, and
2. That the applicant will continue in compliance with conditions as set forth in §400-18 General Commercial District (GC), §400-19 Supplementary regulations for LI and GC 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:
 - A. Permit must be renewed **every year** at no additional cost to applicant. Renewal request is considered upon the property owner submitting a written request to the Town Clerk, **on or before April 17, 2023.**
 - 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 BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 18, 2022

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

WHEREAS, Donald Carpenter, on behalf of Dish Wireless, LLC has submitted an application for a special use permit for a Telecommunications Tower Co-location of antennas and ancillary telecommunications equipment, for a new carrier to be placed on the current tower located at Mohawk Place (SBL No. 104.08-4-25) (Up State Tower Site Buf-602B) which will be identified as Dish Wireless, LLC, Site ID: SYSYR00254A, in the Town of Lancaster, and

WHEREAS, Chapter 400-Zoning, Article XIV Administration and Enforcement, § 400-78 Special use permits, of the 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 of the Zoning Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for a Telecommunications Tower Co-location of antennas and ancillary telecommunications equipment for a new carrier to be placed on the current tower located at Mohawk Place (SBL No. 104.08-4-25) (Up State Tower Site Buf-602B) which will be identified as Dish Wireless, LLC, Site ID: SYSYR00254A, in the Town of Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 2nd day of May, 2022, at 7:15 o'clock P.M., Local Time, and that Notice of said time and place of such Hearing be published in the official 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 BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

April 18, 2022

TOWN OF LANCASTER
NOTICE OF PUBLIC HEARING ON APPLICATION FOR SPECIAL USE PERMIT
APPROVAL FOR A TELECOMMUNICATIONS TOWER CO-LOCATION AT
AT MOHAWK PLACE (SBL NO. 104.08-4-25) (UP STATE TOWER SITE BUF-602B)
WHICH WILL BE IDENTIFIED AS DISH WIRELESS, LLC, SITE ID:
SYSYR00254A, LANCASTER, NEW YORK

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 400-Zoning, Article XIV Administration and Enforcement, § 400-78 Special use permits of the Code of the Town of Lancaster and pursuant to a resolution adopted by the Town Board of the Town of Lancaster on the 18th day of April, 2022 the said Town Board will hold a Public Hearing on the 2nd day of May, 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 approving a special use permit application for Telecommunications Tower Co-location by Dish Wireless, LLC, on the current tower located at located at Mohawk Place (SBL No. 104.08-4-25) (Up State Tower Site Buf-602B). Copies of the proposed application can be reviewed at Town Hall.

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

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF LANCASTER

BY: DIANE M. TERRANOVA
Town Clerk

April 21, 2022

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

WHEREAS, the Town of Lancaster's Deputy Highway Superintendent, Michelle Barbaro, by letter dated April 8, 2022, as advised the Town Board that the Parks, Recreation & Forestry Department no longer has use for seven (7) pallets of Unilock bricks and has requested that the Town Board deem these items to be surplus items and permit them to be placed on an online auction, and

WHEREAS, the Town Board has given due consideration to the request of the Deputy Highway Superintendent and deems it a judicious decision to declare the beforementioned pallets of bricks to be surplus items and permits placement of said items on an online auction.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby declares the seven (7) pallets of Unilock bricks to be surplus items and authorizes the, Michelle Barbaro, to place said items up for public bid at an online auction with Auctions International, www.auctionsinternational.com; 11167 Big Tree Road, East Aurora, New York 14052 commencing April 21, 2022 and concluding on May 5, 2022, with the funds received from said auction to be made payable to the Town of Lancaster and delivered to the Town Supervisor's Office.

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

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

April 18, 2022

PUBLIC AUCTION
OF TOWN OWNED SURPLUS ITEMS

Notice is hereby given that the Town Board of the Town of Lancaster has deemed seven (7) pallets of Unilock bricks as surplus items.

These surplus pallets of bricks will be auctioned at an online auction with Auctions International, <http://www.auctionsinternational.com>; 11167 Big Tree Road, East Aurora, New York 14052 **starting April 21, 2022 and concluding on May 5, 2022.**

Successful bidders must provide a payment of 100% of the bid price offered payable to the Town of Lancaster prior to taking possession of the equipment.

