

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 17, 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 |
| COUNCIL MEMBER DICKMAN | VOTED |
| COUNCIL MEMBER LEARY | VOTED |
| COUNCIL MEMBER MAZUR | VOTED |
| SUPERVISOR RUFFINO | VOTED |

November 7, 2022

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:

Check Run #11072022

Total amount hereby authorized to be paid: \$806,741.91

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

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

November 7, 2022

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER MAZUR, WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER 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 | | | | |
| 20228228 | | LJ Construction WNY LLC | 5532 William St | Er. Dwlg.-Sin. |
| 20228268 | | Maria Schiller | 15 Candice Ct | Er. Fence |
| 20228299 | | Shahrokh Khoshsohbat | 14 Chestnut Corner | Er. Porch Cover |
| 20228314 | | Marksman Fence Inc. | 3 Hidden Trl | Er. Fence |
| 20228381 | | NAS Quick Sign Inc. | 6461 Transit Rd | Er. Signs |
| 20228417 | | Jeff Klenke | 621 Harris Hill Rd | Er. Res. Alt. |
| 20228431 | | Severyn Dev. Inc. | 24 Highland Pl | Er. Res. Alt. (V/L) |
| 20228441 | | Buscaglia Decks | 9 Henslow Way | Er. Deck |
| 20228456 | | Ivy Lea Constuction Inc. | 3 Liberty Ave | Er. Res. Alt. (V/L) |
| 20228463 | | Daniel Coulter | 18 Crabapple Ln | Er. Fence |
| 20228471 | | Matthew Fuqua | 51 Trentwood Trl N | Er. Res. Add. |
| 20228475 | | Atlantic Garages | 291 Ransom Rd | Er. Porch/Porch Cover |
| 20228476 | | Sitzmans Appliance Center | 21 Grafton Ct | Inst. Generator |
| 20228489 | | Summers and Sons Construction | 12 Worthington Ln | Er. Res. Alt. |
| 20228492 | | Franks Commercial & Home | 12 Hemlock Ln | Er. Res. Alt. |
| 20228493 | | Esther Kieffer | 78 Court St | Er. Fence (V/L) |
| 20228495 | | Leanne Nava | 188 Laverack Ave | Re-Roof (V/L) |
| 20228496 | | Barbara Cardwell | 68 First Ave | Re-Roof (V/L) |
| 20228497 | | Hometeck Roofing & Remodel | 42 N Aurora St | Re-Roof (V/L) |
| 20228498 | | Joseph Titus | 41 Middlebury Ln | Er. Shed |
| 20228500 | | Alanerek Properites | 142 Siebert Rd | Er. Res. Add. |
| 20228502 | | Christine Basinski | 26 Doris Ave | Er. Fence (V/L) |
| 20228503 | | Buscaglia Decks | 33 Mary Rachel Pl | Er. Deck |
| 20228504 | | Besroi Construction | 122-130 Central Ave | Re-Roof (V/L) |
| 20228505 | | Besroi Construction | 51 Schlemmer Rd | Re-Roof |
| 20228506 | | Brian Sebastian | 25 Country Pl | Er. Fence |
| 20228507 | | Besroi Construction | 29 Ann Marie Dr | Re-Roof |
| 20228508 | | Klaus Roofing Systems of WNY | 390 Stony Rd | Re-Roof |
| 20228509 | | Solar Liberty Energy Systems | 22 W Home Rd | Inst. Solar Panels |
| 20228510 | | CIR Electrical Construction | 22 Lakeside Cres | Inst. Solar Panels (V/L) |
| 20228511 | | Try-Lock Roofing Co. Inc. | 5226 Broadway | Re-Roof (V/L) |
| 20228513 | | Michael Kozlowski | 40 Cedar Brook Dr | Er. Fence |
| 20228514 | | Keith Hillestad | 107 Pheasant Run Ln | Er. Fence |
| 20228515 | | Chanelle Ortez | 99 Sixth Ave | Pod Storage – Temp(V/L) |
| 20228516 | | Straight Line General Contrac. | 4 Parkedge Dr | Er. Res. Alt. |
| 20228517 | | Crist Construction | 20 Carlisle St | Er. Porch/Porch Cover |
| 20228518 | | CPR Custom Concrete | 8 Park Walk | Er. Res. Add. |
| 20228519 | | Eleanor Weig | 69 Aurora St | Re-Roof (V/L) |
| 20228520 | | H. Youngs Home Improvements | 95 Irwinwood Rd | Re-Roof (V/L) |
| 20228522 | | Solar Liberty Energy Systems 1 | 1052 Townline Rd | Inst. Solar Panels |
| 20228523 | | Frank's Commercial & Home | 3 Benson Dr | Inst. Res. Plumbing (V/L) |
| 20228524 | | JLB Installations | 6 Blackstone Ct | Er. Pool-In Grnd |
| 20228525 | | LG Fence | 6 Blackstone Ct | Er. Fence |
| 20228526 | | Paul Bukowski | 71 Gordon Ave | Inst. Generator (V/L) |
| 20228527 | | JLB Installations | 14 Candlestick Ct | Er. Pool-In Grnd |
| 20228529 | | Rock Hard Fence | 34 Briarwood Dr | Er. Fence (V/L) |
| 20228530 | | Russell Wetter | 65 Stony Brook Dr | Er. Fence |
| 20228532 | | Ronald Adamczak | 21 Doris Ave | Dem. Rear Struc. (V/L) |
| 20228533 | | Thomas Witnauer | 258 Warner Rd | Re-Roof |
| 20228534 | | Collingwood Construction Corp. | 5156 Genesee St | Re-Roof |
| 20228536 | | NEP Contracting, LLC | 44 Bentley Cir | Er. Res. Alt. |
| 20228537 | | Douglas Chapman | 65 Stony Rd | Er. Shed |
| 20228539 | | Suzanne Pionessa | 5601 Broadway | Er. Fence (V/L) |
| 20228540 | | House Crafters LLC | 21 Lenox Ave | Re-Roof (V/L) |

