

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

**RESOLVED**, that the minutes of the Regular Meeting of the Town Board held  
January 17, 2023 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

February 6, 2023

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

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

Check Run #02060203

Total amount hereby authorized to be paid: \$

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

February 6, 2023

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				
20228188		Hybrid Building Solutions LLC	4543 Walden Ave	Er. Comm. Bldg.
20228414		Crist Construction	15 Carlisle St	Er. Porch Cover
20228485		Kyle Dulian	156 Schlemmer Rd	Er. Pool-Abv Grnd
20228573		FASTSIGNS	5389 Genesee St	Er. Sign
20228630		Tri State Signs & Awnings Inc.	1767 Como Park Blvd	Er. Signs
20228643		CMK Builders of Alden	24 Hickory Ln	Er. Dwlg.-Sin.
20228649		Linde Construction Inc.	1338 Ransom Rd	Er. Pole Barn
20228659		Besroi Construction	30 Sedge Run	Er. Deck
20228676		Kimberly Spruch	55 Old Post Rd	Er. Shed
20238694		Benchmark Builders - Erie Cnty	1 W Main St	Er. Comm. Add./Alt(V/L)
20238701		Marrano/Marc Equity Corp.	18 Sedge Run	Er. Patio Home
20238703		JR's Electric Construction Inc	52 Erie St	Er. Res. Alt. (V/L)
20238705		Daniel Gorski	784 Hall Rd	Er. Porch/Porch Cover
20238710		Pillar Real Estate Investors	14 Blackstone Ct	Er. Res. Alt.
20238711		Santoro Sign Inc.	3765 Walden Ave	Er. Sign (V/L)
20238713		Jerome Kuczmanski	1130 Penora St	Er. Res. Add.
20238714		Commercial Power Systems	324 Enchanted Forest N	Inst. Generator
20238715		John Loukatos	5672 Broadway	Er. Fence
20238719		Warning Electrical Service Inc	30 Sedge Run	Inst. Generator
20238722		Big Little Construction Inc.	99 Sixth Ave	Er. Res. Alt. (V/L)
20238723		Kamholz Enterprises LLC	52 Hidden Meadow Cros	Er. Porch/Porch Cover
20238724		Benjamin Jardine	295 Westwood Rd	Re-Roof
20238725		David Avery	107 Laverack Ave	Er. Res. Alt. (V/L)
20238727		The KAZ Company	101 Schlemmer Rd	Re-Roof
20238729		The KAZ Company	8 Willow Ridge Ct	Er. Res. Alt.
20238730		The Vinyl Outlet Inc.	177 Nichter Rd	Er. Deck
20238732		Kailyn Muschaweck	102 S Irwinwood Rd	Re-Roof (V/L)
20238734		Ryan Michaels & Assoc. LLC	6 Windsor Ridge Dr	Er. Fence
20238735		Schindler Elevator Corp.	5462 Broadway	Er. Comm. Add./Alt(V/L)
20238736		Donald Juliano	3800 Bowen Rd	Inst. Fireplace/Stove
20238738		Advanced Demolition Services	3620 Walden Ave	Dem. Comm. Bldg.
20238739		Beth Ann Cook	11 Kelly Ann Dr	Er. Res. Alt.
20238740		Sitzmans Appliance Center	63 Quail Run Ln	Inst. Generator
20238742		Titanium Coatings Inc.	5113 William St	Er. Res. Add.
20238743		Margarita's Mexican Rest.	4725 Transit Rd	Er. Comm. Add./Alt.
20238746		Advanced Demolition Services	371 Central Ave	Dem. Bldg
20238747		Irish Welding Supply Corp.	4493 Walden Ave	Er. Comm. Add./Alt.
20238749		Quentin Ellis	298 Broezel Ave	Er. Fence
20238750		Star Construction	8 Parkedge Dr	Er. Shed
20238753		Allen Andrzejewski	84 Stony Brook Dr	Er. Res. Alt.
20238761		DV Brown & Associates Inc.	27 St Joseph St	Inst. Res. Plumbing (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

February 6, 2023

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

4

**WHEREAS**, the Town of Lancaster, New York Town Board meetings are held the first and third Monday of each month, and

**WHEREAS**, the February 20, 2023, meeting was rescheduled to February 21, 2023, to accommodate the Presidents Day observance, and

**WHEREAS**, a number of Town Officials will be in attendance at the New York State Association of Towns annual meeting in New York City during a period that includes February 21, 2023.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster, New York hereby cancels the meeting currently scheduled for February 21, 2023.

