

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  
March 6, 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

March 20, 2023

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR RUFFINO, 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 #03202023

Total amount hereby authorized to be paid: \$3,514,421.55

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

March 20, 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

Pmt #	SW	Applicant Name	Address	STRUCTURE
	Village			
20227845		Stately Builders, Inc.	398 Stony Rd	Er. Pole Barn
20228538		Solar Liberty Energy Systems	4817 Transit Rd	Inst. Solar Panels
20228668		David Deutschlander	60 Sturm St	Er. Res. Alt. (V/L)
20228682		Cortese Brothers Construction	9 James Pl	Er. Res. Alt. (V/L)
20230001		Michael Pokorski	398 Stony Rd	Develop Floodplain
20238704		Elmbrook Builders Inc.	25 Sheldon Ave	Er. Res. Alt. (V/L)
20238737		The Vinyl Outlet Inc.	118 Laverack Ave	Er. Fence (V/L)
20238744		Service Maste Restoration	35 Wilma Dr	Er. Res. Alt. (V/L)
20238769		LJ Construction WNY LLC	5827 Broadway	Er. Comm. Bldg.
20238802		CIR Electrical Construction	11 Camner Ave	Inst. Solar Panels (V/L)
20238804		Matthew Kromer	837 Ransom Rd	Er. Deck
20238809		Alden Pools	50 Apple Blossom Blvd	Er. Pool-In Grnd
20238811		Dalex Construction Inc.	729 Pleasant View Dr	Re-Roof
20238816		Franks Commercial & Home	70 Wayne St	Inst. Res. Plumbing (V/L)
20238819		Johnathan White	49 First Ave	Er. Fence (V/L)
20238820		John Gang	4 Bennington Ln	Er. Res. Alt.
20238821		Anderson Water Systems Inc.	21 Sedge Run	Inst. Generator
20238822		Buscaglia Decks	5 Henslow Way	Er. Deck
20238823		Buscaglia Decks	12 Henslow Way	Er. Deck
20238824		Cortese Brothers Construction	500 Aurora St	Er. Res. Alt.
20238825		Cortese Brothers Construction	15 Plumb Creek Trl	Er. Res. Alt.
20238826		Borrell Construction Serv. LLC	27 Pleasant Ave	Re-Roof (V/L)
20238828		Maple Guy Construction	9 Ida Pl	Re-Roof (V/L)
20238829		The Vinyl Outlet	6 Spruceland Ter	Er. Fence
20238830		Marrano/Marc Equity Corp.	81 Grambo Dr	Er. Patio Home
20238832		Neth & Son Inc.	5250 Genesee St	Re-Roof
20238834		Buscaglia Decks	13 Henslow Way	Er. Deck
20238837		Anthony Lista	45 Briarwood Dr	Dumpster - Temp. (V/L)
20238838		Thrifty Roofs LLC	8 Quincy Ave	Re-Roof (V/L)
20238842		William Palmer	23 Michaels Walk	Er. Shed
20238844		James Guida	6425 Transit Rd	Er. Sign - Temp
20238853		Integrated Power Supplies	5 Westbury Ln	Inst. Generator
20238854		Commercial Power Systems	29 Katelyn Ln	Inst. Generator

**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

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

4

**WHEREAS**, the Twin District Volunteer Fire Company, Inc., by letter received March 10, 2023, has requested the deletion of one member from the active roster of said fire association.

**NOW, THEREFORE,**

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

**DELETION:**

Kyle Noe  
Lancaster, New York

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

March 20, 2023

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

5

**WHEREAS**, the Town of Lancaster Youth Bureau has a Band Shell located at 100 Oxford Avenue, which is used to provide the community with the opportunity to attend various outdoor performances and events for their enjoyment, and

**WHEREAS**, the Lancaster Town Band has requested to use the Town's Band Shell for their 2023 summer concert series during the months of June, July, and August, and

**WHEREAS**, the Lancaster Town Band has provided the required insurance certificates to the Town Attorney's Office.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby grants the Lancaster Town Band permission to use the Youth Bureau's Band Shell located at 100 Oxford Avenue for their 2023 summer concert series on Tuesdays from 6:00 PM to 9:00 PM running from June 13, 2023, through August 15, 2023 (rain date of August 22, 2023, if needed).