| | | | |
|----------|-----------------------------|------------------------|------------------------|
| 20228541 | Expert Contracting | 25 Parkdale Dr | Re-Roof |
| 20228542 | Shamrock Contracting | 230 Belmont St | Re-Roof |
| 20228543 | Donald Hayes | 133 Central Ave | Re-Roof (V/L) |
| 20228544 | Crist Construction | 10 Sedge Run | Er. Porch/Porch Cover |
| 20228545 | Frank's Commercial & Home | 82 Williamsburg Ln | Inst. Res. Plumbing |
| 20228546 | ECC Electrical Construction | 25 Spruceland Ter | Inst. Generator |
| 20228547 | X-Press Signs Inc. | 4885 Transit Rd | Er. Signs |
| 20228548 | Marc Schifferle | 23 Candice Ct | Er. Fence |
| 20228549 | Five Star Roofing | 566 Ransom Rd | Re-Roof |
| 20228550 | Commercial Power Systems | 36 Heritage Dr | Inst. Generator |
| 20228553 | Frank's Commercial & Home | 3475 Walden Ave | Er. Res. Alt. (V/L) |
| 20228554 | JP Construction | 76 Pleasant View Dr | Re-Roof |
| 20228555 | Ryan Wood | 18 Deepwood Pl | Er. Fence |
| 20228556 | ECC Electrical Construction | 12 Robinwood Ct | Inst. Generator |
| 20228557 | Ivy Lea Construction Inc. | 148 Slate Bottom Dr | Re-Roof |
| 20228558 | City Fence | 190 Enchanted Forest S | Er. Fence |
| 20228559 | Castle Home Improvements | 5745 Broadway | Re-Roof |
| 20228561 | Zenner & Ritter Co. Inc. | 4845 Transit Rd | Inst. Generator |
| 20228562 | Forbes Homes, Inc. | 41 Partridge Walk | Er. Res. Alt. |
| 20228566 | Transit-William Associates | 4931 Transit Rd | Er. Sign - Temp |
| 20228567 | Hurricane Home Solutions | 9 Henslow Way | Inst. Generator |
| 20228571 | Forbes Homes, Inc. | 31 Deepwood Pl | Er. Dwlg.-Sin. |
| 20228575 | Harry Browder | 46 Ivy Way | Dumpster - Temp. (V/L) |

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

November 7, 2022

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

4

WHEREAS, the Town Board of the Town of Lancaster has reviewed the 2023 Tentative Budget which was presented on October 17, 2022, and

WHEREAS, pursuant to New York State Town Law § 106 after review of the presented Tentative Budget by the Town Board any changes should be memorialized in writing via resolution and approved by a majority vote of the members of said Town Board, and

WHEREAS, Council Member Leary has reviewed the proposed 2023 Tentative Budget submitted by Supervisor Ruffino and is requesting the following change(s):

Page 10 –A 1670 Central Printing and Mailing

Line Item 403 – Printing and Advertising
Change amount to \$21,650.00

NOW, THEREFORE,

BE IT RESOLVED, that the aforementioned modification(s) to the 2023 Tentative Budget be permitted following its/their adoption.

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

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

November 7, 2022

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

5

WHEREAS, the Town Board of the Town of Lancaster has reviewed the 2023 Tentative Budget which was presented on October 17, 2022, and

WHEREAS, pursuant to New York State Town Law § 106 after review of the presented Tentative Budget by the Town Board any changes should be memorialized in writing via resolution and approved by a majority vote of the members of said Town Board, and

WHEREAS, Council Member Leary has reviewed the proposed 2023 Tentative Budget submitted by Supervisor Ruffino and is requesting the following change(s):

Page 11 –A 3510 Control of Dogs

Line Item 100 – Dog Control Officer
Change amount to \$114,061.00

Line Item 103 – Asst. Dog Control Officers
Change amount to \$10,399.00

Page 11-A 3510 Control of Dogs

Line Item 103 – Asst. Dog Control Officers
Change amount to \$20,399.00

NOW, THEREFORE,

BE IT RESOLVED, that the aforementioned modification(s) to the 2023 Tentative Budget be permitted following its/their adoption.

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

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

November 7, 2022

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

6

WHEREAS, the Town Board of the Town of Lancaster has reviewed the 2023 Tentative Budget which was presented on October 17, 2022, and

WHEREAS, pursuant to New York State Town Law § 106 after review of the presented Tentative Budget by the Town Board any changes should be memorialized in writing via resolution and approved by a majority vote of the members of said Town Board, and

WHEREAS, Council Member Leary has reviewed the proposed 2023 Tentative Budget submitted by Supervisor Ruffino and is requesting the following change(s):

Page 26 –A 3120 Police

Line Item 100 – Captains (2)

Change number of Captains to (3)

NOW, THEREFORE,

BE IT RESOLVED, that the aforementioned modification(s) to the 2023 Tentative Budget be permitted following its/their adoption.

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

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

November 7, 2022

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

WHEREAS, the Town Board of the Town of Lancaster has considered and reviewed the 2023 budget estimates and assessment roll for Special Districts spreading the costs on a benefit basis, and

WHEREAS, a public hearing on said 2023 Special Districts Budget estimates and assessment roll was held by the Town Board of the Town of Lancaster on October 17, 2022.

NOW, THEREFORE,

BE IT RESOLVED, that the 2023 budget estimates and assessment roll for Special Districts, spreading costs on a benefit basis, as filed with the Town Clerk on September 15, 2022 be and are hereby adopted as the Final 2023 Budget for Special Districts for the Town of Lancaster for the fiscal year beginning on January 1, 2023 and ending December 31, 2023, and that such Budget, as adopted, and as summarized below, be entered in detail in the minutes of the proceedings of this Town Board.

| | APPROPRIATIONS | ESTIMATED REVENUES | APPROPRIATED FUND BALANCE | APPROPRIATED RESERVE | AMOUNT TO BE RAISED BY TAXATION |
|----------------------------|------------------|--------------------|---------------------------|----------------------|---------------------------------|
| Refuse District | 2,668,872 | 41,800 | - | - | 2,627,072 |
| Lighting Districts | 274,587 | 2,000 | - | - | 272,587 |
| Fire Protection District | 4,132,368 | 7,600 | - | - | 4,124,768 |
| Water Districts | <u>1,178,702</u> | <u>11,650</u> | <u>100,000</u> | <u>100,000</u> | <u>967,052</u> |
| Subtotal-Special Districts | 8,254,529 | 63,050 | 100,000 | 100,000 | 7,991,479 |

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

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

November 7, 2022

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

WHEREAS, the Town Board of the Town of Lancaster has reviewed the 2023 Preliminary Town Budget, and

WHEREAS, a public hearing on said 2023 Preliminary Town Budget was held by the Town Board of the Town of Lancaster on October 17, 2022.

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

Section 1. That the 2023 Preliminary Budget, as modified as shown on Schedule A, be and is hereby adopted as the 2023 Final Budget of the Town of Lancaster for the fiscal year beginning on January 1, 2023 and ending December 31, 2023, and that such Budget, as adopted, be entered in detail in the minutes of the proceedings of this Town Board:

| | APPROPRIATIONS | ESTIMATED REVENUES | APPROPRIATED FUND BALANCE | APPROPRIATED RESERVE | AMOUNT TO BE RAISED BY TAXATION |
|--|-------------------|--------------------|---------------------------|----------------------|---------------------------------|
| General Fund -Townwide | \$11,408,927 | \$2,485,371 | \$500,000 | \$50,000 | \$8,373,556 |
| General Fund - | | | | | |
| Town Outside Villages | 1,400,704 | 1,084,295 | 60,000 | -- | 256,409 |
| Police Fund | 12,783,781 | 7,887,194 | 500,000 | -- | 4,396,587 |
| Highway Fund -Townwide | 817,557 | 19,794 | 175,000 | - | 622,763 |
| Highway Fund - | | | | | |
| Town Outside Villages | 5,238,530 | 520,542 | 500,000 | 200,000 | 4,017,988 |
| Misc. Special Revenue- | | | | | |
| Tree Planting Fee | 20,000 | 32,000 | - | -- | -- |
| Misc. Special Revenue- | | | | | |
| Police Asset Forfeitures | 17,700 | 50,750 | - | -- | -- |
| Misc. Special Revenue- | | | | | |
| Recreation Filing Fee | 135,000 | 101,600 | 33,400 | -- | -- |
| Misc. Special Revenue- | | | | | |
| Memorial Garden Fund | <u>3,000</u> | <u>1,200</u> | <u>1,800</u> | <u>--</u> | <u>--</u> |
| Subtotal-General Budget | 31,825,199 | 12,182,746 | 1,770,200 | 250,000 | 17,667,303 |
| Other Items: | | | | | |
| Delinquent Water Bills - Erie County Water Authority | | | | | 1,808.00 |
| Property Cleanup Charges | | | | | 830.00 |
| Grand Total | | | | | \$17,669,941.00 |