The surplus equipment may be inspected at the Town of Lancaster's Department of Parks and Recreation, 525 Pavement Road, Lancaster, New York by contacting Michelle Barbaro at 684-3320 to make an appointment.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF LANCASTER

By: DIANE M. TERRANOVA
TOWN CLERK

April 21, 2022

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

WHEREAS, the Town of Lancaster's Deputy Highway Superintendent, Michelle Barbaro, by letter dated April 8, 2022, as advised the Town Board that the Parks, Recreation & Forestry Department is in possession of the old landline Town phones that no longer have any use or value since the phone system was upgraded Town wide and has requested that the Town Board deem these items to be surplus equipment, and

WHEREAS, the Deputy Highway Superintendent would like to dispose of these phones as scrap since they are outdated and parts are no longer available, and

WHEREAS, the Town Board has given due consideration to the request of Michelle Barbaro and deems it judicious to declare the beforementioned landline telephones to be deemed surplus equipment.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby declares the beforementioned Town landline telephones to be surplus equipment and authorizes, Michelle Barbaro, to dispose of these items by scrapping them as they are outdated and parts are no longer available.

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

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

April 18, 2022

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

WHEREAS, on August 19, 2019, the Town Board of the Town of Lancaster approved a site plan submitted by Chris Wood, PE., on behalf of George Peppes, for the construction of (2) 4-unit and (1) 5-unit apartments to be known as Theo's Place Apartments, 5153 Transit Road, in the Town of Lancaster, and

WHEREAS, due to economic hardships caused by the COVID 19 pandemic construction was not started within the two-year time period and George Peppes, has now requested that the Town Board grant an extension to the site plan approval, which was revoked on August 19, 2021, per Town Code § 400-75 (D)(9), and

WHEREAS, Town Code Section 400-75(D)(9) also provides that the Town Board may grant an extension of the two-year time limitation for commencement of development from the date of approval, and

WHEREAS, the Town Board has given due review and consideration to the request for the extension.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster using the authority granted to it under Section 400-75(D)(9) does hereby grant a one-year extension to the two (2) year statutory approval of the site plan previously granted to Chris Wood, PE., on behalf of George Peppes, for the construction of (2) 4-unit and (1) 5-unit apartments to be known as Theo's Place Apartments, 5153 Transit Road (SBL No. 115.05-2-5.1) in the Town of Lancaster to commence August 19, 2021 and terminate August 19, 2022, with the following conditions:

1. Contractor to provide an "As-built" survey to the Building Department prior to a Certificate of Compliance and/or Occupancy being issued.
2. Private Improvement Permits will be required to initiate site construction.
3. No further extensions will be granted beyond August 19, 2022.

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

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

April 18, 2022

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

WHEREAS, by resolution adopted on January 4, 2021, the Town Board of the Town of Lancaster authorized the sum of \$5,000.00 be allocated for the purpose of defraying the expenses connected with the Taste of Lancaster and the observance of Independence Day which are Village of Lancaster sponsored events, and

WHEREAS, by letter dated February 27, 2022, Village of Lancaster Mayor, Lynne Ruda, notified the Town that the Village did not host the Taste of Lancaster event in in 2021, instead a Fall Festival and a New Year's Eve Ball Drop was hosted in 2021, and

WHEREAS, the Village of Lancaster has already received the \$2,500.00 allocated for the 2021 Independence Day Celebration and now Mayor Ruda, is requesting that the remaining \$2,500.00, be allocated for 2021 Fall Festival and New Year's Eve Ball Drop and provided to the Village.

NOW, THEREFORE,

BE IT RESOLVED, that the resolution adopted January 4, 2021, allocating \$5,000.00 funding to the Village of Lancaster for the purpose of defraying the expenses connected with their sponsored Taste of Lancaster and the Observance of Independence Day events, be amended to read, that the sum of \$5,000.00 be allocated thusly for the purpose of defraying the expenses associated with Independence Day Observance (\$2,500.00), Fall Festival (\$1,250.00), and New Year's Eve Ball Drop (\$1,250.00), events sponsored by the Village of Lancaster, which shall be expended upon properly itemized and audited vouchers being submitted for each event, and

BE IT FURTHER,

RESOLVED, that should the Village of Lancaster change the events being offered prior notice must be provided to the Town of Lancaster for review and consideration.