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

March 20, 2023

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

6

**WHEREAS**, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 400-Zoning Section, Article IV Residential Districts, §400-14 Single Family-Residential and §400-16(F) Home Occupations of the Code of the Town of Lancaster, upon the application of **Julie and Daniel Curtis**, for a Special Use Permit for a Home Occupation (Woodcraft/Gift Shop – Two Chicks and a Rooster) on premises located at 732 Aurora Street, Lancaster, New York (SBL No. 126-11-2-125.2), and the Board issued such Special Use Permit on April 6, 2009, this Special Use Permit is subject to renewal upon application by the property owner, and

**WHEREAS**, by letter dated February 23, 2023, **Julie and Daniel Curtis** have requested that the Town Board renew the Special Use Permit for an additional two (2) year period, and

**WHEREAS**, the Code Enforcement Officer has recommended his approval of this Special Use Permit Renewal in his letter dated February 24, 2023.

**NOW, THEREFORE,**

**BE IT RESOLVED, as follows:**

1. That pursuant to Chapter 400-Zoning, Article IV Residential Districts, §400-14 Single Family-Residential and §400-16(F) Home Occupations of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit Renewal to **Julie and Daniel Curtis**, for a Home Occupation (Woodcraft/Gift Shop – Two Chicks and a Rooster) on premises located at 732 Aurora Street, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning April 6, 2023 and ending April 5, 2025.

2. That the applicant will continue in compliance with conditions as set forth Chapter 400-Zoning, Article IV Residential Districts, §400-14 Single Family-Residential and §400-16(F) Home Occupations of the Code of the Town of Lancaster as long as the applicant continues to engage in the home occupation on the premises, namely

- A. This Special Use Permit for Home Occupation terminates when the applicant no longer resides on the premises.
- B. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal request is considered upon the property owner submitting an application to the Town Clerk, on or before April 4, 2025.
- C. Applicant will obtain and provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided.
- D. The premises maintains 2- 24 SF unlit signs.
- E. Only merchandise crafted on the premises may be sold on site.
- F. Only the residents may craft merchandise to be sold.
- G. The retail space is limited to the garage area as it currently exists.

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

March 20, 2023

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

7

**WHEREAS**, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 400-Zoning, Article 14 Administration and Enforcement, Section 76 of the Code of the Town of Lancaster, upon the application of **B & S Enterprises**, by Robert Sugg, Jr., to authorize the operation of an automotive repair shop on premises located at 501 Erie, Building 505, Unit A, in the Town of Lancaster, New York, and the Board issued such Special Use Permit on April 4, 2011, this Special Use Permit is subject to renewal upon application by the property owner, and

**WHEREAS, Robert S. Sugg, Jr.**, by letter dated February 24, 2023, has requested that the Town Board renew the Special Use Permit for an additional two (2) year period, and

**WHEREAS**, the Supervising Code Enforcement Officer has completed an onsite inspection and found the property to be in compliance with the original conditions of the Special Use Permit.

**NOW, THEREFORE,**

**BE IT RESOLVED**, as follows:

1. That pursuant to Chapter 400-Zoning, Section 18 (B)(1)(a), entitled "General Commercial District (GC)", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit Renewal to **B & S Enterprises**, authorizing the automotive repair facility on premises located at 501 Erie Street, Building 505 Unit A in the Town of Lancaster, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning April 4, 2023 and ending April 3, 2025.

2. That the applicant will continue in compliance with conditions as set forth in Chapter 400, Article 14-Administration and Enforcement, Section 78, of the Code of the Town of Lancaster, and to any additional conditions listed herein, as long as the applicant continues to engage in an automotive repair shop on the premises, namely:

- A. Bay doors on east side of building cannot be open more than seven (7) feet except when bringing vehicles in or out of the business.
- B. Security cameras will be positioned away from the backyard of the residence to the east of the business.
- C. Business must operate within all confines of the Town of Lancaster's noise ordinance.
- D. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal request is considered upon the property owner submitting a request in writing to the Town Clerk, on or before April 2, 2025.
- E. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.
- F. Applicant to provide a copy of their business' New York State Tax Employer Identification Number and, where required, a copy of a valid State License issued by the appropriate regulatory agency for the service being provided.



