

**Town Board Minutes**

August 22, 2022

Meeting No. 16

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 22<sup>nd</sup> day of August 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  
MICHELLE BARBARO, DEP. HIGHWAY SUPERINTENDENT  
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.  
JEFFREY SMITH, POLICE CAPTAIN

**EXECUTIVE SESSION:**

AT 7:37 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER LEARY, for the purpose of entering into an Executive Session to discuss the collective bargaining negotiations per Article 14 of Civil Service Law and a proposed, pending or current litigation.

The question of entering into 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 8:05 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 MAZUR, 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

August 22, 2022

**PRESENTATION OF PREFILED RESOLUTIONS:**

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

**RESOLVED**, that the minutes of the Regular Meeting of the Town Board held  
August 8, 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

August 22, 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 #08222022

Total amount hereby authorized to be paid: \$760,879.29

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

August 22, 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
20227485		Cortese Brothers Construction	10 Henslow Way	Er. Res. Add.	
20227636		B&B Fence Company	40 Cardinal Ct	Er. Fence	
20227735		Town of Lancaster	0 Mohawk Pl	Cell Tower - Alteration	
20227889		Patricia Melancon	729 Pleasant View Dr	Er. Deck	
20227897		Cooley's Pool Sales Inc	45 Pear Tree Ln	Er. Pool-In Grnd	
20227993		Bacon Contracting	16 Idlebrook Ct	Er. Res. Alt.	
20228014		Joseph Spears	42 Roosevelt Ave	Er. Fence	(V/L)
20228032		Matthew Sydor	45 Deerpath Dr	Er. Fence	
20228129		Franks Commercial & Home	14 Nicholas Ln	Inst. Res. Plumbing	
20228145		Buffalo RC LLC	26 Sixth Ave	Re-Roof	(V/L)
20228147		Superior Remodeling Co.	581 Aurora St	Er. Porch/Porch Cover	
20228148		Total Construction & Home Repa	152 Central Ave	Er. Res. Alt.	(V/L)
20228150		Stately Builders Inc.	128 Westwood Rd	Er. Pole Barn	
20228155		Crist Construction	68 Grambo Dr	Er. Porch/Porch Cover	
20228162		Sitzman's Appliance Center	16 Pinetree Dr	Inst. Generator	
20228163		Michelle Offhaus	41 Sagebrush Ln	Er. Deck	
20228165		Glamour Pools	133 Avian Way	Er. Pool-In Grnd	
20228170		Mr. Pool Enterprises Ltd.	96 Avian Way	Er. Pool-In Grnd	
20228175		Glamour Pools	61 Kennedy Ct	Er. Pool-In Grnd	
20228185		Timothy Winans	15 Whitestone Ln	Er. Shed	
20228186		The Vinyl Outlet Inc.	35 Signal Dr	Er. Deck	
20228190		Francesco Longo	88 Avian Way	Er. Fence	
20228191		Nicholas Young	69 Grant St	Er. Fence	(V/L)
20228192		Carol J. Tomczak 2021 Trust	27 Fieldstone Ln	Er. Fence	
20228193		Todd Verdi	17 Kelly Ann Dr	Er. Fence	
20228194		Cory Cwiklinski	56 Ivy Way	Er. Fence	(V/L)
20228195		Laura Olmstead	31 Schlemmer Rd	Re-Roof	
20228196		James Jeziorski	134 Avian Way	Er. Pool-Abv Grnd	
20228197		Roy's Plumbing Inc.	8 Brockton Dr	Inst. Generator	
20228199		Stockmohr Co.Inc.	51 Lombardy St	Re-Roof	(V/L)
20228200		Peter Ross	40 Newberry Ln	Er. Pool-In Grnd	
20228201		Majestic Pools, Inc.	40 Newberry Ln	Er. Fence	
20228202		Majestic Pools Inc.	12 Silent Meadow Ln	Er. Pool-In Grnd	
20228203		Majestic Pools Inc.	12 Silent Meadow Ln	Er. Fence	
20228205		Buffalo's Best Roofing	540 Ransom Rd	Re-Roof	
20228206		Decks Unlimited Construction	5 Blackstone Ct	Er. Deck	
20228208		Marcia Muscato	15 Hunters Dr	Er. Fence	
20228209		Brian Kiel	11 Weathersfield Ln	Er. Shed	
20228212		Custom Builders of WNY	463 Schwartz Rd	Er. Dwlg.-Sin.	
20228214		Paul Haniszewski	887 Ransom Rd	Re-Roof	
20228215		Paul Haniszewski	946 Ransom Rd	Re-Roof	
20228216		Norman Hamilton	540 Ransom Rd	Er. Shed	
20228217		Neth & Son Inc.	10 Central Ave	Re-Roof	(V/L)
20228220		Aquatitec Pools Inc	25 Northfield Ln	Er. Pool-In Grnd	
20228224		David Frosyth	59 Stutzman Rd	Er. Fence	
20228225		George Hillock	124 Maple Dr	Re-Roof	
20228226		Stellar Roofing	5 Gale Dr	Re-Roof	
20228227		Aerial Roofing & Exterior Inc	8 Squirrel Run	Re-Roof	
20228232		Patricia Chapin	13 Via Donato W	Er. Shed	
20228238		Kevin Sandford	45 Pear Tree Ln	Er. Fence	

20228239	Gen-Tech Power Systems LLC	5172 William St	Inst. Generator
20228240	Beebe Construction Inc	2 Ashwood Ct	Re-Roof
20228247	Ramon Morales	278 Enchanted Forest N	Er. Fence
20228249	Kulback's Inc.	515 Pavement Rd	Er. Comm. Add./Alt.
20228250	Kulback;s Inc.	515 Pavement Rd	Er. Comm. Add./Alt.