**BE IT FURTHER,**

**RESOLVED**, that the Town Clerk of the Town of Lancaster shall take all necessary action provide proper and timely public notice.

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

February 6, 2023

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

5

**WHEREAS**, the Erie County Water Authority bills the Town of Lancaster for fire hydrants to which water service is supplied, and

**WHEREAS**, the number of hydrants has increased from 1,236 to 1,237, and

**WHEREAS**, the annual billing for services provided by the Erie County Water Authority has increased from \$16,562.40 to \$16,575.80.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster agrees to commit to pay the Erie County Water Authority's annual fire hydrant maintenance fee for 1,237 hydrants at the annual billing rate of \$16,575.80.

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

February 6, 2023

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

6

**WHEREAS**, by resolution of the Town of Lancaster Town Board dated January 3, 2023, Andrea Crage was listed as the Secretary to the Lancaster Industrial Development Agency with an annual salary of \$7,500.00, and

**WHEREAS**, the LIDA and the Town of Lancaster are separate entities and therefore neither entity has the authority to set salaries for the other's employees, and

**WHEREAS**, by resolution dated January 13, 2023, the LIDA set the annual salary for its Administrative Secretary & Records Management Officer at \$8,000.00, and

**WHEREAS**, the LIDA will reimburse the Town for the salary to be paid to Andrea Crage for this position.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the January 3, 2023 resolution is here by amended to accurately reflect Andrea Crage's compensation as the Secretary to the LIDA with an annual salary of \$8,000.00 to be made effective retroactively to January 1, 2023, and

**BE IT FURTHER,**

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

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

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

February 6, 2023

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

7

**WHEREAS**, by resolution of the Town of Lancaster Town Board dated January 3, 2023, Donna Martin was listed as the Lancaster Industrial Development Agency PILOT billing with an annual salary of \$2,500.00, and

**WHEREAS**, the LIDA and the Town of Lancaster are separate entities and therefore neither entity has the authority to set salaries for the other's employees, and

**WHEREAS**, by resolution dated January 13, 2023, the LIDA set the annual salary for its Coordinator of Billing and Collection of all LIDA PILOTS at \$3,000.00, and

**WHEREAS**, the LIDA will reimburse the Town for the salary to be paid to Donna Martin for this position.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the January 3, 2023 resolution is here by amended to accurately reflect Donna Martin's compensation as the Coordinator of Billing and Collection of all LIDA PILOTS with an annual salary of \$3,000.00 to be made effective retroactively to January 1, 2023, and

**BE IT FURTHER,**

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

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

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

February 6, 2023



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

8

**WHEREAS**, Thomas E. Fowler, Jr., Town Attorney for the Town of Lancaster, 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 Attorney's 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>
Gloria Huerta Cheektowaga, NY	Clerk – Part time	\$20.00	January 19, 2023

**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

February 6, 2023

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

9

**WHEREAS**, by letters dated January 19, 2023, and January 20, 2023, Michelle Barbaro, the Town of Lancaster Deputy Highway Superintendent, has requested the Town Board approve expenditures for the purchase of two (2) Portolight 8” full length pitching mounds, for which she has obtained three (3) quotes, and

**WHEREAS**, by letters dated January 19, 2023, and January 20, 2023, Michelle Barbaro, has recommended that the Town of Lancaster authorize said purchase from the provider of the lowest quote, PitchingMachineSale, P.O. Box 372, Kennett Square, Pennsylvania, 19348, in an amount not to exceed six thousand four hundred (\$6,400.00) Dollars, per its quote dated January 17, 2023, and

**WHEREAS**, this project will be paid for with funds from the Town’s 2023 Recreation Filing Fees Budget, Line Item 37-7000-260.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that The Town Board of the Town of Lancaster hereby approves the expenditure of funds as requested by Deputy Highway Superintendent Michelle Barbaro, to PitchingMachineSale, P.O. Box 372, Kennett Square, Pennsylvania, 19348, in an amount not to exceed six thousand four hundred (\$6,400.00) Dollars, per its quote dated January 17, 2023, and to be paid for with funds allocated in the Town’s 2023 Recreation Filing Fees Budget, Line Item 37-7000-260..