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

March 20, 2023

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

8

**WHEREAS**, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant 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 **James J. Macken**, for a Special Use Permit for a Home Occupation (Accounting for Sewer Maintenance Company) on premises located at 6479 Broadway, (SBL No. 117.11-2-6), Lancaster, New York, and the Board issued such Special Use Permit on March 6, 2017, this Special Use Permit is subject to renewal upon application by the property owner, and

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

**WHEREAS**, by letter dated January 22, 2023, **James J. Macken** has requested that the Town Board renew the Special Use Permit for an additional two (2) year term, and

**WHEREAS**, the Code Enforcement Officer has recommended approval of this Special Use Permit Renewal per his letter dated January 25, 2023.

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

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 the Special Use Permit renewal to **James J. Macken** for a Home Occupation (Accounting for Sewer Maintenance Company) on premises located at 6479 Broadway, (SBL No. 117.11-2-6), Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning March 6, 2023 and ending March 5, 2025.

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

- A. This Special Use Permit terminates when the applicant no longer resides on the premises.
- B. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal is considered upon the property owner submitting an application to the Town Clerk, **on or before March 4, 2025**.
- C. Provide a copy of the business' New York State Tax Employer Identification Number and, where required, a copy of a valid State License issued by the appropriate regulatory agency for the service being provided.
- D. A company logo may be placed on the building, but it must comply with conditions stipulated in the Sign Ordinance §400-30(F)(2)(a) of the Town Code and a Sign Permit must be obtained by the applicant.
- E. Only persons residing on the premises shall be engaged in such an occupation.

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

March 20, 2023

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

9

**WHEREAS**, the Lancaster Town Board has entered into an agreement with Flynn Battaglia Architects, P.C. to provide engineering services for the Town of Lancaster's Exterior Restoration Project at 40 Clark Street, Lancaster, New York, and

**WHEREAS**, Flynn Battaglia Architects, has requested that the Town Board authorize an invitation to bid for the Town of Lancaster's Exterior Restoration Project at 40 Clark Street (Lancaster Historical Society Building) within the Town of Lancaster, and

**WHEREAS**, the Town Board has given due review and consideration to the request for the Town of Lancaster's Exterior Restoration Project at 40 Clark Street (Lancaster Historical Society Building) and deems it in the public interest to invite public bids in conformance with General Municipal Law Section 103 of the State of New York.

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

1. That the Town Board of the Town of Lancaster hereby invites public bids for the Town of Lancaster's Exterior Project at 40 Clark Street, said bids are to be in conformance with the plans and specifications which can be examined at the office of the Town Clerk and the office of Flynn Battaglia Architects, P.C., 617 Main Street, Suite S-401, Buffalo, New York 14203, and completed applications are to be received in the office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on Friday, April 14, 2023 and opened thereafter.

2. Contract documents may be obtained at Avalon Document Services, 40 La Riviere Drive, Suite 150, Buffalo, New York 14202. Plans and specifications can be viewed digitally on the Construction Exchange Planroom at <https://conexbuff.com> and can be purchased digitally or in hard copy from that website. All addenda, if any, will be sent via email no later than April 7, 2023.

3. That the Town Clerk be and is hereby authorized to have a Notice to Bidders published in the Lancaster Bee and to have said Notice posted as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

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

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

March 20, 2023

# **NOTICE TO BIDDERS**

FOR THE

**TOWN of LANCASTER  
EXTERIOR RESTORATION – MISCELLANEOUS CARPENTRY  
40 CLARK STREET  
(Lancaster Historical Society Building)**

Sealed bids for the proposed Town of Lancaster Exterior Restoration Project at 40 Clark Street in the Village of Lancaster will be received by the Town Clerk at her office in the Town Hall, 21 Central Avenue, Lancaster, New York on or before **10:00 A.M. local time on Friday, April 14** at which time they will be publicly opened and read aloud.

Contract Documents may be examined at the office of the Town Clerk and at the office of the ARCHITECT, Flynn Battaglia Architects, P.C., 617 Main Street, Suite S-401, Buffalo, New York 14203 between the hours of 9:00 A.M. and 4:00 P.M., except Saturdays, Sundays and Holidays.