**NOW, THEREFORE,**

**BE IT 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

August 22, 2022

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

**WHEREAS**, by letter dated August 8, 2022 the Town of Lancaster's Department of Parks, Recreation & Forestry as advised the Town Board that they no longer have use for the following equipment and has requested that the Town Board deem these items to be surplus equipment and permit them to be placed on an online auction.

1. 2017 Gravely Pro-turn 160 - Model # 991130 w/approx. 715 hrs. (VIN 000605)
2. 2017 Gravely Pro-turn 160 – Model #991130 w/approx. 637 hrs. (VIN 000604)
3. 1991 Tow Along Trailer (VIN 4DBF1219M1119045)
4. 1990 LESCO Hauler Trailer (VIN 1T9UE2025LW2333058), and

**WHEREAS**, the Town Board has given due consideration to the request of the Department of Parks, Recreation & Forestry and deems it a judicious decision to declare the beforementioned items to be surplus equipment and permit 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 aforementioned items to be surplus equipment and authorizes the Deputy Highway Superintendent to place said items up for public bid at an online auction with Auctions International, [www.auctionsinternational.com](http://www.auctionsinternational.com); 11167 Big Tree Road, East Aurora, New York 14052 commencing August 25, 2022 and concluding on September 8, 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

August 22, 2022

**PUBLIC AUCTION**  
**OF TOWN OWNED SURPLUS EQUIPMENT**

Notice is hereby given that the Town Board of the Town of Lancaster has deemed the following items as surplus equipment:

1. 2017 Gravely Pro-turn 160 - Model # 991130 w/approx. 715 hrs. (VIN 000605)
2. 2017 Gravely Pro-turn 160 – Model #991130 w/approx. 637 hrs. (VIN 000604)
3. 1991 Tow Along Trailer (VIN 4DBF1219M1119045)
4. 1990 LESCO Hauler Trailer (VIN 1T9UE2025LW2333058);

which will be auctioned at an online auction with Auctions International, <http://www.auctionsinternational.com>; 11167 Big Tree Road, East Aurora, New York 14052 starting August 25, 2022 and concluding on September 8, 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, Recreation, and Forestry, 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

August 25, 2022



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

**WHEREAS**, Matthew Goehle, owner of **STEM Automotive** has submitted an application for a Special Use Permit to use the existing building located at 149 Gunnville Road (SBL# 83.00-5-2.3), as a motor vehicle repair shop within the Town of Lancaster, in accordance with provisions of Chapter 400-Zoning, Article V. Commercial Districts, §400-17 Light Commercial (B)(1)(u) 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 Zoning Code of the Town of Lancaster requires that the Town Board conduct a public hearing before the issuance of a special use permit for the proposed use.

**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 Matthew Goehle, owner of **STEM Automotive** to use the existing building located at 149 Gunnville Road (SBL# 83.00-5-2.3), as a motor vehicle repair shop within the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 6<sup>th</sup> day of September, 2022, at 7:05 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 BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

August 22, 2022

**LEGAL NOTICE**

**PUBLIC HEARING**

**SPECIAL USE PERMIT – STEM AUTOMOTIVE  
149 GUNNVILLE ROAD, SUITE 2, 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 of the Town Board of the Town of Lancaster adopted on the 22<sup>nd</sup> day of August, 2022 said Town Board will hold a Public Hearing on the 6<sup>th</sup> day of September, 2022, at 7:05 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 Matthew Goehle, owner of **STEM Automotive**, for a Special Use Permit to use the existing building located at 149 Gunnville Road (SBL# 83.00-5-2.3), as a motor vehicle repair shop, within 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**

August 25, 2022

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

**WHEREAS, Angela Dussault**, on behalf of Joyce Myszka, owner of real property located at 4982 William Street (SBL No. 115.15-4-4), Lancaster, New York, has submitted an application for a Special Use Permit for a Home Occupation (Accounting and Tax Services) in accordance with the provisions of Chapter 400 Zoning, Article IV Residential Districts, §400-16(F) Supplementary regulations for A-R, R, and MFMU districts, Home Occupations 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 Code of the Town of Lancaster requires the issuance of a Special Use Permit and a public hearing for the proposed use.