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

February 6, 2023

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

**WHEREAS**, the Town of Lancaster (“Town”) and the Lancaster Central School District (“District”) have previously entered into an agreement, with extensions, for the placement of police officers as School Resource Officers (SROs) within the District, and

**WHEREAS**, the Town and the District both wish to extend the current Agreement set to expire on or about August 31, 2023, and

**WHEREAS**, pursuant to a letter from Police Chief William Karn, dated January 17, 2023, execution of this Agreement and continuation of this ongoing relationship is requested and recommended.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby approves extending the terms of its Agreement with the District subject to all the terms and conditions of an Agreement, as presented, effective September 1, 2023 through August 31, 2026, with the ability to extend or terminate pursuant to the terms described therein, and

**BE IT FURTHER,**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute the Agreement as presented.

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

February 6, 2023

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

11

**WHEREAS**, Billa, Inc., by Peter Eid, DBA Pan Pizza Co., as designee for Rehm-Transit Associates, owner of 0 Rehm Rd., Lancaster, New York, has submitted an application for a Special Use Permit to operate a restaurant on premises located at 0 Rehm Road (SBL No. 93.13-3-1.3), in the Town of Lancaster, New York, in accordance with provisions of Chapter 400-Zoning, Section 18 (B)(1)(a) of the Code of the Town of Lancaster, and

**WHEREAS**, §400-78 of the Zoning Chapter of the Town Code of the Town of Lancaster requires that the Town Board conduct a public hearing before the issuance of a special use permit for a use as proposed.

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that pursuant to Chapter 400-Zoning, Article XIV Administration and Enforcement, Section 78 Special use permits of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for Billa, Inc., by Peter Eid, DBA Pan Pizza Co., as designee for Rehm-Transit Associates, owner of 0 Rehm Road., Lancaster, New York (SBL No. 93.13-3-1.3 ), to operate a restaurant on said premises will be held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the 6<sup>th</sup> day of March, 2023, at 7:05 o'clock P.M., Local Time, and that Notice of the time and place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

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

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

February 6, 2023

**LEGAL NOTICE  
PUBLIC HEARING  
SPECIAL USE PERMIT – BILLA, INC., BY PETER EID, DBA PAN PIZZA CO.  
0 REHM ROAD, LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the authority set forth in Chapter 400-Zoning, Section 78 entitled 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 6<sup>th</sup> day of February, 2023 the said Town Board will hold a Public Hearing on the 6<sup>th</sup> day of March, 2023, at 7:05 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of Billa, Inc., by Peter Eid, DBA Pan Pizza Co., to operate a restaurant on premises located at 0 Rehm Road., (SBL No. 93.13-3-1.3) in the Town of Lancaster, County of Erie, State of New York.

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

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

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

February 6, 2023

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

12

**WHEREAS**, pursuant to the recommendation of Police Chief William Karn, Jonathan C. Ziders and William M. Gummo have each been promoted to the rank of Police Captain, and

**WHEREAS**, the Town of Lancaster (“Town”) and Lancaster Police Department Captains Jonathan C. Ziders and William M. Gummo (“Captains”) have negotiated their respective Employment Agreements, and

**WHEREAS**, the Town and the Captains wish to enter into these Agreements, as presented, with effective dates as described in both the resolution of appointment and their respective Agreements.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Employment Agreements with Captain Jonathan C. Ziders, effective January 1, 2023, and William M. Gummo, effective January 21, 2023, as presented, and

**BE IT FURTHER,**

**RESOLVED**, that Captains Ziders and Gummo shall be entitled to pay as described in their respective agreements retroactive to the effective dates of their appointments, and

**BE IT FURTHER,**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute the Agreement as presented.

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

February 6, 2023

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

**WHEREAS**, Jose Castaneda, DBA Margarita’s Mexican Restaurant, as designee for 327-42 Forestream, LLC, owner of 4725 Transit Road, Depew, New York, Town of Lancaster, has submitted an application for a Special Use Permit to operate a restaurant with outdoor dining on premises located at 4725 Transit Road (SBL No. 126.54-1-59), Depew, Town of Lancaster, New York, in accordance with provisions of Chapter 400-Zoning, Section 18 (B)(1)(a) of the Code of the Town of Lancaster, and