Contract Documents for the Exterior Restoration – 40 Clark St. project may be obtained at Construction Exchange of Buffalo & WNY, Inc. 2660 William St. Buffalo, New York 14227. Ph. (716) 874-3435. Plans and specifications can be viewed digitally on the Construction Exchange Planroom at <https://conexbuff.com> and can be purchased digitally or in hard copy from that website. All addenda, if any, will be sent via email no later than **April 7**, Please provide email contact information when registering for or purchasing documents.

Bidders are encouraged to visit the site to examine the existing conditions and site constraints. Questions for the Architect can be made by email/ Request for Information format to: [mmeyer@flynnbattaglia.com](mailto:mmeyer@flynnbattaglia.com).

Proposals shall be made and received upon the following conditions:

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

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

Architect:  
Flynn Battaglia Architects, P.C.  
617 Main Street, Suite S-401  
Buffalo, NY 14203  
Ph. (716) 854-2424; f. (716) 854-2428  
Date: **March 21, 2023**

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

Diane Terranova  
Town Clerk

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

10

**WHEREAS**, by letter dated March 6, 2023, Michelle Barbaro, the Town of Lancaster Deputy Highway Superintendent, has requested the Town Board approve expenditures for the purchase and installation of new flooring throughout the Lancaster Youth Bureau, 200 Oxford Avenue, Lancaster New York, due to water damage to the building, and

**WHEREAS**, by letter dated March 6, 2023, Michelle Barbaro, has recommended that the Town of Lancaster authorize said expenditure to Heritage Contract Flooring, 29 Depot Street, Buffalo, New York, 14206, who has been selected off NYS Contract Award #PGB-2300, Group 20600, for a cost not to exceed Thirty-Nine Thousand Seven Hundred Thirty-Nine and 59/100 (\$39,739.59) Dollars, and

**WHEREAS**, this project will be paid for with funds from Account 7310-4261.

**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 Heritage Contract Flooring, 29 Depot Street, Buffalo, New York 14206, for a cost not to exceed Thirty-Nine Thousand Seven Hundred Thirty-Nine Dollars and 59/100 (\$39,739.59) Dollars, per its quote dated February 17, 2023, and to be paid from Account 7310-4261.

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

March 20, 2023

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

**WHEREAS**, by letter dated March 6, 2023, Michelle Barbaro, the Deputy Highway Superintendent of the Town of Lancaster has requested the Town Board approve expenditures for the replacement of the Taco Inline Pump with B&G Equivalent for the boiler at Town Hall. The current town pump has failed therefore this has created an emergency, and

**WHEREAS**, by letter dated March 6, 2023, Michelle Barbaro, has recommended that the Town of Lancaster authorize said expenditure to Mollenberg-Betz, Inc., 300 Scott Street, Buffalo New York 14204, for a cost not exceed Four Thousand Four Hundred Forty-Five (\$4,445.00) Dollars, and

**WHEREAS**, this project will be paid for with funds from Account 01-1620-260.

**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 to Mollenberg-Betz, Inc., 300 Scott Street, Buffalo New York 14202, for a cost not to exceed Four Thousand Four Hundred Forty-Five (\$4,445.00) Dollars and to be paid for from Account 01-1620-260.

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

March 20, 2023

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

12

**WHEREAS**, by letter dated March 6, 2023, Michelle Barbaro, the Deputy Highway Superintendent of the Town of Lancaster has requested the Town Board approve expenditures for grinding, paint removal and painting of the entrance to the Town of Lancaster Police Station and Court Building, 525 Pavement Road, Lancaster, New York, and

**WHEREAS**, by letter dated March 6, 2023, Michelle Barbaro, has recommended that the Town of Lancaster authorize said expenditure Buffalo Concrete Coatings, 1669 Lindan Drive, Alden New York 14002, for a cost not to exceed Three Thousand (\$3,000.00) Dollars, and

**WHEREAS**, this project will be paid for with funds from Account 01-1620-260.

**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 Buffalo Concrete Coatings, 1669 Lindan Drive, Alden New York 14002, for a cost not to exceed Three Thousand Dollars (\$3,000.00) Dollars and to be paid from Account 01-1620-260.