Section 2. That the Town Clerk of the Town of Lancaster prepare and certify in duplicate copies of said Annual 2023 Budget, as adopted by the Town Board, together with the assessment rolls for benefit improvements, if any, adopted pursuant to Section 202-A of the Town Law and deliver one (1) copy thereof to the Supervisor.

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

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

Schedule A

**ADJUSTMENTS -
GENERAL FUND -
TOWNWIDE**

| | | |
|------------------------------------|----------------------------------|------------|
| Amount in Preliminary Budget | Amended Preliminary Budget | Adjustment |
|------------------------------------|----------------------------------|------------|

APPROPRIATIONS:

| Acct. No. | Department | Item | | | |
|--|--------------------|------------------------|--------|---------|---------------|
| | Central | | | | |
| 1670.403 | Printing & Mailing | Printing & Advertising | 18,650 | 21,650 | 3,000 |
| 3510.100 | Dog Control | Salaries | 84,524 | 114,062 | 29,538 |
| 3510.103 | Dog Control PT | Wages | 39,936 | 10,339 | (29,597) |
| 3510.103 | Dog Control PT | Wages | 10,339 | 20,339 | 10,000 |
| Total Net General Fund - Townwide Appropriations Adjustment | | | | | 12,941 |

POLICE FUND

APPROPRIATIONS:

| Acct. No. | Department | Item | | | |
|---|---------------------|----------|---------|---------|----------------|
| 3120.100 | Police Captains (3) | Salaries | 242,228 | 357,228 | 115,000 |
| Total Net Police Fund - Adjustment | | | | | 115,000 |

Total Adjustments to the Preliminary Budget

127,941

TOWN OF LANCASTER
NOTICE OF ADOPTION OF
2023 BUDGET OF THE
TOWN OF LANCASTER

NOTICE TO THE CITIZENS OF THE TOWN OF LANCASTER

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Lancaster has adopted the 2023 Budget of the Town of Lancaster, which includes a summary of the entire proposed 2023 Budget of the Town of Lancaster, and that said Budget is on file with the Town Clerk, 21 Central Avenue, Lancaster, New York, and available for public inspection from 8:00 A.M. TO 4:00 P.M. on Monday through Friday.

TOWN OF LANCASTER

DIANE M. TERRANOVA
Town Clerk

November 7, 2022

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

9

WHEREAS, by email dated October 17, 2022, William J. Karn, Jr., Town of Lancaster's Chief of Police, has requested that the Town Board accept a monetary donation of One-hundred dollars (\$100.00) from a source that wishes to remain anonymous in gratitude for the Police Department's service to the community, and

WHEREAS, after due consideration, the Town Board of the Town of Lancaster finds that it is appropriate to accept this benevolent donation as offered.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby accepts the monetary donation from an anonymous source of \$100.00 in support of the Town of Lancaster Police Department and that said donation shall be deposited into the Town's 2022 Public Safety, Police General Fund.

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

November 7, 2022

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

10

WHEREAS, William J. Karn, Jr., Police Chief of the Town of Lancaster, by letter to the Town Board dated October 27, 2022, has recommended the appointment of Bryan Kross of Lancaster, New York, to the position of Police Officer, and

WHEREAS, Bryan Kross 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 Bryan Kross, is hereby appointed to the position of Police Officer in the Town of Lancaster Police Department effective November 22, 2022, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the Cayuga Club Police Benevolent Association and all applicable provisions of law, and

BE IT FURTHER,

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

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

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

November 7, 2022

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

11

WHEREAS, the Town Board has previously duly advertised for bids for one (1) new and unused **2022 Ford Escape SE Four Wheel Drive**, for the use by the Building Department, and

WHEREAS, one bid was received, opened and reviewed on October 27, 2022, and

WHEREAS, by letter dated October 27, 2022, Code Enforcement Officer Matt Fischione, has recommended awarding the bid for the **2022 Ford Escape SE Four Wheel Drive**, to DeLacy Ford, 3061 Transit Road, Elma, New York, being the sole responsible bidder in the amount of \$31,605.00.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster, upon the recommendation of Matt Fischione, Code Enforcement Officer, hereby awards the bid for one (1) new and unused **2022 Ford Escape SE Four Wheel Drive**, to DeLacy Ford, 3061 Transit Road, Elma, New York, for use by the Building Department as it conforms to the specifications on file in the office of the Town Clerk for a total amount not to exceed \$31,605.00 and which will be paid for with funds available in the 2022 Safety Inspection Budget Line Item 02-3620-220 (Passenger Vehicles).

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

November 7, 2022

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

WHEREAS, Delta-Sonic Carwash Systems, Inc, has offered to donate to the Town's Police Department, fiberglass grating to be used to cover the drains in the police sallyport garage, located at 525 Pavement Road, and

WHEREAS, by email dated October 31, 2022 William J. Karn, Jr., Town of Lancaster's Chief of Police, has requested that the Town Board accept the donation valued at not more than approximately \$300.00 to be installed by the Town's Buildings and Grounds Maintenance staff, and

WHEREAS, after due review and consideration, the Town Board of the Town of Lancaster finds that it is appropriate to accept this benevolent donation as offered.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby accepts the offer of Delta-Sonic Carwash Systems, Inc., to donate fiberglass grating to be used to cover the drains in the police sallyport garage, located at 525 Pavement Road, and which will be installed by the Town's Buildings and Grounds Maintenance staff.