**NOW, THEREFORE,**

**BE IT RESOLVED, as follows:**

That pursuant to Chapter 400 Zoning, Article XIV Administration and Enforcement, §400-78 Special use permits, of the Code of the Town of Lancaster, a Public Hearing on the proposed Home Occupation (Accounting and Tax Services) Special Use Permit Application of **Angela Dussault**, on behalf of Joyce Myszka, owner of real property located at 4982 William Street (SBL No. 115.15-4-4), will be held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the 6<sup>th</sup> day of September 2022 at 7:05 o'clock P.M. Local Time, and said notice of the time and place of such hearing shall be published in a newspaper of general circulation in said Town, and 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

August 22, 2022

**LEGAL NOTICE  
TOWN OF LANCASTER**

**PUBLIC HEARING  
SPECIAL USE PERMIT – ANGELA DUSSAULT**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the authority set forth in Article XIV Administration and Enforcement, §400-78 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 of the Town Board of the Town of Lancaster, adopted on the 22<sup>nd</sup> day of August, 2022 the Town Board will hold a Public Hearing on the **6<sup>th</sup> day of September, 2022 at 7:05 o'clock P.M.**, Local Time, at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of **Angela Dussault**, for a Special Use Permit for a Home Occupation (Accounting and Tax Services) on premises locally known as 4982 William Street (SBL No. 115.15-4-4), in the Town of Lancaster, County of Erie, State of New York.

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

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

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

August 25, 2022

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

**WHEREAS**, Town of Lancaster Patrol Captain, Marco Laurienzo, by letter dated August 9, 2022, has advised the Town Board that the Police Department no longer has use for the following vehicle and has therefore requested that the Town Board deem this vehicle to be surplus and permit it to be placed on an online auction,

<u>Vehicle</u>	<u>VIN#</u>	<u>Mileage (approx.)</u>
2017 Chevrolet Tahoe	1GNSKDEC3HR322644	76,000, and

**WHEREAS**, the Town Board has given due consideration to the request of Captain Laurienzo and deems it in the public interest to declare the 2017 Chevrolet Tahoe to be surplus and permits placement of said vehicle on an online auction for public bid.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby declares the aforementioned 2017 Chevrolet Tahoe (VIN #1GNSKDEC3HR322644 w/approx. 76,000 mi.) to be a surplus vehicle and authorizes Police Patrol Captain Laurienzo to place said vehicles up for public bid at an online auction with Auctions International, [www.auctionsinternational.com](http://www.auctionsinternational.com), 11167 Big Tree Road, East Aurora, New York 14052, beginning August 25, 2022 and concluding September 8, 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

August 22, 2022

**PUBLIC AUCTION**  
**OF TOWN OWNED SURPLUS EQUIPMENT**

Notice is hereby given that the Town Board of the Town of Lancaster has deemed a 2017 Chevrolet Tahoe (VIN #1GNSKDEC3HR322644 w/approx. 76,000 mi.) surplus.

This vehicle will be auctioned at an online auction with Auctions International, <http://www.auctionsinternational.com> , 11167 Big Tree Road, East Aurora, New York 14052, beginning August 25, 2022, and concluding on September 8, 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 Police Department, 525 Pavement Road, Lancaster, New York by contacting Captain Marco Laurienzo at 683-2800 to make an appointment.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF LANCASTER

By: DIANE M. TERRANOVA  
TOWN CLERK

August 25, 2022

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

**WHEREAS**, Twin District Volunteer Fire Company, Inc., by letter  
received August 11, 2022, has requested the addition of the following member to the roster of  
said fire association.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby  
confirms the addition to the membership of the Twin District Volunteer Fire Company the  
following individual:

**ADDITION:**

Gina Russo

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

August 22, 2022

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

**WHEREAS, Tyler Sojka**, has submitted a site plan application consisting of a Boundary and Partial Topographic Survey with a survey date of April 22, 2022, and a drawing date of April 29, 2022, which were received on June 17, 2022, for the proposed **Yard Improvements** on the existing +/- 8.6-acre parcel located at 1230 Town Line Road (SBL No. 95.00-3-22.1), in the Town of Lancaster, and

**WHEREAS**, the site plan for this project was submitted to the Planning Board and was recommended for approval at their July 20, 2022 meeting, 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 6NYCRR Part 617.5(c)(9).

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the site plan application submitted by **Tyler Sojka** consisting of a Boundary and Partial Topographic Survey with a survey date of April 22, 2022 and a drawing date of April 29, 2022, which were received on June 17, 2022, for the proposed Yard Improvements on the existing +/- 8.6 acre parcel located at 1230 Town Line Road (SBL No. 95.00-3-22.1), in the Town of Lancaster with the following conditions:

1. Contractor to provide an updated “As-built” survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.

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

August 22, 2022



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

**WHEREAS**, by resolution dated April 18, 2022, the Town of Lancaster previously solicited Requests for Proposals (R.F.P.) from qualified energy supply companies (“ESCO”) interested in being selected for the performing an Energy Audit and Implementing Energy Conservation Measures on a Performance Contracting Basis for Town-owned facilities, and

**WHEREAS**, the Town received two (2) responses reviewed the proposals and interviewed the candidates, and

**WHEREAS**, by letter dated August 12, 2022 Ronald Ruffino, Sr., Lancaster Town Supervisor, has requested that a resolution be prepared awarding Honeywell Energy Services Group the contract for this project.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby selects the following firm to provide the Energy Audit and Implementation of Energy Conservation Measures on a Performance Contracting Basis for Town-owned facilities:

**Honeywell Energy Services Group**  
20 Peabody Street  
Buffalo, NY 14210, and

**BE IT FURTHER,**

**RESOLVED**, Honeywell Energy Services Group will be required to submit a contract to the Town Attorney’s Office for review which will further define, among other things, the scope of work, the fees, insurance and liability coverages and other conditions for such services that will apply, and

**BE IT FURTHER,**

**RESOLVED**, upon approval of the contract, Honeywell Energy Service Group shall provide all required insurance certificates and any additional documents to the Town Attorney’s Office prior to a resolution being placed before the Lancaster Town Board for acceptance and execution.

