

PRESENTATION OF PREFILED RESOLUTIONS:

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

RESOLVED, that the minutes of the Regular Meeting of the Town Board held October 5, 2020 be and are hereby approved.

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

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

October 19, 2020

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

2

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Assistant to the Supervisor, to wit:

Claim No. 62586 to Claim No. 62935 Inclusive

Total amount hereby authorized to be paid: \$839,680.05

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

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

October 19, 2020

File: Rclaims

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

- (SW) = Sidewalks as required by Chapter 12-1B of the Code of the Town of Lancaster are waived for this permit.
 (CSW) = Conditional sidewalk waiver
 (V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant	Village	
35		Advanced Care Landscaping	4913 Transit Rd	Operational Perm-Temp
31708		Race Storage Sheds LLC	148 Siebert Rd	Er. Shed
31740		North Forest Development	2805 Wehrle Dr	Er. Comm. Add./Alt.
31805		Timothy Nosbisch	8 Wendtworth Ct	Er. Fence
31815		Shaun DiMino	207 Pavement Rd	Er. Pole Barn
31822		Nicholas Lindstrom	121 Avian Way	Er. Shed
31828		Kelly Sander	12 Whitestone Ln	Er. Fence
31831		James Ling	37 Ivy Way	Er. Garage (V/L)
31838		Ronney Lorenz	23 Sawgrass Ln	Er. Fence
31839		Buffalo's Best Roofing	48 Quail Run Ln	Re-Roof
31840		Buffalo's Best Roofing	31 Ashwood Ct	Re-Roof
31841		Buffalo, Best Roofing	33 Ashwood Ct	Re-Roof
31846		Joann Switalski	126 Siebert Rd	Er. Shed
31848		Sitzman's Appliance Center	112 Simme Rd	Inst. Generator
31849		Marrano/Marc Equity Corp.	35 Sedge Run	Er. Patio Home
31850		Linda Snyder	21 Logan Ln	Er. Deck
31851		Alliance Homes	11 Kevwood Ln	Er. Dwlg.-Sin.
31853		Marrano/Marc Equity Corp.	21 Henslow Way	Er. Patio Home
31854		Forbes Homes, Inc.	46 Hidden Meadow Cros	Er. Dwlg.-Sin.
31855		Fineline Construction	43 Wilma Dr	Er. Fence (V/L)
31858		House Crafters LLC	13 Stone Hedge Dr	Er. Res. Alt.
31859		Peter Gubala	5608 Broadway	Er. Porch/Porch Cover (V/L)
31860		Peter Gubala	5608 Broadway	Re-Roof (V/L)
31862		J.S. Sebastiano Construction	4270 Walden Ave	Er. Comm. Add./Alt.
31865		Barbara Morgan	9 Glendale Dr	Re-Roof
31866		Carolyn Kinney	99 Southwest Pky	Er. Fence (V/L)
31867		George Johnson	277 Ransom Rd	Inst. Fireplace/Stove
31868		Stockmohr Co. Inc.	18 Main St	Re-Roof
31869		LJ Construction WNY LLC	8 Old Mill Run	Er. Porch/Porch Cover
31870		Essex Homes of Western NY Inc.	24 Northfield Ln	Er. Dwlg.-Sin.
31871		Severyn Dev. Inc.	13 Camner Ave	Er. Fence (V/L)
31873		Christopher Gorenflo	268 Miller St	Er. Shed
31875		Dalex Construction Inc.	13 Parkdale Dr	Re-Roof
31876		Marrano/Marc Equity Corp.	92 Grambo Dr	Er. Patio Home
31877		Nickel City Remodeling	26 Denton Dr	Er. Fence
31878		Nickel City Remodeling	28 Denton Dr	Er. Res. Alt.
31879		CGL Contracting, LLC	5577 Genesee St	Re-Roof
31880		Graves Bros. Inc.	232 Enchanted Forest N	Re-Roof
31881		Besroi Construction	32 Petersbrook Cir	Re-Roof
31883		Darryl Horn	59 Burwell Ave	Er. Shed (V/L)
31884		Sitzman's Appliance Center	3 Northbrook Ct	Inst. Generator
31885		Eric Sweitzer	110 Aurora St	Dumpster - Temp. (V/L)
31886		Allen Andrzejewski	84 Stony Brook Dr	Er. Fence
31887		F&D Construction Inc.	68 Avian Way	Er. Porch/Porch Cover
31888		Trinacria LLC	21 Petersbrook Cir	Er. Res. Add.
31889		CMK Builders of Alden, Inc.	90 Stony Rd	Dem. Sin. Dwlg
31890		1818 Como Park Blvd. LLC	1818 Como Park Blvd	Er. Shed
31891		Graves Bros. Inc.	6281 Broadway	Re-Roof
31892		Kassis Superior Sign Co. Inc.	4817 Transit Rd	Er. Sign
31893		Sylvan Learning	4845 Transit Rd	Er. Sign - Temp
31895		Great Day Improvements	8 Saybrook Dr	Er. Res. Add.
31896		Kevin Delzer	76 Pleasant Ave	Er. Porch/Porch Cover (V/L)
31897		Richard Roncone	110 Pavement Rd	Er. Porch/Porch Cover
31898		Iroquois Fence Inc.	204 Broezel Ave	Er. Fence
31899		Anne Desiderio	20 Windcroft Ln	Er. Shed