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

March 20, 2023



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

**WHEREAS**, Wm. Schutt Associates, P.C., the Town of Lancaster’s consulting engineer, by letter dated March 14, 2023, has requested that the Town Board authorize an invitation to bid for the Water System Improvements, Contract No. TLN-13, Bowen Road and Genesee Street, within the Town of Lancaster; and

**WHEREAS**, the Town Board has given due review and consideration to the request for Water System Improvements, Contract No. TLN-13, Bowen Road and Genesee Street, and deems it in the public interest to invite public bids in conformance with General Municipal Law Section 103 of the State of New York.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby invites public bids for the Water Systems Improvements Project, Contract No. TLN-13, Bowen Road and Genesee Street, said bids to be in conformance with the plans and specifications which are available at the office of Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 and to be received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on April 13, 2023, and opened thereafter.

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

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

March 20, 2023

# **ADVERTISEMENT FOR BIDS**

TOWN OF LANCASTER  
ERIE COUNTY, NEW YORK  
CONSOLIDATED WATER DISTRICT  
WATER SYSTEM IMPROVEMENTS  
CONTRACT NO. TLN-13  
BOWEN ROAD AND GENESEE STREET

## **General Notice**

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

### **Water System Improvements**

#### **Contract No. TLN-13**

#### **Bowen Road and Genesee Street**

Bids for the construction of the Project will be received at the office of the Town Clerk, 21 Central Avenue, Lancaster, New York 14086 until Thursday, April 13, 2023 at 10:00 AM local time. At that time the Bids received will be publicly opened and read.

The Project consists of the installation of approximately 5,125 linear feet of 6-inch, 8-inch, and 12-inch PVC watermain along Bowen Road and Genesee Street in the Town of Lancaster.

## **Obtaining the Bidding Documents**

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

Beginning at 9:00 AM, on Thursday March 23, 2023, if bidders wish to purchase printed copies of the Contract Documents, they must be obtained through Avalon Document Services. The fee paid to Avalon is nonrefundable. Only official plan holders will be allowed to bid on the project. Bidders acknowledge that they are responsible for review of all components of the Contract Documents, including all specification sections and drawings, regardless of how many drawings they print and in which format/size they are printed.

## **Instructions to Bidders.**

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

## **This Advertisement is issued by:**

Owner: Town of Lancaster, New York

By: Diane Terranova

Title: Town Clerk

Date: Monday March 23, 2023

THE FOLLOWING RESOLUTION WAS OFFERED 14  
BY COUNCIL MEMBER MAZUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER TO WIT:

**WHEREAS**, a Public Hearing was held on March 20, 2023, on the petition of M&A United, Inc., dba M.P. Caroll Hardwood, for the proposed rezone of approximately 3.7 of 44 acres in furtherance of Project Number 2158, located at 6130 Broadway, Lancaster, New York 14086 (S.B.L. No. 116.00-3-3.1), and

**WHEREAS**, the Town Planning Board completed an environmental review for the project on January 18, 2023, in conformance with SEQR (State Environmental Quality Review) regulations and the Town Board, acting as lead agency, issued a Negative Declaration on March 6, 2023, and

**WHEREAS**, notices of said Public Hearings were duly published and posted, and

**WHEREAS**, the Planning Board of the Town of Lancaster recommended approval of the rezone at its January 18, 2023, meeting, and

**WHEREAS**, in accordance with Section 239 (m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto.

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

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is rezoned from Agricultural Residential to General Commercial for the purposes of a proposed construction of an office and storage facility of hardwood flooring materials.

- That Site Plan #2158 be approved. Should extensive changes be indicated on subsequent site plan submissions the Town reserves the right to rescind this rezone and return the real property herein described to its original zoning.

**6130 Broadway, Lancaster, New York 14086 (S.B.L. No. 116.00-3-3.1)**

**LEGAL DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND, situate in the town of Lancaster, County of Erie, State of New York, and being part of Lot 3, Section 4, Township 11, Range 6 of the Holland Land Company Survey (so-called), bounded and described as follows:

STARTING AT the southwest corner of lands conveyed to Children's Rehabilitation Foundation of Variety Club of Buffalo, Inc. by deed recorded in the Erie county Clerk's Office in Liber 11208 of Deeds at Page 3706;

RUNNING THENCE: Southeasterly along the south line of the said Variety Club of Buffalo, Inc., lands, being the same as the north line of Broadway a distance of 497.88 feet to the POINT OF BEGINNING;