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

August 22, 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 of the Town of Lancaster has received a rezone application from Lucas James, proposing to rezone 5827 Broadway Street (SBL No. 116.31-1-3), a +/-1.23 acre parcel from Light Commercial (LC) to Multifamily Residential Mixed-use District (MFMU) to construct eight (8) loft apartments and four (4) retail/commercial spaces (“The Action”), and

**WHEREAS**, the Town Board of the Town of Lancaster (the “Town Board”) must comply with SEQRA and its implementing regulations at 6 N.Y.C.R.R. Part 617 in the review of the Action, and

**WHEREAS**, the Town Board is an involved agency pursuant to SEQRA, and

**WHEREAS**, the Town Board has determined that the Action is a “Type I” action under SEQRA, requiring a coordinated review, and

**WHEREAS**, the Town Board intends to serve as the Lead Agency for the coordinated SEQRA review of the Action.

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

1. The Action is hereby determined to be a Type I action under SEQRA.
2. The Town Board hereby declares its intent to act as Lead Agency, pursuant to SEQRA, for the purpose of conducting the environmental review of the Action.
3. The Town Board hereby directs the Town Attorney to send the Notice of Intent to Act as Lead Agency to the other involved/interested agencies, pursuant to SEQRA.
4. This Resolution shall be 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 BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

August 22, 2022

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

**WHEREAS**, consulting Town Engineer, Edward Schiller, P.E. of Wm. Schutt & Associates, P.C., has requested that the Town Board authorize an invitation to bid for the Consolidated Water District Water System Improvements Contract, No. TLN-14 (Erie Street), and

**WHEREAS**, the project consists of the installation of approximately 4,700 linear feet of 6-inch, 8-inch, and 12-inch PVC and ductile iron watermain along Erie Street in the Town of Lancaster and the replacement of seven (7) existing hydrants, within the Town of Lancaster, and

**WHEREAS**, the Town Board has given due review and consideration to the request made by Edward Schiller, P.E., and deems it in the public interest to invite public bids in conformance with the General Municipal Law §103 of the State of New York.

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes an invitation of public bids for the Consolidated Water District Water System Improvements Contract, No. TLN-14, Erie Street, and

**BE IT FURTHER,**  
**RESOLVED**, that the Issuing Office for the Bidding Documents is Avalon Document Services, [www.avalonplanroom.com](http://www.avalonplanroom.com), Prospective Bidders may examine the Bidding Documents at the Issuing Office or at the offices of Wm. Schutt Associates, Construction Exchange of Buffalo and WNY ([www.conexbuff.com](http://www.conexbuff.com)), or Dodge Reports (<https://leads.construction.com>). Copies of the Bidding Documents may be obtained from the Issuing Office, Monday through Friday between the hours of 8:00 AM and 4:00 PM, completed Bid Documents are to be received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on September 15, 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

August 22, 2022

## ADVERTISEMENT FOR BIDS

TOWN OF LANCASTER  
ERIE COUNTY, NEW YORK

CONSOLIDATED WATER DISTRICT  
WATER SYSTEM IMPROVEMENTS  
CONTRACT NO. TLN-14  
ERIE STREET

### General Notice

The Town of Lancaster is requesting Bids for the construction of the following Project:

Water System Improvements  
Contract No. TLN-14  
Erie Street

Bids for the construction of the Project will be received at the office of the Town Clerk, 21 Central Avenue, Lancaster, New York 14086 until Thursday, September 15, 2022 at 10:00 AM local time. At that time the Bids received will be publicly opened and read.

The Project consists of the installation of approximately 4,700 linear feet of 6-inch, 8-inch, and 12-inch PVC and ductile iron watermain along Erie Street, and the replacement of seven (7) existing hydrants in the Town of Lancaster.

### Obtaining the Bidding Documents

The Issuing Office for the Bidding Documents is Avalon Document Services,  
[www.avalonplanroom.com](http://www.avalonplanroom.com).

Prospective Bidders may examine the Bidding Documents at the Issuing Office or at the offices of Wm. Schutt Associates, Construction Exchange of Buffalo and WNY (<http://www.conexbuff.com>), or Dodge Reports (<https://leads.construction.com>). Copies of the Bidding Documents may be obtained from the Issuing Office as described below. Partial sets of Bidding Documents will not be available from the Issuing Office. Neither Owner nor Engineer will be responsible for full or partial sets of Bidding Documents, including addenda, if any, obtained from sources other than the Issuing Office.