31900	Ulrich Sign Co. Inc.	6501 Transit Rd	Er. Sign	
31901	Cynthia Adams	55 Rehm Rd	Er. Pool-Abv Grnd	
31902	Picasso's Pizza, Subs	6-8 Legion Pky	Er. Comm. Add./Alt.	(V/L)
31904	Mark Fuller	59 Rehm Rd	Er. Shed	
31905	Paul Haniszewski	946 Ransom Rd	Re-Roof	
31906	AVA Roofing & Siding Inc.	390 Harris Hill Rd	Re-Roof	
31907	Eric Herr	33 Stream View Ln	Er. Shed	
31908	Gen-Tech Power Systems LLC	746 Ransom Rd	Inst. Generator	
31909	Cheryl Reukauf	77 Erie St	Er. Fence	(V/L)
31912	WNY First Choice Construction	306 Aurora St	Re-Roof	(V/L)
31914	Daniel Garretson	1061 Ransom Rd	Er. Fence	
31915	Kevin Mason	43 Deepwood Pl	Er. Shed	
31916	Kevin Mason	43 Deepwood Pl	Er. Fence	
31917	John Geraci	14 Hillside Pky	Inst. Generator	

BE IT FURTHER,

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

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

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

October 19, 2020

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

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WHEREAS, by letter dated September 30, 2020 Supervising Code Enforcement Officer, Matthew Fischione, has requested the previously approved dumping permits for 3803 Bowen Rd be revoked pursuant to Chapter 22-9 of the Lancaster Town Code, and

WHEREAS, said request is as a result of observing excessive material and continued storm water runoff pollutant leaving the site in violation of Town Code and previously agreed upon and Court approved conditions, and

WHEREAS, the Town Board has fully considered such request and has determined that a public hearing pursuant to Lancaster Town Code Chapter 22-9 is warranted.

NOW THEREFORE,

BE IT RESOLVED, pursuant to §22-9 of the Code of the Town of Lancaster, a Public Hearing on the proposed revocation of the dumping permits for 3803 Bowen road is hereby scheduled telephonically for the 2nd day of November 2020 at 7:15 o'clock P.M., Local Time, to elicit from the owner and/or parties of interest, comments relative to the proposed revocation of the dumping permits.

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

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

October 19, 2020

**LEGAL NOTICE
PUBLIC HEARING
3803 BOWEN ROAD
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted October 19, 2020, the said Town Board will hold a telephonic Public Hearing on the 2nd day of November, 2020 at 7:15 o'clock P.M. Local Time, (1-716-800-4267 Access Pin 1232), to hear all interested persons on the following proposed revocation of the dumping permit for 3803 Bowen Rd. Lancaster, New York 14086 (SBL No. 116.00-2-44)

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

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: DIANE M. TERRANOVA
Town Clerk

October 19, 2020

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

WHEREAS, Jean Karn, Dog Control Officer for the Town of Lancaster, by letter dated October 6, 2020 has recommended the appointment of the following individual to the following part-time permanent position.

NOW, THEREFORE,

BE IT RESOLVED, that the following individual is hereby appointed to the following part-time permanent position in the Town of Lancaster Dog Control Office working not more than nineteen and three-quarter hours per week, and that this being a part-time position, provides no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time permanent employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Elizabeth Bertozzi Depew, NY	Dog Control Officer	\$13.20	October 19, 2020

BE IT FURTHER,

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

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

- COUNCIL MEMBER DICKMAN VOTED
- COUNCIL MEMBER LEARY VOTED
- COUNCIL MEMBER MAZUR VOTED
- SUPERVISOR RUFFINO VOTED

October 19, 2020

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

NOW THEREFORE,

BE IT RESOLVED, the Town Board of the Town of Lancaster (a) hereby approves the Consent Order and Judgment between the Town of Lancaster and Superior Pallets Inc. arising out of the “Town of Lancaster v. Superior Pallets Inc.” action, Index # 800805/2020, pursuant to the terms and conditions of the agreement and (b) hereby authorizes the Town’s outside counsel to execute said agreement on behalf of the Town.

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

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

October 19, 2020

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

7

WHEREAS, Joseph Czajka, the owner of real property situate at **151 Schwartz Rd**, Lancaster, New York, has submitted an application for a Special Use Permit for a Home Occupation (Vehicle Repair) in accordance with the provisions of Chapter 50-17(F) Zoning, Supplementary regulations for all residential districts, Home Occupations Code of the Town of Lancaster.