**WHEREAS**, §400-78 of the Zoning Chapter of the Town Code of the Town of Lancaster requires that the Town Board conduct a public hearing before the issuance of a special use permit for a use as proposed.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that pursuant to Chapter 400-Zoning, Article XIV Administration and Enforcement, Section 78 Special use permits of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for Jose Castaneda, DBA Margarita’s Mexican Restaurant, as designee for 327-42 Forestream, LLC, owner of 4725 Transit Road, Depew, Town of Lancaster, New York (SBL No. 126.54-1-59), to operate a restaurant with outdoor dining on said premises will be held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the 6<sup>th</sup> day of March, 2023, at 7:05 o'clock P.M., Local Time, and that Notice of the time and place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

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

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

February 6, 2023

**LEGAL NOTICE  
PUBLIC HEARING  
SPECIAL USE PERMIT – JOSE CASTANEDA, DBA MARGARITA’S MEXICAN  
RESTAURANT  
4725 TRANSIT ROAD, DEPEW, TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the authority set forth in Chapter 400-Zoning, Section 78 entitled 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 6<sup>th</sup> day of February, 2023 the said Town Board will hold a Public Hearing on the 6<sup>th</sup> day of March, 2023, at 7:05 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of Jose Castaneda, DBA Margarita’s Mexican Restaurant, to operate a restaurant with outdoor dining on premises located at 4725 Transit Road (SBL No. 126.54-1-59) in the Town of Lancaster, County of Erie, State of New York.

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

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

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

February 9, 2023



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

14

**NOW, THEREFORE,**

**BE IT RESOLVED**, that in order to make all part-time clerks pay rate the same per hour, these being part-time position(s), that provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time permanent employees, the rate is as follows:

<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Part-time Clerk	\$20.00	January 19, 2023

**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

February 6, 2023

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

**WHEREAS**, Anthony J. Cervi, Town Justice for the Town of Lancaster, by letter dated January 31, 2023 has recommended the appointment of the following individual to the position of Court Officer part-time provisional in the Town Justice Court Department of the Town of Lancaster; and

**WHEREAS**, the following individual qualifies 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 the following individual is hereby appointed to the position of Court Officer part-time provisional in the Town Justice Court Department in the Town of Lancaster, contingent upon approval by Erie County Department of Personnel, working not more than nineteen and three-quarter hours per week and that these being part-time positions, provide no health insurance, sick days, vacation, or other fringe benefits not specifically mandated for part-time employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Richard Lewis Lancaster, NY	Court Officer	\$19.10	February 6, 2023

**BE IT FURTHER,**

**RESOLVED**, that when Richard Lewis is called upon to serve as Court Officer, he shall receive a minimum of three (3) hours pay, or pay for the actual number of hours worked, whichever is greater, 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

February 6, 2023

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

16

**WHEREAS**, Jean Karn, Lancaster Dog Control Officer, for the Town of Lancaster, by letter received January 26, 2023 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>
Donald Pionessa Sr. Lancaster, NY	Dog Control Officer	\$16.22	February 13, 2023

**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

February 6, 2023

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

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**WHEREAS**, Governor Hochul supports the Climate Leadership and Community Protection Act, which aims to generate 70 percent of the state's electricity from renewable sources by 2030 and 100 percent zero-emission electricity by 2040, and

**WHEREAS**, it is commonly recognized that such an urgent timetable to accommodate the Climate Leadership and Community Protection Act, will severely test and challenge the financial stability of every Lancaster, New York household, and

**WHEREAS**, it is widely held that the existing power grid serving Lancaster, New York will become overburdened, and unable to absorb the increased demands that will necessarily attend the Climate Leadership and Community Protection Act, and

**WHEREAS**, specifically noting the long-term power losses attending the ice storm of March 2-3, 1976, the Blizzard of 1977, the October Surprise Storm of 2006, the November, 2014 storm, and more recently the December 23-25, 2022 blizzard, the geographic area of Lancaster, New York, historically, has been gravely impacted by such severe weather, and contemporaneously required reliable, alternative sources of energy, and

**WHEREAS**, the provisions of Climate Leadership and Community Protection Act will drastically reduce such alternative sources, and

**WHEREAS**, it is the very strong position and opinion of the Town of Lancaster's Emergency Medical Services, Fire Department, and Police Department that such energy limitations in times of weather or other civil emergency, will overwhelm their collective capabilities, and therefore, will pose a very substantial threat to the lives and safety of each and every resident of the Town of Lancaster.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that by virtue of the foregoing, the Town Board of Town of Lancaster expresses to Governor Hochul and the New York State Legislature, its very strong opposition to the enactment of the Climate Leadership and Community Protection Act.

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

February 6, 2023