RUNNING THENCE: Northerly, at an interior angle of 90°-45'-46" with the last described line and along the east line of said Variety Club of Buffalo, Inc. lands, a distance of 549.66 feet to a point within lands conveyed to David and Angela Watz by deed recorded in the Erie County Clerk's Office in Liber 112271 of Deeds at Page 6562;

RUNNING THENCE: Southeasterly, parallel to the north line of Broadway a distance of 319.63' feet to a point;

RUNNING THENCE: Southerly, parallel to the west line of Lot 3, a distance of 276.88 feet to a point;

RUNNING THENCE: Northwesterly parallel with the north line of Broadway (100.00 feet wide), a distance of 150.0 feet to a point;

RUNNING THENCE: Southerly, parallel with the west line of Lot 3, a distance of 283.40 feet to a point on the north line of Broadway;

RUNNING THENCE: Northwesterly, along the north line of Broadway a distance of 270.77 feet to the POINT OR PLACE OF BEGINNING, containing 3.73 acres, be the same, more or less.

SUBJECT to easements, rights of way and restrictions or record.

BEING AND INTENDED to be lands conveyed to David and Angela Watz by deed recorded in the Erie county Clerk's Office in Liber 11271 of Deeds at page 6562.

*[Note: This description was prepared from deeds of record and a survey map prepared by Thomas P. Ryan, Licensed Land Surveyor dated September 17, 2014 and identified as Job No. 702192 and is subject to any state of facts that further title research may reveal.]*

2. Property to be rezoned from Agricultural Residential to General Commercial.

3. That said Ordinance Amendment be added in the Minutes of the meeting of the Town Board of the Town of Lancaster held on March 20, 2023.

4. That a certified copy thereof be published in the Official Newspaper of Town of Lancaster pursuant to Town Law.

5. That Affidavits of Publication be filed with the Town Clerk.

6. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

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

March 20, 2023

**LEGAL NOTICE  
ADOPTION OF AMENDMENT  
ZONING ORDINANCE, TOWN OF LANCASTER  
M & A UNITED, INC., DBA M.P. CAROLL HARDWOOD,  
6130 BROADWAY (S.B.L. No. 116.00-3-3.1  
TOWN OF LANCASTER, NEW YORK**

**LEGAL NOTICE IS HEREBY GIVEN**, that the Zoning Ordinance of the Town of Lancaster is hereby amended, and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from Agricultural Residential (AR) to General Commercial (GC) for the property known as 6130 Broadway (S.B.L. No. 116.00-3-3.1) within the Town of Lancaster, New York.

**March 23, 2023**

**STATE OF NEW YORK :**  
**COUNTY OF ERIE : ss:**  
**TOWN OF LANCASTER:**

**THIS IS TO CERTIFY** that I, Diane M. Terranova, Town Clerk of the Town of Lancaster, in said County of Erie, have compared the foregoing copy of an Ordinance on the 20th day of March, 2023, and that the same is a true and correct copy of said original, and of the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto signed my hand and affixed the Seal of said Town this 20th day of March, 2023

\_\_\_\_\_  
**Diane M. Terranova, Town Clerk**

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

15

**WHEREAS**, M&A United Inc., dba Caroll Hardwood, has submitted a site plan application for approval which contains drawings CS1, dated October 31, 2022, revised December 7, 2022; SD-1, GD-1, UP-1, ESC-1, DT-1, DT-2, dated October 31, 2022, prepared by Metzger Civil Engineering PLLC, received December 29, 2022 for the proposed construction of an office and storage facility of hardwood flooring materials to be located at 6130 Broadway (SBL No. 116.00-3-3.1 ) in the Town of Lancaster; and

**WHEREAS**, the site plan for this project was submitted to the Planning Board and was recommended for approval at their January 18, 2023, meeting; and