NOW THEREFORE,

BE IT RESOLVED, as follows:

That pursuant to Chapter 50-Zoning, Section 17(F), entitled Zoning, Supplementary regulations for all residential districts, Home Occupations, of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for a Home Occupation ((Vehicle Repair) on premises locally known as **151 Schwartz Rd**, Lancaster, New York, will be held via teleconference 1-716-800-4267 (Conference Code 1232) , on the 2nd day of November 2020 at 7:15 o'clock P.M. Local Time, and the notice of the time and place of such hearing 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 DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

October 19, 2020

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER
SPECIAL USE PERMIT – Joseph Czajka**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 50-Zoning, Section 17(F) “Home Occupations” 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 19th day of October, 2020 the Town Board will hold a Public Hearing on the 2nd day of November, 2020 at 7:15 o’clock P.M., Local Time, via teleconference 1-716-800-4267 (Conference Code 1232), to hear all interested persons upon the application of **Joseph Czajka**, for a Special Use Permit for a Home Occupation (Vehicle Repair) on premises locally known as **151 Schwartz Rd.**, in the Town of Lancaster, County of Erie, State of New York.

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

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

October 19, 2020

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

8

WHEREAS, the Supervisor of the Town of Lancaster has recommended to the Town Board that Saturday, October 31, 2020 between the hours of 6:00 P.M. and 8:00 P.M. be set for the observance of Halloween “Trick or Treat” within the Town of Lancaster.

WHEREAS, the Supervisor of the Town of Lancaster has consulted with the Mayors of the Villages of Lancaster and Depew who have indicated their approval of the aforementioned date and time of Halloween “Trick or Treat”.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster, hereby declares Saturday, October 31, 2020 between the hours of 6:00 P.M. and 8:00 P.M., as the official period during which Halloween “Trick or Treat” activities may be observed within the Town of Lancaster with the following recommendations from the CDC:

1. Make trick-or-treating safer:
 - a. Avoid direct contact with trick-or-treaters.
 - b. Give out treats outdoors, if possible.
 - c. Set up a station with individually bagged treats for kids to take.
2. Wear a mask.
3. Stay at least 6 feet away from others who do not live with you.
4. Wash and sanitize your hands.

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

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

October 19, 2020

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

WHEREAS, in a letter to the Town Board dated October 1, 2020, Chief of Police William J. Karn Jr., has requested that the Town Board eliminate one (1) Lieutenant position from the Police Department and move that funding to pay for an additional Patrol Officer position, and

WHEREAS, there currently is one (1) funded and vacant Police Lieutenant position in the Police Department due to the recent retirement of a Police Lieutenant, and

WHEREAS, the unexpended funding in the 2020 Police Department budget resulting from the vacated Lieutenant position is approximately \$30,518, and

WHEREAS, the amount needed to fund a new Police Officer position in the Police Department budget for the balance of 2020 is approximately \$17,152,

NOW, THEREFORE,

BE IT RESOLVED, that one (1) Police Lieutenant position is hereby eliminated from the Police Department, effective immediately, and that the unexpended funding for that position be transferred and added to funding for one (1) additional Police Officer position in the 2020 Police Department budget and the remaining balance be transferred to the Contingency Account in the Police Fund budget as follows:

Before:
P3120.100 Lieutenant (8) \$694,864
P3120.100 Patrol (29) \$2,155,454
P1990.411 Contingency \$25,000

After:
P3120.100 Lieutenant (7) \$608,007
P3120.100 Patrol (30) \$2,229,780
P1990.411 Contingency \$25,000

BE IT FURTHER,

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

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

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

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

10

WHEREAS, on June 12, 2020 Governor Andrew Cuomo issued Executive Order No. 203 entitled the New York State Police Reform and Reinvention Collaborative which requires all local governments with police agencies to perform a comprehensive review of its current policies and procedures, and

WHEREAS, pursuant to the directives issued through Executive Order No. 203 the Town of Lancaster Police Department and the Town's Public Safety Committee will hold a public meeting on Wednesday, October 21 from 4:00 p.m. – 5:00 p.m. at the Town of Lancaster Senior Center, 100 Oxford Ave, Lancaster NY 14086 in order to collect community feedback to assist in formulating a plan to provide the best police services possible for the Lancaster community.

NOW, THEREFORE,

BE IT RESOLVED, that pursuant to New York State Governor Andrew Cuomo's Executive Order No. 203, a Public Safety Committee Meeting on the Town's current and future police procedures will be held on Wednesday, October 21 from 4:00 p.m. – 5:00 p.m. at the Town of Lancaster Senior Center, 100 Oxford Ave, Lancaster NY 14086. This meeting will be open to the public subject to all current Health Department COVID regulations.

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

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

October 19, 2020