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

November 7, 2022

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

13

WHEREAS, Jeffrey Kirisits, owner of real property located at 16 Birchwood Common (SBL No. 93.14-1-29), Lancaster, New York, has submitted an application for a Special Use Permit for a Home Occupation (Ace Sealing Company, Inc. Office) 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 (Ace Sealing Company, Inc. Office) Special Use Permit Application of **Jeffrey Kirisits**, owner of real property located at 16 Birchwood Common (SBL No. 93.14-1-29), will be held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the 21st day of November 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 |
| COUNCIL MEMBER DICKMAN | VOTED |
| COUNCIL MEMBER LEARY | VOTED |
| COUNCIL MEMBER MAZUR | VOTED |
| SUPERVISOR RUFFINO | VOTED |

November 7, 2022

**LEGAL NOTICE
TOWN OF LANCASTER**

PUBLIC HEARING

SPECIAL USE PERMIT – JEFFREY KIRISITS

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 7th day of November, 2022 the Town Board will hold a Public Hearing on the **21st day of November, 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 **Jeffrey Kirisits**, for a Special Use Permit for a Home Occupation (Ace Sealing Company, Inc. Office) on premises locally known as 16 Birchwood Common (SBL No. 93.14-1-29, 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**

November 10, 2022

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

14

WHEREAS, the Town Board of the Town of Lancaster previously advertised for bids to replace the Police Building (Public Safety Building) Flooring, located at 525 Pavement Road in the Town of Lancaster, and

WHEREAS, two (2) bids were received, opened and reviewed on October 13, 2022, and

WHEREAS, by letter dated October 27, 2022, Consulting Town Engineer, Edward Schiller has requested that the Town Board reject the lowest bidder for non-compliance to the bid submittal requirements, and recommended awarding the contract to Allied Flooring Contractors, Inc., being the lowest responsible bidder in the amount of \$70,000.00.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid bids to replace the Police Building (Public Safety Building) Flooring, located at 525 Pavement Road in the Town of Lancaster to Allied Flooring Contractors, Inc., 2323 Elmwood Ave Kenmore, New York, in the amount of \$70,000.00 being the lowest responsible bidder in conformance with the specifications on file at the offices of Wm. Schutt Associates, the Town's Consulting Engineer, and will be paid for with funds available in Capital Project Number 222 (Line item 90222.400).

BE IT FURTHER,

RESOLVED, that the Supervisor is hereby authorized to execute this contract on behalf of the Town of Lancaster and to do all things necessary to effectuate the intent of this resolution pending the receipt and approval of all required documents and Insurance certificates by the Town Attorney's Office.

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

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

November 7, 2022

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO,
MOVED ITS ADOPTION,
COUNCIL MEMBER,

15
WHO
SECONDED BY
TO WIT:

WHEREAS, Michelle Barbaro, Deputy Highway Superintendent of the Town of Lancaster, by letter dated November 1, 2022 has recommended the appointment of the following individuals to the following part-time permanent positions in the Town of Lancaster Parks, Recreation & Forestry Department.

NOW, THEREFORE,
BE IT RESOLVED, that the following individuals are hereby appointed to the following part-time permanent positions in the Parks, Recreation & Forestry Department of the Town of Lancaster, working not more than nineteen hours per week, and that these being part-time positions, provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time employees:

| NAME | ADDRESS | POSITION | HOURLY RATE | EFFECTIVE DATE |
|------------------|----------------|-------------------------|--------------------|-----------------------|
| Dennis Radecki | Depew, NY | Recreation Attendant | \$14.00 | November 29 ,2022 |
| Brandon Becker | Lancaster, NY | Recreation Attendant | \$14.00 | December 5, 2022 |
| Christopher Giza | Lancaster, NY | Recreation Attendant | \$14.00 | December 5, 2022 |
| Carson Alberti | Depew, NY | Recreation Attendant | \$14.00 | December 5, 2022 |
| Myles Gronowski | Lancaster, NY | Recreation Attendant | \$14.00 | December 5, 2022 |
| Troy Ferris | Buffalo, NY | Recreation Attendant | \$14.00 | December 5, 2022 |

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

November 7, 2022

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

16

WHEREAS, John Pilato, Highway Superintendent of the Town of Lancaster, by letter dated October 31, 2022, has appointed James Walsh II to the position of Laborer – Highways in the Town of Lancaster Highway Department, pursuant to New York State Highway Law.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby recognizes the appointment of James Walsh II of Lancaster, New York to the position of Laborer – Highways in the Town of Lancaster Highway Department effective November 1, 2022, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA Blue Collar Union and all applicable provisions of law, and

BE IT FURTHER,

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

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

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

November 7, 2022

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

17

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

WHEREAS, after review and consideration, the Town Board of the Town of Lancaster is proposing to amend Chapter 400 Zoning, Article VIII Regulation Applying to All Districts, Section 38 Subdivision, by amending subsection § 400-38(H)(4)(d),(5)(f),(8); and adding subsections § 400-38(H)(9) Model Home Permits and (H)(10) Building Permits to the Town of Lancaster's Town Code, and

WHEREAS, the Town of Lancaster Planning Board has reviewed proposed Local Law at their meeting on October 19, 2022, and recommended that it be adopted, and

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

NOW, THEREFORE,

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

1. A public hearing for the proposed Local Law of the year 2022, which will amend Planning Board Approval requirements, set a timeframe for approval extension requests, and add requirements for Model Home Permits and Building Permits by amending Chapter 400 Zoning, Article VIII Regulation Applying to All Districts, Section 38 Subdivision, by amending subsection § 400-38(H)(4)(d),(5)(f),(8); and adding subsections § 400-38(H)(9), and(H)(10) will be held at 7:05 o'clock P.M. on the 21st day of November 2022, at the Town Hall, 21 Central Avenue, Lancaster, New York, and that Notice of the Time and Place be published in the official newspaper of the Town, and
2. The Town Clerk is hereby directed and authorized to publish public notice of said hearing in the official newspaper and given in accordance with the Municipal Home Rule Law, the Open Meetings Law, and Sections 264 and 265 of the Town Law of the State of New York, and which Notice shall be in the form attached hereto and made a part hereof, and
3. This resolution is effective immediately.

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

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

November 7, 2022

PUBLIC HEARING

Legal Notice

TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 23 of the Code of the Town of Lancaster and pursuant to a resolution adopted by the Town Board of the Town of Lancaster on November 7, 2022, the Town Board will hold a Public Hearing on the 21st day of November, 2022 at 7:05 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly adopting a Local Law to amend the Town Code of the Town of Chapter 400 Zoning, Article VIII Regulation Applying to All Districts, Section 38 Subdivision, by amending subsection § 400-38(H)(4)(d),(5)(f),(8); and adding subsections § 400-38(H)(9) Model Home Permits and (H)(10) Building Permits.