Beginning at 9:00 AM, on Thursday, August 25, 2022, if bidders wish to purchase printed copies of the Contract Documents, they must be obtained through Avalon Document Services. The fee paid to Avalon is non-refundable. Only official plan holders will be allowed to bid on the project. Bidders acknowledge that they are responsible for review of all components of the Contract Documents, including all specification sections and drawings, regardless of how many drawings they print and in which format/size they are printed.

### Instructions to Bidders.

For all further requirements regarding bid submittal, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding Documents.

### This Advertisement is issued by:

Owner: Town of Lancaster, New York  
By: Diane Terranova  
Title: Town Clerk  
Date: August 25, 2022

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

**WHEREAS**, by email dated August 16, 2022, Ronald Ruffino, Sr., Supervisor of the Town of Lancaster, has requested that the Town Board authorize an invitation to bid for Traffic Signal Backup Systems within the Town of Lancaster, and

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

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby invites public bids for Traffic Signal Backup systems, said bids are to be in conformance with the plans and specifications available for examination at the office of the Town Clerk, 21 Central Avenue, Lancaster, and Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086, beginning August 29, 2022, and

**BE IT FURTHER,**  
**RESOLVED**, that Contact Documents may be obtained at the office of the Engineer, Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York, with completed bid submissions being received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on October 6, 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

August 22, 2022

**NOTICE TO BIDDERS**

FOR THE

**TOWN OF LANCASTER  
TRAFFIC SIGNAL BACKUP SYSTEM**

Sealed bids for the Traffic Signal Backup Systems 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 October 6, 2022 at which time they will be publicly opened and read aloud.

Contract Documents will be available on August 29, 2022 and may be examined at the office of the Town Clerk and at the office of the ENGINEER, Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 between the hours of 9:00 A.M. and 4:00 P.M., except Saturdays, Sundays and Holidays.

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

Proposals shall be made and received upon the following conditions:

Each proposal must be accompanied by the deposit of a certified check, payable to the Town of Lancaster, for a sum equal to five percent (5%) of the total amount of the Bid, or a bond with sufficient sureties in a penal sum equal to five percent (5%) of such total bid amount, conditioned that if the proposal is accepted, that he will execute within fifteen (15) days from the date of the acceptance of the proposal, a suitable security bond in the amount of the Contract, conditioned for the faithful and prompt performance and completion of the Work specified in the Contract.

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

Upon acceptance of his Bid, if the successful bidder fails to enter into a Contract pursuant to the requirements of the Contract Documents, or fails to give the further security prescribed in this Notice, with the same time limited therein, then the check deposited as aforesaid and the monies standing to the credit of the same, shall be forfeited to the Town as liquidated damages, or the payment of the bond enforced for the benefit of the Town. The Town of Lancaster reserves the right to waive informalities in or to reject any and all bids.

Consulting Engineers:  
William Schutt & Associates, P.C.  
37 Central Avenue  
Lancaster, NY 14086-2143  
(716) 683-5961  
Date: August 25, 2022

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

Diane Terranova  
Town Clerk

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

**WHEREAS**, Shaun DiMino, Detective Lieutenant in the Town of Lancaster Police Department, by letter dated August 12, 2022 has requested authorization to solicit bids for the purchase of one (1) new and unused **2022 Mercedes-Benz Sprinter Van (Model #2022 MXCAEX) either AWD or 4WD** for use by the Detective Bureau, and

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

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

1. That all Sealed Bids for the purpose of purchasing One (1) new and unused **2022 Mercedes-Benz Sprinter Van (Model #2022 MXCAEX) either AWD or 4WD** for use by the Detective Bureau, shall be received in the Office the Town Clerk by September 6, 2022, at 10:00 A.M. Local Time and opened thereafter in the Council Chamber of the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York in accordance with specifications on file in the Town Clerk's Office, and
2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by 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

August 22, 2022

**NOTICE TO BIDDERS**

TOWN OF LANCASTER

**2022 Mercedes-Benz Sprinter Van (Model #2022 MXCAEX) either AWD or 4WD**  
for use by the Detective Bureau

**NOTICE IS HEREBY GIVEN**, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in her office located at 21 Central Avenue, Lancaster, New York, up to **10:00 A.M.**, Local Time, on the **6<sup>th</sup> day of September 2022**, for the purpose of providing to the Town of Lancaster One (1) new and unused **2022 Mercedes-Benz Sprinter Van (Model #2022 MXCAEX) either AWD or 4WD** for use by the Detective Bureau, in accordance with specifications on file in the Town Clerk's Office.

A Certified Check or Bid Bond in an amount representing five (5%) of the Total Gross Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

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

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

August 22, 2022



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

**WHEREAS**, the batteries for the current 911 System are required to be replaced every five (5) years and now is the time for the Town to have new replacement batteries purchased and installed for the Public Safety Building's 911 System, and

**WHEREAS**, by memo dated August 15, 2022 Ed Schiller, Consulting Town Engineer, has advised Michelle Barbaro, that batteries are not covered under the current service agreement with the H.C. Zang Agency, and

**WHEREAS**, by letter dated August 16, 2022 Michelle Barbaro, has requested that the Town of Lancaster expend funds to provide and install new 911-System Batteries at a cost of \$17,571.00 per their proposal dated August 16, 2022 (APC Opportunity ID #OP-220707-12270976, Zang Project #APC-1070-J).