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

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

April 18, 2022

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

WHEREAS, by memo dated April 4, 2022, Edward Schiller, the Town of Lancaster's consulting engineer, has requested that the Town Board authorize an invitation to bid for the installation of new fencing and gates at the Town of Lancaster Police Department's impound area, and

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

NOW, THEREFORE,
BE RESOLVED, that the Town Board of the Town of Lancaster hereby invites public bid for the installation of fencing and gates at the Lancaster Police Department's, impound area, said bids are to be in conformance with the plans and specifications which are available at the office of Wm. Schutt Associates, P.C, 37 Avenue, Lancaster, New York 14086 and to be received in the Office of the Town Clerk, Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on May 5, 2022 and opened thereafter.

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

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

April 18, 2022

NOTICE TO BIDDERS

FOR THE

**TOWN OF LANCASTER
POLICE IMPOUND AREA FENCING**

Bids for the installation of fencing and gates at the Lancaster Police Impound Area, 525 Pavement Rd., will be received by the Town Clerk at her office in the Town Hall, 21 Central Avenue, Lancaster, New York on or before 10:00 A.M. local time on May 5, 2022, at which time they will be publicly opened and read aloud.

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

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

Proposals shall be made and received upon the following conditions:

Each bid proposal shall be submitted in a sealed envelope, clearly marked: "BID ENCLOSED - "POLICE IMPOUND AREA FENCING" and must be accompanied a bid bond or a certified check made payable to the Town of Lancaster, in the amount of five per cent (5%) of the total amount of the bid, conditioned that if the proposal is accepted he will execute within fifteen (15) days from the date of the acceptance of the proposal, a suitable security bond in the amount of the Contract, conditioned for the faithful and prompt performance and completion of the Work Specified in the Contract.

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

Upon acceptance of his Bid, if the successful bidder fails to enter into a Contract pursuant to the requirements of the Proposal Documents, or fails to give the further security prescribed in this Notice, with same time limited therein, then the check deposited as aforesaid and the monies standing to the credit of the same, shall be forfeited to the Town as liquidated damages, or the payment of the bond enforced for the benefit of the Town. The Town of Lancaster reserves the right to reject any and all bids, to consider the reputation and experience of any bidders in making its selection, to waive any informalities or minor deviations from the specifications, and to award the contract to other than the lowest bidder if considered to be in the best interest of the Town of Lancaster.

Consulting Engineers:
William Schutt & Associates, P.C.
York
37 Central Avenue
Lancaster, NY 14086-2143
(716) 683-5961
Date: April 21, 2022

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

Diane Terranova
Town Clerk

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

WHEREAS, the Town of Lancaster desires to receive proposals from energy supply companies (“ESCOs”) for the Implementation of Energy Conservation Measures on a Performance Contracting Basis for Town-owned facilities, and

WHEREAS, the Town Board of the Town of Lancaster deems it a judicious decision to issue a Request for Proposals (RFP) to solicit responses from qualified ESCOs to enter into a contract for a comprehensive program which will reduce costs and upgrade facilities in identified Town buildings.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby requests proposals from ESCOs to provide for the Implementation of Energy Conservation Measures on a Performance Contracting Basis for Town-owned facilities, a complete RFP will be available on April 19, 2022 at the Town of Lancaster’s Office of the Town Clerk, 21 Central Avenue, Lancaster, New York 14086; all proposals for consideration must be hand delivered to the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on May 20, 2022.