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

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

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

November 10, 2022

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

A Local Law Amending Subsection § 400-38(H)(4)(d) Approval of Minor Subdivision, Planning Board recommendation, (5)(f) Approval of preliminary plat of Major Subdivision, (8) Filing of a Final Plat; and adding (9) Model Homes and (10) Building Permits to the Town Code of the Town of Lancaster

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

Section 1. **Subsection 400-38(H)(4)(d)** Approval of a minor subdivision of Chapter 400 of Article VIII of the Town Code is hereby amended to read in its entirety as follows:

- (d) Planning Board recommendation. Upon receipt of the application fee, the Town Clerk shall so notify the Planning Board and the Planning Board shall, within 45 days or thereafter, review the proposed minor subdivision and provide comments; within sixty-two (62) days or thereafter upon receipt of a complete application (including all requested amendments), the Planning Board shall hold a public hearing and conduct a **State Environmental Quality Review (SEQR)**. Upon a Negative or Positive Declaration and any necessary Variances being granted, the Planning Board shall make its recommendations to the Town Board to modify, modify and approve, or disapprove the proposed minor subdivision. If a SWPPP was submitted pursuant to **§ 400-38H** of this chapter, the Planning Board shall not recommend approval of the minor subdivision plat unless the SWPPP and plat comply with the performance and design criteria and standards set forth in Chapter **300**, Stormwater Management and Erosion and sediment control, and **§ 400-71**, Stormwater pollution prevention plans, of the Town Code. Stormwater pollution prevention plans. The Planning Board and/or the Town Board may require, however, when it is deemed necessary for protection of the public health, safety, and welfare, that a minor subdivision comply with all or some of the requirements specified for major subdivisions. If the Planning Board should require that the proposed minor subdivision comply with all or some of the requirements specified for major subdivisions, it shall so state in its recommendation to the Town Board. The recommendation of approval of the plat, subject to conditions, revisions and modifications as stipulated by the Planning Board, shall not constitute Town Board approval of the subdivision, but rather, the Town Board shall be the sole authority to grant such approval.

Section 2. **Subsection 400-38(H)(5)(f)** Approval of preliminary plat of a major subdivision of Chapter 400 of Article VIII of the Town Code is hereby amended to read in its entirety as follows:

- (f) Planning Board recommendation. the Planning Board and the Planning Board shall, within 60 days or thereafter, of its receipt of the preliminary plat, review the proposed major subdivision and provide comments; within sixty-two (62) days or thereafter upon receipt of a complete application (including all requested amendments), the Planning Board shall hold a public hearing and conduct a **State Environmental Quality Review (SEQR)**. Upon a Negative or Positive Declaration and any necessary Variances being granted, the Planning Board shall forward the plat to the Town Board with its recommendations to modify, modify and approve, or disapprove the proposed preliminary plat. If a SWPPP was submitted pursuant to **§ 400-38H** of this chapter, the Planning Board shall not recommend approval of the preliminary plat unless the SWPPP and preliminary plat comply with the performance and design criteria and standards set forth in Chapter **300**, Stormwater Management and Erosion and sediment control, and **§ 400-71**, Stormwater pollution prevention plans, of the Town Code. The recommendation of approval of the preliminary plat, subject to conditions, revisions and modifications as stipulated by the Planning Board, shall not constitute Town Board approval of the subdivision, but rather, the Town Board shall be the sole authority to grant such approval.

Section 3. **Subsection 400-38(H)(8)** of Chapter 400 of Article VIII of the Town Code is hereby amended to read in its entirety as follows:

- (8) Filing of final plat. Upon completion of the requirements above and notation to that effect upon the subdivision plat, it shall be deemed to have final approval and shall be properly signed by the Town Clerk and may be filed by the applicant in the office of the County Clerk. Any subdivision plat not so filed or recorded within 90 days of the date upon which such plat is approved or considered approved by reasons of failure of the Town Board to act, shall become null and void, unless the particular circumstances of said applicant warrant the Town Board to grant an extension which shall not exceed two (2) additional periods of 90 days. **Such an extension must be applied for in writing to the Town Board within thirty (30) days of the expiration of the approval. If an extension is necessary for compliance, but not sought within this timeframe, then the approval shall be rescinded. Under these circumstances, applicants may re-apply for approval.**

Section 4. **Subsection 400-38 (H)(9)** of Chapter 400 of Article VII of the Town Code is hereby added to read in its entirety as follows:

- (9) **Model Home Permits:** For the purpose of allowing the early construction of model homes in a subdivision, subsequent to the filing of final plat with the Erie County Clerk, but prior to the full completion and acceptance of streets or highways giving access to the proposed structures(s). The Town Board may, by resolution, approve the issuance of a building permit for a model home. It may do so if it finds, after receiving recommendations from the Town Engineer and the Code Enforcement Officer, that such improvements have been made as are adequate in respect to the public health, safety, and general welfare. "Adequate" improvements shall generally mean that water lines and hydrants and sanitary sewers are available and that there is sufficient access provided for emergency vehicles. Similarly, the Code Enforcement Officer may issue a temporary certificate of occupancy for the purpose of display where adequacy of improvements is shown.

Section 5. **Subsection 400-38 (H)(10)** of Chapter 400 of Article VII of the Town Code is hereby added to read in its entirety as follows:

- (10) **Building Permits:** No building permits, other than those for a model home, as regulated in § 400-38(H)(9), shall be issued unless and until all improvements are installed and accepted by the Town Board as indicated in the Final plat; and the Final plat has been recorded in the Office of the Erie County Clerk.

Section 6. **Severability Clause.** If any part of this local law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this local law. The Town Board of the Town of Lancaster hereby declares that it would have passed this local law and each section and subsection thereof, irrespective of the fact that any one or more of these sections, subsections, sentences, clauses, or phrases may be declared unconstitutional or invalid.

Section 7. **Effective Date.** This local law shall be effective immediately upon filing with the New York Secretary of State.

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

18

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

WHEREAS, after review and consideration, the Town Board of the Town of Lancaster is proposing to amend Chapter 400 Zoning, Article XIV Administration and Enforcement, Section 75 Site plan review, by adding subsection § 400-75(D)(9)(d), and amending subsection § 400-75(E)(1) within the Town of Lancaster's Town Code, and

WHEREAS, the Town of Lancaster Planning Board has reviewed proposed Local Law at their meeting on October 19, 2022, and recommended that it be adopted, and

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

NOW, THEREFORE,

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

1. A public hearing for the proposed Local Law of the year 2022, which will require recommendations be provided by Town of Lancaster's Planning Board prior to approval of granting a site plan extension, by amending Chapter 400 Zoning, Article XIV Administration and Enforcement, § 400-75(D)(9) Site plan review of the Code of the Town of Lancaster, will be held at 7:05 o'clock P.M. on the 21st day of November 2022, at the Town Hall, 21 Central Avenue, Lancaster, New York, and that Notice of the Time and Place be published in the official newspaper of the Town, and
2. The Town Clerk is hereby directed and authorized to publish public notice of said hearing in the official newspaper and given in accordance with the Municipal Home Rule Law, the Open Meetings Law, and Sections 264 and 265 of the Town Law of the State of New York, and which Notice shall be in the form attached hereto and made a part hereof, and
3. This resolution is effective immediately.

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

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

November 7, 2022

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 23 of the Code of the Town of Lancaster and pursuant to a resolution adopted by the Town Board of the Town of Lancaster on November 7, 2022, the Town Board will hold a Public Hearing on the 21st day of November, 2022 at 7:05 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly adopting a Local Law to amend the Town Code of the Town of Chapter 400 Zoning, Article XIV Administration and Enforcement, § 400-75(D)(9) Site plan review procedures.

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

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

By: DIANE M. TERRANOVA
Town Clerk

November 10, 2022

Town of Lancaster
Local Law No. of 2022

A Local Law Amending the Town Code Related to Certain Zoning Approvals Under § 400 to Clarify the Time for an Applicant to Request an Approval Extension.