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby accepts and authorizes the Supervisor to execute the proposal for the purchase and installation of a new batteries for the Town of Lancaster's Public Safety Building's 911-System from H.C. Zang Agency, Inc., 6204 Goodrich Road, Clarence Center, NY, in accordance with their proposal dated August 16, 2022 (APC Opportunity ID #OP-220707-12270976, Zang Project #APC-1070-J), for an amount not to exceed \$17,571.00 and to be paid for with funds from the Town's 2022 Buildings, Equipment, Other Capital Outlay Budget (Line Item 01-1620-0260).

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

August 22, 2022

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

**WHEREAS**, the Town of Lancaster has previously entered into a service contract with H.C. Zang Agency, Inc., APC certified service provider for Schneider Electric, to provide the current Advantage Ultra Service Plan and the Battery Preventative Maintenance Visit for the APC-MGE UPS System within the Town's Public Safety Department, and

**WHEREAS**, the above-referenced service contract is set to expire according to its term and conditions on September 12, 2022, and

**WHEREAS**, by letter dated August 16, 2022, the Deputy Highway Superintendent has requested that the Town Board renew the contract for a three (3) year term, with H.C. Zang Agency, Inc., which will include an EEA Preventative Service Upgrade for each (1) year period for a yearly amount of \$5,920.20.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby accepts and authorizes the Supervisor to execute the contract, as presented, between the Town of Lancaster and H.C. Zang Agency, Inc., 6204 Goodrich Road, Clarence Center, NY, to provide preventative maintenance services for the APC-MGE UPS System located within the Police Department, for an amount not to exceed \$5,920.20 per year, which will be billed on a yearly basis and paid for with funds from the Town's Buildings Contractual Expenses, Misc. Contractual Services Budget, (Line Item 01-1620-0411), and

**BE IT FURTHER,**

**RESOLVED**, that this contract will commence September 13, 2022 and continue through September 12, 2025 for a total expenditure of \$17,760.60.

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

August 22, 2022

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

**WHEREAS**, Elliott Lasky of Pleasant View Gardens, LLC, developer of “Cross Creek Phase 9 Subdivision” located at 528 Pavement Road (SBL No. 95.15-1-23) and filed under Map Cover No. 3886/1, has requested permission to erect a single family model home within the subdivision.

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that the Building Inspector be and hereby is authorized to issue a permit for a model home to be constructed in the “Cross Creek Phase 9 Subdivision” at subplot 6, identified as 708 Pleasant View Drive with the following condition:

- No Certificate of Occupancy will be issued by the Town of Lancaster until the remaining subdivision infrastructure is completed and all public improvement permits are accepted.

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

August 22, 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 is considering an amendment to a previously approved site plan for Robert James Sales, submitted by Chase Kraemer for the addition of a truck dock and pole barn for vehicle storage at the existing site located on a +/- 47.71 acre-parcel located at 4543 Walden Avenue (SBL No. 95.00-3-25) 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 August 3, 2022, and recommended that a 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 Robert James Sales Phase II modifications of the existing site 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 negative declaration of environmental significance for the reasons stated therein.
2. The Town Clerk shall file a copy of the 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 BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

August 22, 2022

**NEGATIVE DECLARATION**  
**Determination of Non-Significance**

**Town of Lancaster Town Board**

**Dated: August 22, 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 Robert James Sales site plan amendment for the addition of a truck dock and pole barn for vehicle storage at the existing site located on a +/- 47.71 acre-parcel located at 4543 Walden Avenue (SBL No. 95.00-3-25); 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:** Robert James Sales Phase II Modifications #8109

**Location of Action:** 4543 Walden Avenue (SBL No. 95.00-3-25), Lancaster, New York 14086, Erie County.

**SEQR Status:** Unlisted

**Description of Action:** Modify previously approved site plan to add a truck dock and pole barn for vehicle storage.

**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? **No impact.**
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? **No impact.**
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna)? **Small Impact. Per the NYS DEC letter dated July 18, 2022, Hydric soils were identified within the proposed project site. Applicant should consult with the United States Department of the Army, Corps of Engineers Office regarding regulatory jurisdiction.**
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No impact.**
11. Will the proposed action create a hazard to environmental resources or human health? **No impact.**

**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 MAZUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER DICKMAN, TO WIT:

**WHEREAS**, Chase Kraemer, Design Engineer for **Robert James Sales, Inc.**, has submitted an amended site plan prepared by Bergmann Architects Engineers Planners, which consisted of Drawings C000, C100, C110, C120, C500 dated February 25, 2022, Drawing BT-1 dated April 25, 2022, and Drawings A101 & A102 dated May 4, 2022 and all received by the Town on May 11, 2022 for the proposed modification to add a truck dock and pole barn for vehicle storage on the existing site located at 4543 Walden Avenue (SBL No. 95.00-3-25), in the Town of Lancaster, and

**WHEREAS**, the site plan for this project was submitted to the Planning Board and was recommended for approval at their August 3, 2022 meeting, and

**WHEREAS**, the Planning Board completed an environmental review on August 3, 2022, in conformance with SEQR (State Environmental Quality Review) regulations; and the Town Board, acting as Lead Agency, issued a Negative Declaration on August 22, 2022.