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

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

April 18, 2022

LEGAL NOTICE

TOWN OF LANCASTER

NOTICE OF REQUEST FOR PROPOSALS FOR

**IMPLEMENTATION OF ENERGY CONSERVATION MEASURES ON A
PERFORMANCE CONTRACTING BASIS**

The Town of Lancaster (the TOWN) is issuing this Request for Proposals (RFP) for the selection of a qualified energy services company (ESCO) to implement Energy Conservation Measures on a Performance Contracting Basis within the Town of Lancaster. The proposals shall consist of qualifications, experience, financial proposal and staffing plan.

A copy of the complete RFP will be available at the Town of Lancaster Town Clerk's Office, Lancaster Town Hall, 21 Central Avenue, Lancaster, NY 14086.

ESCO's that are interested in being considered must submit a Proposal in response to this RFP on or before Friday, May 20, 2022, no later than 10:00 a.m.

The successful ESCO will be determined solely from the Proposals. However, the TOWN reserves the right to interview all of the candidates if it so chooses.

An original and eight copies of the proposal are required. To prevent opening by unauthorized individuals, your submittal **must be hand delivered** and should be identified on the envelope as:

PROPOSAL ENCLOSED-ENERGY CONSERVATION MEASURES

And be addressed to:

Ms. Diane Terranova
Town Clerk - Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

The TOWN reserves the right to amend the RFP based on questions and issues raised during the conduct of this solicitation.

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

WHEREAS, on December 5, 2011, the Town of Lancaster entered into an agreement with Wendel WD Architecture Engineering Surveying & Landscape Architecture, P.C. (“Wendell”) to provide professional services which included upgrades to the Town’s Functional Geographic Information System (GIS) for the development and implementation of ArcGIS Server Web Mapping Application (WMA) Integration and Update of Culvert Layer, Drainage Analysis and GIS technical support and training, and

WHEREAS, the contract with Wendel to provide annual GIS Web Map Application Hosting and ArcGIS Online Administrative and GIS/GPS Support services for the Town of Lancaster’s GIS program, has expired per its contract terms, and

WHEREAS, by letter dated March 28, 2022, Highway Superintendent, John Pilato, has requested that the Town renew said agreement with Wendel for ArcGIS Online Administrative and GIS/GPS Support services and GIS Web map Application Hosting services as included in the Software Subscription Agreement for the 2022 Calendar year, and

WHEREAS, the 2022 Wendel’s cost for ArcGIS Online Administrative and GIS/GPS Support services is \$4,000.00 and the cost for GIS Web map Application Hosting is \$4,400.00 per Wendell’s proposal dated January 24, 2022 with a revision date of March 11, 2022.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute the renewal agreement for the 2022 calendar year between the Town of Lancaster and Wendel to provide the Town of Lancaster’s Highway Department professional GIS Support Services which includes ArcGIS Online Administrative and GIS/GPS Support services and GIS Web map Application Hosting services, for an amount not to exceed \$8,400.00, which will be paid for with funds available in the Town’s 2022 Highway Department’s Drainage, Contractual Expenses, Professional Services Budget (Line Item 01-8540-0451).