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

Section 8. Section 400-75(D)(9)(d) of Chapter 400 of Article XIV of the Town Code is hereby added to read in its entirety as follows:

D. Site plan review procedure.

9. Except for subdivisions that have been duly filed in the office of the County Clerk, if construction of an approved development (site plan) has not commenced within two (2) years from the date of site approval, that approval shall be deemed revoked. A one-time additional one-year (1) extension **may** be granted by the Town Board upon receipt of the following:

A. A written request for extension must be submitted to the Town Board, Town Clerk, and Town Attorney's Office.

B. Request must include a current Environmental Assessment Form, and comply with current State, County and Town Zoning and Building Codes/Laws/Regulations.

C. Applicant must present to and receive approval recommendation from, the Town's Planning Board/Department.

D. Such an extension must be applied for in writing to the Town Board within 30 days of the expiration of the approval. If an extension is necessary for compliance, but not sought within this timeframe, then the approval shall be rescinded. Under these circumstances, applicants may re-apply for approval.

Section 9. Subsection 400-75 (E)(1) of Chapter 400 Article XIV of the Town Code is hereby amended to read in its entirety as follows:

(E) Enforcement of site plan; security; penalty.

(1) Upon approval of a site plan, the owner/developer shall meet the conditions imposed by the Town Board, including but not limited to landscaping, buffer zones, fencing, finished exteriors, parking areas, dumpster location, etc., within 60 days of issuance of the certificate of occupancy by the Building Inspector, unless written extension is granted by the Town Board. Such a written extension must be sought by the applicant and obtained prior to the expiration of any such approval. **Such an extension must be applied for in writing to the Town Board within 30 days of the expiration of the approval. If an extension is necessary for compliance, but not sought within this timeframe, then the approval shall be rescinded. Under these circumstances, applicants may re-apply for approval.**

Section 10. Severability Clause. If any part of this local law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this local law. The Town Board of the Town of Lancaster hereby declares that it would have passed this local law and each section and subsection thereof, irrespective of the fact that any one or more of these sections, subsections, sentences, clauses, or phrases may be declared unconstitutional or invalid.

Section 11. Effective Date. This local law shall be effective immediately upon filing with the New York Secretary of State.

THE FOLLOWING RESOLUTION WAS OFFERED 19
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Town has previously entered into an agreement with Lancaster Volunteer Ambulance Corp. (LVAC) to provide ambulance and related services within the Town of Lancaster, which expired according to its terms on December 31, 2021, and

WHEREAS, the Town Attorney and LVAC began negotiations in 2021 to have revisions and updates included in a new contract and have solicited input from representatives of the various fire districts within the Town relating to the terms and conditions contained therein, and

WHEREAS, the Town Board has reviewed the proposed agreement as provided, which will cover a three (3) year period commencing January 1, 2022 and expiring on December 31, 2024 the agreement shall automatically renew unless written notice is provided by either party no later than forty-five (45) days prior to the agreement's established expiration date.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster does hereby approve the Agreement between the Town and Lancaster Volunteer Ambulance Corps. Inc. as presented for a three (3) year period commencing January 1, 2022 and expiring December 31, 2024 with no compensation being paid by the Town, and

BE IT FURTHER,
RESOLVED, that the Supervisor be and is hereby authorized to execute this agreement pending receipt of the required insurances listed on Schedule B being received and approved by the Town Attorney's Office. is directed to memorialize this resolution in writing to LVAC advising them of the intent to continue the agreement under its previous conditions but to amend the renewal period from two (2) years to three (3) years, commencing on the first (1st) day of January 2022 and continuing through the thirty-first (31st) day of December 2024, unless terminated sooner per the terms of the original agreement.

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

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

20

NOW, THEREFORE,

BE IT RESOLVED, the Town Board of the Town of Lancaster (a) hereby approves, as presented, the 2022 Tactical Diversion Squad Task Force Agreement, the Case Specific Tactical Diversion Squad Task Force Agreement, and the Certification of Responsibilities and Requirements Forms between the Town of Lancaster and the United States Department of Justice, Drug Enforcement Administration, commencing October 1, 2022, and terminating September 30, 2026, and (b) hereby authorizes the Town of Lancaster's Chief of Police William J Karn, Jr., to execute said Agreements and Certifications on behalf of the Town's Police Department, and (c) a fully executed original of said Agreements and Certifications will be provided to the Town Attorney'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 |
| COUNCIL MEMBER DICKMAN | VOTED |
| COUNCIL MEMBER LEARY | VOTED |
| COUNCIL MEMBER MAZUR | VOTED |
| SUPERVISOR RUFFINO | VOTED |

November 7, 2022

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

WHEREAS, the Town of Lancaster's Police Department has been awarded a \$40,000.00 Grant by the Division of Criminal Justice Services (DCJS) (Contract Number T637546), which includes Federal support from the FFY 2018 Byrne Memorial Justice Assistance Grant (Federal Award Number 2108-DJ-BX-0098) to be used for the leasing of a safety camera, and

WHEREAS, Lieutenant William Gummo has requested the purchase of one new Flock Safety Falcon Flex ALPR camera for use by the Lancaster Police Department, and

WHEREAS, by letter dated October 9, 2022, Lt. Gummo has recommended that the Town lease the camera from Flock Safety, a sole source provider, for a yearly cost of \$3,000.00, per their Services Agreement Order Form executed September 27, 2022, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law,

NOW, THEREFORE,

BE IT RESOLVED, the Town Board of the Town of Lancaster hereby approves the lease Services Agreement for one new Flock Safety Falcon Flex ALR camera from Flock Safety Group, Inc., 1170 Howell Mille Rd. NW, Suite 210, Atlanta GA, a sole source provider, as proposed by Lt. William Gummo, for an amount not to exceed \$3,000.00 per year for a term of three (3) years per their Services Agreement Order Form executed September 27, 2022, and which will be paid for with funds from the Division of Criminal Justice Services (DCJS) (Contract Number T637546) Grant Award, which includes Federal support from the FFY 2018 Byrne Memorial Justice Assistance Grant (Federal Award Number 2108-DJ-BX-0098), and

BE IT FURTHER,

RESOLVED, that the Town of Lancaster Town Board hereby by authorizes the Lancaster Chief of Police, William J. Karn, Jr., to execute the Services Agreement Order Form retroactively to September 27, 2022, and further directs the Chief to provide the Term Commencing Date as referenced in item 6.1b of the lease, to the Town Attorney'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 |
| COUNCIL MEMBER DICKMAN | VOTED |
| COUNCIL MEMBER LEARY | VOTED |
| COUNCIL MEMBER MAZUR | VOTED |
| SUPERVISOR RUFFINO | VOTED |

November 7, 2022

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

22

WHEREAS, the Town of Lancaster's Police Department has been awarded a \$40,000.00 Grant by the Division of Criminal Justice Services (DCJS) (Contract Number T637546), which includes Federal support from the FFY 2018 Byrne Memorial Justice Assistance Grant (Federal Award Number 2108-DJ-BX-0098) to be allocated for the purchases of a new radar trailer, and