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the amended site plan submitted by Chase Kraemer, Design Engineer for **Robert James Sales, Inc.**, prepared by by Bergmann Architects Engineers Planners, which consisted of Drawings C000, C100, C110, C120, C500 dated February 25, 2022, Drawing BT-1 dated April 25, 2022, and Drawings A101 & A102 dated May 4, 2022 and all received by the Town on May 11, 2022 for the proposed modification to add a truck dock and pole barn for vehicle storage on the existing site located at 4543 Walden Avenue (SBL No. 95.00-3-25) in the Town of Lancaster with the following conditions:

1. Contractor to provide an “As-built” survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.
2. A Performance Bond shall be provided in accordance with § 400-75 ( E ) of the Town Code 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 BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

August 22, 2022

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

**WHEREAS, James Baglioli**, on behalf of **Delta Sonic Car Wash Systems, Inc.**, has submitted an amended site plan prepared by Carmina Wood Morris, DPC, consisting of Drawing C-1 and a Revision List (C-1.1) dated February 2018; Drawings C-3.0 dated February 2018 with an August 31, 2018 revision date, C-3.1 dated February 2018, C-4.0 dated February 2018 with a February 17, 2022 revision date, C-4.1 dated February 2018 with a May 20, 2020 revision date, C-4.2 dated February 2018 with an August 1, 2018 revision date, C-5.0 dated April 2017 with an August 20, 2021 revision date, C-5.1 dated February 2018 with an August 20, 2021 revision date, C-5.2 & C-5.3 dated February 2018, C-6.0 dated February 2018 with an August 20, 2021 revision date, C-6.1 dated February 2018 with an October 31, 2018 revision date, C-6.2 dated April 2017 with a July 29, 2019 revision date, C-6.3 dated February 2018 with a December 11, 2020, C-6.4 dated February 2018 with a June 20, 2019 revision date, C-6.5 dated February 2018 with an August 1, 2018 revision date, C-7.0 & C-8.0 dated February 2018 with an August 20, 2021 revision date; which were all received June 21, 2022, for the proposed addition of a 336 SF Utility Building, a 270 SF Employee Breakroom, and a Fountain and Flagpole feature on their existing +/- 19.29 acre-parcel located at 4817 Transit Road (SBL No. 126.01-1-6), in the Town of Lancaster, and

**WHEREAS**, the site plan for this project was submitted to the Planning Board and was recommended for approval August 3, 2022 meeting, 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 6NYCRR Part 617.5(c)(9).

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the amended site plan submitted by **James Baglioli**, on behalf of **Delta Sonic Car Wash Systems, Inc.**, prepared by Carmina Wood Morris, DPC, consisting of Drawing C-1 and a Revision List (C-1.1) dated February 2018; Drawings C-3.0 dated February 2018 with an August 31, 2018 revision date, C-3.1 dated February 2018, C-4.0 dated February 2018 with a February 17, 2022 revision date, C-4.1 dated February 2018 with a May 20, 2020 revision date, C-4.2 dated February 2018 with an August 1, 2018 revision date, C-5.0 dated April 2017 with an August 20, 2021 revision date, C-5.1 dated February 2018 with an August 20, 2021 revision date, C-5.2 & C-5.3 dated February 2018, C-6.0 dated February 2018 with an August 20, 2021 revision date, C-6.1 dated February 2018 with an October 31, 2018 revision date, C-6.2 dated April 2017 with a July 29, 2019 revision date, C-6.3 dated February 2018 with a December 11, 2020, C-6.4 dated February 2018 with a June 20, 2019 revision date, C-6.5 dated February 2018 with an August 1, 2018 revision date, C-7.0 & C-8.0 dated February 2018 with an August 20, 2021 revision date; which were all received June 21, 2022, for the proposed addition of a 336 SF Utility Building, a 270 SF Employee Breakroom, and a Fountain and Flagpole feature on their existing +/- 19.29 acre-parcel located at 4817 Transit Road (SBL No. 126.01-1-6), in the Town of Lancaster with the following conditions:

1. Contractor to provide an “As-built” survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.



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

August 22, 2022

## COMMUNICATIONS & REPORTS

545. Town Clerk to Town Board –  
Town Clerk Monthly Report for July 2022. Disposition = Received & Filed
546. Legal Assistant to Town Clerk –  
Request for resolution issuing Public Improvement Permit #842 for Storm Sewer for Cross Creek Phase 9, Proj. #5055. Disposition = For Resolution
547. Charter Communications to Town Clerk –  
Upcoming changes to channel line-up. Disposition = Received & Filed
548. Charter Communications to Town Clerk –  
Upcoming changes to channel line-up. Disposition = Received & Filed
549. Patrol Captain Laurienzo to Planning Board Chairman –  
No objection to Amended Site Plan Review – Proj. #4827.  
Disposition = Received & Filed
550. Village of Lancaster Planning Commission to Supervisor –  
Notice of Change of Use Project Review for Speak Easy/Ania Café, 24 Central Avenue, Lancaster, NY on September 15, 2022 at 7:00PM.  
Disposition = Received & Filed
551. Deputy Highway Superintendent to Town Board –  
Request for certain equipment to be deemed surplus and be placed in an online auction with Auctions International, 11167 Big Tree Rd., East Aurora, NY.  
Disposition = Resolution 8/2/22
552. Patrol Captain Laurienzo to Supervisor and Town Board –  
Request for one vehicle to be deemed surplus property to be sold at public auction with Auctions International. Disposition = Resolution 8/22/22
553. Twin District Fire Company to Town Clerk –  
Change in roster. Disposition = Resolution 8/22/22
554. Town Attorney to Town Board and Planning Board –  
SEQR responses from Erie County Dept. of Environment & Planning regarding Delta Sonic, 4817 Transit Rd.; Classic Tube, 80 Rotech Dr.; & 1230 Town Line.  
Disposition = Planning Committee
555. Town Attorney to NYSDEC, US Army Corps of Engineers, Erie County Water Authority, Erie County DEP, Division of Sewerage Management, Erie County DPW, Erie County Health Dept. and Supervisor, Town of Alden –  
Request for lead agency designation regarding TurboPro Inc., Amended Site, 1284 Town Line Rd., Proj. #4827. Disposition = Planning Committee
556. Town Attorney to NYSDEC, US Army Corps of Engineers, Erie County Water Authority, Erie County DEP, Division of Sewerage Management, Erie County DPW, Erie County Health Dept. –  
Request for lead agency designation regarding Coordinated Review – 2-Lot Subdivision of 10 Lancaster Parkway, Proj #3773.  
Disposition = Planning Committee
557. Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Dept. of Public Works regarding Bradley Drive SFH; Proj. #1235. Disposition = Planning Committee
558. Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Dept. of Public Works regarding Lucas James 2-Lot Subdivision for SFH, William Street; Proj, 2214.  
Disposition = Planning Committee

559. **Town Attorney to Town Board and Planning Board –**  
**SEQR response from NYSDEC regarding Rezone – 6218 Broadway (AR-LC).**  
**Disposition = Planning Committee**
560. **Supervisor to Town Attorney –**  
**Request for resolution for Honeywell to conduct a complete energy audit and**  
**implementation of energy conservation measures on a performance contracting**  
**basis. Disposition = Resolution 8/22/22**
561. **Town Clerk to Code Enforcement Officer –**  
**Request for renewal of the Special Use Permit for Delta Sonic Car Wash**  
**Facility located at 4817 Transit Road. Disposition = Resolution 8/22/22**
562. **Charter Communications to Town Clerk –**  
**Upcoming changes to channel lineup. Disposition = Received & Filed**
563. **Planning Board Chairman to Planning Board, Town Board, Town Attorney,**  
**Engineering Consultant, Highway Superintendent and Building Inspector –**  
**Draft copy of minutes from August 3, 2022 Planning Board meeting.**  
**Disposition = Received & Filed**
564. **Planning Board to Town Board –**  
**Memo recommending approval of Amended Site Plan for Delta Sonic Carwash,**  
**4817 Transit Rd. Disposition = Planning Committee**
565. **Planning Board to Town Board –**  
**Memo recommending approval of Amended Site Plan for Robert James Sales,**  
**4543 Walden Ave. Disposition = Planning Committee**
566. **Town Clerk to Wreckmasters, Inc., President –**  
**Second Notice to request renewal of a Special Use Permit to operate and outdoor**  
**Vehicle Recovery Training Area Storage Yard. Disposition = Received & Filed**
567. **Deputy Highway Superintendent to Town Board –**  
**Request for resolution to accept the proposal by H.C. Zang Agency, Inc. in**  
**association with Schneider Electric for the preventative maintenance service plan**  
**and battery replacement on the UPS System at the Public Safety Building.**  
**Disposition = Resolution 8/22/22**
568. **Detective Lieutenant DiMino to Town Board –**  
**Request for resolution authorizing publication of a bid for a new and unused**  
**2022 or newer Mercedes-Benz Sprinter Van. Disposition = Resolution 8/22/22**
569. **Town Clerk to Code Enforcement Officer –**  
**Transmittal of Special Use Permit Application for 4401 Walden Avenue.**  
**Disposition = Town Attorney**
570. **Police Chief to Town Clerk –**  
**Articles and communications. Disposition = Received & filed**

**ADJOURNMENT:**

**MOTION WAS MADE BY COUNCIL MEMBER BURKARD AND  
SECONDED BY COUNCIL MEMBER MAZUR,** to adjourn the meeting in memory of  
Karin Eleczko and Robert C. Mueller at 8:08 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 RUFFINNO	VOTED	YES

MEETING ADJOURNED.

August 22, 2022

Signed\_\_\_\_\_

Diane M. Terranova, Town Clerk