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

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

April 18, 2022

COMMUNICATIONS & REPORTS

236. **Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Environment & Planning
regarding Dollar General, 5807 Broadway, Proj. #2102.
Disposition = Planning Committee**
237. **Town Attorney to Town Board and Planning Board –
SEQR response from NYSDEC regarding Amendment to Original Site Plan
Plumb Creek Apartments, 5680 Broadway, Proj. #1143.
Disposition = Planning Committee**
238. **Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Environment & Planning
regarding Motel & Mixed-Use Broadway & Bowen, 5827 Broadway,
Proj. #2210.
Disposition = Planning Committee**
239. **James Ostroff to Town Board –
Proposal to reduce the speed limit on Stutzman Road from 35 mph to 30 mph.
Disposition = Received & Filed**
240. **Charter Communications to Town Clerk –
Upcoming channel lineup change. Disposition = Received & Filed**
241. **Town Attorney to Town Board and Planning Board –
SEQR response from NYSDOT regarding Amendment to Original Site Plan
Plumb Creek Apartments, 5680 Broadway, Proj. #1143.
Disposition = Planning Committee**
242. **Stormwater Management Officer to Drainage & Storm Sewer Committee –
MS4 Report for March 2022. Disposition = Received & Filed**
243. **Town Engineer to Town Board –
Recommend not to approve the application for a Dumping Permit for
272 Pavement Road; application is incomplete. Disposition = For Resolution**
244. **Dog Control Officer to Town Clerk –
Dog Control Monthly Report for March 2022. Disposition = Received & Filed**
245. **Town Clerk to Town Board –
Town Clerk Monthly Report for March 2022. Disposition = Received & Filed**
246. **Rose Ann Brunstad to Town Clerk –
Letter of intent to retire from the position of Deputy Receiver of Taxes
effective June 1, 2022. Disposition = Received & Filed**
247. **Town Engineer to Town Board –
Request for resolution to publish a Notice To Bidders for Town of Lancaster
Police Impound Area Fencing. Disposition = Resolution 4/18/22**
248. **Town Engineer to Town Board –
Request for resolution to authorize re-signing of Consultant Contract between
DiDonato Associates and the Town of Lancaster for 2021 Culvert Project due to
a typographical error. Disposition = Resolution 4/18/22**
249. **Lee Chowanec to Town Clerk –
Thank you to those who made possible livestreaming of Town/Planning/Zoning
Board of Appeals meetings. Disposition = Received & Filed**
250. **Bell Tower Village Condominium Residents to Town Planning Board –
Signed opposition petition to proposed Mixed Use Development,
5827-5835 Broadway, Proj. #2210. Disposition = Received & Filed**

- 251. Lt. Col. Matt Urban VFW Post 7275 to Town Clerk –
Spaghetti Dinner to be held on Sunday, April 24, 2022 at 12 PM.
Disposition = Received & Filed**
- 252. Town Line Volunteer Fire Dept. Inc. to Town Clerk –
Change in roster. Disposition = Resolution 4/18/22**
- 253. Town Engineer to Supervisor –
Request for resolution to publish a Request for Proposals for Energy
Performance Contracting. Disposition = Resolution 4/18/22**
- 254. Town Attorney to Town Board and Planning Board –
SEQR responses from Erie County Division of Sewerage Management and the
Dept. of Environment & Planning regarding Site Plan Mixed Use 4781 Transit
Road, Proj. #8944. Disposition = Planning Committee**
- 255. Deputy Highway Superintendent to Town Board –
Request for resolution to deem certain items as surplus property for auction.
Disposition = Resolution 4/18/22**
- 256. Deputy Highway Superintendent to Town Board –
Request for resolution to deem the old Town phones as surplus property to
be discarded. Disposition = Resolution 4/18/22**
- 257. Police Chief to Supervisor and Town Board –
Request for Town Board to approve the appointment of Gabrielle R. Jakubik
to the position of Public Safety Dispatcher in the Lancaster Police Dept.
effective May 3, 2022. Disposition = Resolution 4/18/22**
- 258. Supervisor to Mr. Chowaniec –
Response to letter dated March 11, 2022 regarding Dog Control Operations.
Disposition = Received & Filed**
- 259. Code Enforcement Officer to Drainage & Storm Sewer Committee –
Information regarding Pleasant Meadows Stormwater Facility Maintenance.
Disposition = Received & Filed**
- 260. Lancaster Forestry Department to the public –
Town of Lancaster's 2022 Arbor Day Celebration information on April 30, 2022
at Westwood Park. Disposition = Received & Filed**
- 261. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**
- 262. Planning Board Chairman to Planning Board, Town Board, Engineering
Consultant, Town Attorney, Highway Superintendent, Building Inspector –
Draft copy of minutes from April 6, 2022 Planning Board meeting.
Disposition = Received & Filed**

ADJOURNMENT:

**MOTION WAS MADE BY COUNCIL MEMBER LEARY AND
SECONDED BY COUNCIL MEMBER BURKARD,** to adjourn the meeting in memory of
Donald Babcock, Sr., Dolores Needham and Officer Ronald Smith at 8:40 P.M.

The question was put to vote on roll call, which resulted as follows:

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

MEETING ADJOURNED.

April 18, 2022

Signed _____

Diane M. Terranova, Town Clerk