WHEREAS, by letter dated October 9, 2022, Town of Lancaster Lieutenant William Gummo, has requested to purchase one (1) new Kustom Signals SMART VMS Model II radar/speed enforcement trailer for use by the Town's Police Department, and

WHEREAS, the radar/speed enforcement trailer is available from the New York State Contract No. PC68531, Group 38207, Award No. PGB23163, through State Contractor Kustom Signals, Inc., at a cost of \$20,597.25 per their quote dated August 26, 2022 (Quote # -139963420559NG), which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, the Town Board has given consideration to Lieutenant Gummo's request and deems it appropriate to purchase one new Kustom Signals SMART VMS Model II radar/speed enforcement trailer.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the purchase of **one new Kustom Signals SMART VMS Model II radar/speed enforcement trailer** under the New York State Contract No. PC68531, Group 38207, Award No. PGB23163, through State Contractor Kustom Signals, Inc., 9652 Loiret Blvd, Lenexa, KS, for an amount not to exceed \$20,597.25 per their quote dated August 26, 2022 (Quote # -139963420559NG), and which will be paid for with funds from the Division of Criminal Justice Services (DCJS) (Contract Number T637546) Grant Award, which includes Federal support from the FFY 2018 Byrne Memorial Justice Assistance Grant (Federal Award Number 2108-DJ-BX-0098).

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

November 7, 2022

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

WHEREAS, various outside Law Enforcement agencies contact the Town of Lancaster Police Chief to request permission to rent the Lancaster Police Department's Gun Range for mandatory training of its personnel, and

WHEREAS, Memorandum of Understandings are required to be in place to outline expectations for both parties, protect both parties if those expectations aren't met and pricing for materials and services being provided.

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

1. All agreements presented to the Town and/or the Lancaster Police Department must be provided to the Town Attorney's Office for review prior to execution.
2. The Town Supervisor and Chief of Police are hereby authorized to execute Memorandum of Understandings between the Town of Lancaster and Law Enforcement Agencies for use of the Police Department's Gun Range for training purposes for the fiscal year starting October 1, 2022 through September 1, 2023.
3. When applicable, the Chief of Police's Office shall obtain and provide proof of liability coverage from said agencies.
4. Any funds received for said rentals shall be deposited into the appropriate Police Budget Account by the Town's Administration and Finance Director.
5. A Fully executed version of the aforementioned documents shall be provided to the Town Attorney's Office for distribution.

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

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

November 7, 2022

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

24

WHEREAS, Deputy Highway Superintendent of the Town of Lancaster, has notified the Town Board that the ATS Controller on the Kohler Generator at the Town's Senior Center, located at 100 Oxford Avenue, needs to be replaced due to the motherboard burning out, and

WHEREAS, the Buildings and Grounds Department has obtained a quote from Penn Power Systems, currently under contract with the Town for generator service and maintenance, for replacing the ATC Controller for a cost of \$4,446.73, per the quote dated October 21, 2022 (Proposal # 21F6-74DD-SP) in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, by letter dated November 1, 2022, the Deputy Highway Superintendent has recommended that the Town of Lancaster accept Penn Power Systems' proposal dated October 21, 2022 (Proposal # 21F6-74DD-SP), which will be paid for with funds available in the Town's 2022 Buildings, Equipment, Other Capital Outlay Budget (Line item 01-1620-0260).

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor, to accept and execute the proposal dated October 21, 2022 (Proposal # 21F6-74DD-SP), from Penn Power Systems, 350 Bailey Avenue, Buffalo, New York, to remove and replace the ATS Controller on the KW Kohler Generator located at the Town's Senior Center, 100 Oxford Avenue, for an amount not to exceed \$4, 446.73 which will be paid for with funds available in 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 |
| COUNCIL MEMBER DICKMAN | VOTED |
| COUNCIL MEMBER LEARY | VOTED |
| COUNCIL MEMBER MAZUR | VOTED |
| SUPERVISOR RUFFINO | VOTED |

November 7, 2022

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

25

WHEREAS, the Town of Lancaster provides Year-Round Youth Development Programs to the residents within its geographical areas, and

WHEREAS, the Town of Lancaster Youth Bureau has requested to make application for financial assistance from New York State Office of Children & Family Services through the Erie County Department of Social Services to support the Youth Bureau's Youth Program for an anticipated award amount of \$19,530.00 for the period of January 1, 2023, through September 30, 2023, and

WHEREAS, John Trojanowsky, Youth Bureau Executive Director, has obtained all the documents required by the County to secure the funding for the operation of the Town of Lancaster's Youth Development Program except for the executed 2022 Youth Agreement.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute the 2023 Youth Agreement with the Erie County Department of Social Services and all documents necessary to secure funding from the NYS Office of Children and Family Services for the operation of the Town of Lancaster's 2023 Youth Development Program for the period commencing January 1, 2023, and continuing through September 30, 2023.

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

November 7, 2022

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

26

WHEREAS, on October 17, 2022, the Town Board of the Town of Lancaster held a public hearing pursuant to Chapter 400 Zoning, Article IX Communication Towers, §400-48 Procedure, of the Code of the Town of Lancaster, upon the application of **Sharon Bateman, of Centerline Communications, LLC, with American Tower, LLC** for a Special Use Permit on behalf of Verizon Wireless, for a Telecommunications Tower Co-location to be placed on the current tower located at 00 Transit Road (SBL No. 93.05-1-2.131) (ATC Site Name: Depew NY 2, ATC Site Number: 307052), which will be identified as Verizon Site Name: Bowmansville, Verizon Site Number: 693772, in the Town of Lancaster, New York, and

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

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

NOW, THEREFORE,

BE IT RESOLVED, that pursuant to Chapter 400-Zoning, Article IX Communication Towers, § 400-43 Co-locating antennas, of the Town Code of the Town of Lancaster, the Lancaster Town Board does hereby approve a Special Use Permit for **Sharon Bateman, of Centerline Communications, LLC, with American Tower, LLC**, on behalf of Verizon Wireless, for a Telecommunications Tower Co-location to be placed on the current tower located at 00 Transit Road (SBL No. 93.05-1-2.131) (ATC Site Name: Depew NY 2, ATC Site Number: 307052), which will be identified as Verizon Site Name: Bowmansville, Verizon Site Number: 693772Lancaster, New York, subject to the applicable terms and conditions as set forth in Article IX Communications Towers and § 400-78 Special use permits with the following condition:

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

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

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

November 7, 2022

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

27

WHEREAS, the Town Board is considering the rezone of 5827 Broadway (SBL No. 116.31-1-3), a +/- 1.23-acre parcel, from Light Commercial (LC) to Multifamily Residential Mixed-Use District (MFMU) to accommodate the proposed construction of an approximate 18,000 sq. ft. building, first floor will consist of two (2) ADA approved apartments and three (3) retail/professional office spaces, and the second floor will consist of six (6) apartment units as submitted by Lucas James, and

WHEREAS, the Town of Lancaster Planning Board has reviewed the potential adverse environmental impacts of rezoning the property and the proposed construction project pursuant to SEQR regulations at their meeting on October 5, 2022 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the rezone and site plan using the Long 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, is fully familiar with the proposed location and the surrounding parcels, 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 a “Type 1” action under 6NYCRR Part 617.4(b) of SEQR.

NOW, THEREFORE,

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

1. Based upon the Town Board’s thorough and careful review of the proposed rezone and site plan submitted by Lucas James for 5827 Broadway (SBL No. 116.31-1-3), a +/- 1.23-acre parcel, from Light Commercial (LC) to Multifamily Residential Mixed-Use District (MFMU) to accommodate the proposed construction of an approximate 18,000 sq. ft. building, first floor will consist of two (2) ADA approved apartments and three (3) retail/professional office spaces, and the second floor will consist of six (6) apartment units, 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 |
| COUNCIL MEMBER DICKMAN | VOTED |
| COUNCIL MEMBER LEARY | VOTED |
| COUNCIL MEMBER MAZUR | VOTED |
| SUPERVISOR RUFFINO | VOTED |

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: November 7, 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 of Lancaster Town Board (the “Town Board”) has reviewed the proposed rezone and site plan submitted by Lucas James for 5827 Broadway (SBL No. 116.31-1-3), a +/- 1.23-acre parcel, from Light Commercial (LC) to Multifamily Residential Mixed-Use District (MFMU) to accommodate the proposed construction of an approximate 18,000 sq. ft. building, first floor will consist of two (2) ADA approved apartments and three (3) retail/professional office spaces, and the second floor will consist of six (6) apartment units.; 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: Broadway and Bowen Development #2210

Location of Action: 5827 Broadway (SBL No. 116.31-1-3), Lancaster, New York.

SEQR Status: Type 1.

Description of Action: 1. Rezone 1.23-acre parcel, 2. Current zoning is Light Commercial, proposing Multi-family Mixed Use, 3. Proposing building a mixed-use building with coffee shop and commercial spaces (18,000 sq ft), 4. Mixed-Use apartments and commercial spaces, 5. South east corner of Broadway and Bowen.

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. Impact on land – **No Impact**
2. Impact on Geological Features – **No impact**
3. Impacts on Surface Water –**Impact.**
 - h. **Small, Stormwater Control Facility Maintenance Agreement on file.**
 - k. **Small impact (per NYS DEC’s letter dated September 1, 2022).**
4. Impact on Groundwater – **Impact**
 - a. **Small, demand of 240 gal/day.**
5. Impact on Flooding – **Impact**
 - b. **Small impact. Per the NYSDEC letter dated January 3, 2021, proposed action may result in development within a 100- year floodplain.**
6. Impact on Air – **No impact.**
7. Impact on Plants and Animals – **No impact.**
8. Impact on Agricultural Resources – **No impact.**

9. Impact on Aesthetic Resources – **No impact.**
10. Impact on Historic and Archeological Resources – **No impact.**
11. Impact on Open Space and Recreation – **No impact.**
12. Impact on Critical Environmental Areas – **N/A**
 - **The Town of Lancaster has not established a Critical Environmental Area (CEA).**
13. Impact on Transportation – **Impact.**
 - a. **Small, morning commute will be impacted.**
 - g. **Small, Per April 6, 2022 New York State Department of Transportation letter.**
14. Impact on Energy – **Impact.**
 - a. **Small, extension to serve commercial units.**
 - c. **Small, during construction.**
15. Impact on Noise, Odor and Light – **Impact**
 - a. **Small, during construction**
 - d. **Small, parking lot lighting.**
16. Impact on Human Health – **No impact.**
17. Consistency with Community Plans – **Impact.**
 - c. **Variations are required.**
18. Consistency with Community Character – **Impact.**
 - g. **Small impact. Neighbors have raised concerns about noise, property maintenance, hours of operation, and traffic.**

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 28
BY COUNCIL MEMBER DICKMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 400-Zoning, Article XIV Administration and Enforcement, §400-78 Special use permits, of the Code of the Town of Lancaster, upon the application of **Joseph J. Czajka**, for a Special Use Permit for a Home Occupation (**Vehicle Repair**) on premises located at 151 Schwartz Road (SBL No. 128.00-3-25.1), Lancaster, New York, and the Board issued such Special Use Permit on November 20, 2020, and

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

WHEREAS, by letter dated October 11, 2022, **Joseph J. Czajka** has requested that the Town Board renew the Special Use Permit for an additional two (2) year term, and

WHEREAS, Code Enforcement Officer, Matt Fischione, has inspected the property and found it to be in conformance with the Home Occupations section of the Town Code for this Special Use Permit per his letter dated October 19, 2022.

NOW, THEREFORE,
BE IT RESOLVED, as follows:

1. That pursuant to Chapter 400-Zoning, Article IV. Residential Districts, §400-16(F) Home Occupations, of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant renewal of the Special Use Permit to **Joseph J. Czajka**, for a Home Occupation (**Vehicle Repair**) on premises located at 151 Schwartz Road (SBL No. 128.00-3-25.1), Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period November 16, 2022 up to and including November 15, 2024, and

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

- A. Only persons residing on the premises shall be engaged in such occupation.
- B. There shall be no change in the outside appearance of the building or premises or visible evidence of the conduct of such home occupation.
- C. Applicant shall provide a copy of the business' New York State/Federal Tax Employer Identification Number and a copy of a valid NY State DMV Certifications Certificate with each renewal request.
- D. Special Use Permit must be renewed every two (2) years at no additional cost to applicant. Renewal is considered upon the property owner submitting a written request to the Town Clerk, **on or before November 15, 2024.**

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

November 7, 2022

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

WHEREAS, Waldemar Blaszak, has submitted a site plan which consisted of a Boundary & Topographic Survey prepared by True North Land Surveying, LLC with a Drawing Date of April 11, 2022; also included were Drawings S1 and S2 prepared by Glynn Geotechnical Engineering both dated March 25, 2022, and Drawing Title: Cover (Sheet 1) and Drawing Title: Elevation & Section (Sheet 2/2) both dated April 10, 2022, and received May 16, 2022, for the proposed construction of a 1,026 sq. ft. unconditioned warehouse addition on a floating concrete slab which will be wood framed with engineered trusses on the existing +/-9.998 acre-parcel located at 4401 Walden Avenue (SBL No. 95.00-4-32.112), 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 June 1, 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 submitted by **Waldemar Blaszak**, which consisted of a Boundary & Topographic Survey prepared by True North Land Surveying, LLC with a Drawing Date of April 11, 2022; also included were Drawings S1 and S2 prepared by Glynn Geotechnical Engineering both dated March 25, 2022, and Drawing Title: Cover (Sheet 1) and Drawing Title: Elevation & Section (Sheet 2/2) both dated April 10, 2022, and received May 16, 2022, for the proposed construction of a 1,026 sq. ft. unconditioned warehouse addition on a floating concrete slab which will be wood framed with engineered trusses on the existing +/-9.998 acre-parcel located at 4401 Walden Avenue (SBL No. 95.00-4-32.112), in the Town of Lancaster with the following condition:

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

November 7, 2022