**WHEREAS**, the Town Planning Board has completed an environmental review for the project on January 18, 2023, in conformance with SEQR (State Environmental Quality Review) regulations and the Town Board, acting as lead agency, issued a Negative Declaration on March 6, 2023.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by M&A United Inc., dba Caroll Hardwood, which contains drawings CS1, dated October 31, 2022, revised December 7, 2022; SD-1, GD-1, UP-1, ESC-1, DT-1, DT-2, dated October 31, 2022, prepared by Metzger Civil Engineering PLLC, and received December 29, 2022, for the proposed construction of an office and storage facility of hardwood flooring materials to be located at 6130 Broadway (SBL No. 116.00-3-3.1 ) in the Town of Lancaster, with the following conditions:

1. A Private Improvement Permit will be required to initiate construction.
2. Contractor to provide an “As-built” survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.
3. Applicant shall address comments provided by the NYS Department of Transportation in their memorandum letter dated December 21, 2022, to wit: “ensure the open space is formalized into permanent status”.
4. A Performance Bond shall be provided in accordance with § 400-75 ( E ) of the Town Code of the Town of Lancaster.

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

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

March 20, 2023

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

16

**WHEREAS**, John Trojanowsky, Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated March 13, 2023 has recommended the appointment of the following individual to the following part-time permanent position in the Town of Lancaster Youth Bureau.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the following individual is hereby appointed to the following part-time permanent position in the Town of Lancaster Youth Bureau, 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 employees:

<b>NAME</b>	<b>ADDRESS</b>	<b>POSITION</b>	<b>HOURLY RATE</b>	<b>EFFECTIVE DATE</b>
Ashley McNamara	Lancaster, NY	Tutor	\$16.00	March 21, 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

March 20, 2023

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

17

**WHEREAS**, the Town of Lancaster has a Band Shell to facilitate the community enjoyment of various outdoor performances/events located at 100 Oxford Avenue, within the Town of Lancaster, and

**WHEREAS**, by letter dated March 14, 2023, John Pilato, Highway Superintendent, has requested that Breakaway, Flipside, and Darkhorse Run Bands be hired to perform at the Band Shell during the Summer of 2023, and

**WHEREAS**, the above-referenced bands are under contract with Tom McGill of Starstruck Productions, and

**WHEREAS**, agreements dated March 10, 2023, have been prepared and presented by Tom McGill/Starstruck Productions for Breakaway Band to perform June 28, 2023, Flipside Band to perform July 12, 2023, and Darkhorse Run on August 2, 2023, all performances being held from 6:30 PM to 8:30 PM, at the Town's Band Shell for an amount not to exceed Three Thousand Five Hundred (\$3,500) Dollars, and

**WHEREAS**, the agreements have been reviewed and approved by the Town Attorney.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute the agreements between the Town of Lancaster and Tom McGill/Starstruck Productions, for Breakaway Band to perform June 28, 2023, Flipside Band to perform July 12, 2023, and Darkhorse Run to perform on August 2, 2023, all performances being held from 6:30 PM to 8:30 PM, at the Town's Band Shell for an amount not to exceed Three Thousand Five Hundred (\$3,500) Dollars, which will be paid for with funds from the Town's 2023 Playgrounds and Recreation Special Celebrations Budget, line item 01-7140-0415.

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

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

March 20, 2023



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

18

**WHEREAS**, by letter dated March 13, 2023, Jonathan C. Ziders, Captain, Lancaster Police Department, has requested the Town Board approve expenditures for the replacement of the outdated radio system with a new Motorola Trunking & TRBOnet Dispatch Consoles, Motorola-PD XPR5000e series & 7000e Series radios, and associated Microwave Equipment, and

**WHEREAS**, the above-referenced equipment is available for purchase and installation from SAIA Communications, Inc., who is the only Motorola Authorized Elite Specialist dealer located in the region, and, with Saia being a single source provider, the need for competitive bidding pursuant to §103 of General Municipal Law is eliminated, and

**WHEREAS**, the quote provided by SAIA Communications, Inc., in the amount of One Hundred Fifty-Eight Thousand Two Hundred Sixty-Seven and 41/100 (\$158,267.41) Dollars includes all necessary hardware, software, licensing, labor and FCC licensing; and a trade-in value of Twenty Eight Thousand Five Hundred (\$28,500) Dollars for the existing radios, and

**WHEREAS**, this project will be paid for with funds from the 2023 police budget under line 05-3120-260, 'Other Capital Outlay'.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that The Town Board of the Town of Lancaster hereby approves the expenditure of funds as requested by Jonathan C. Ziders, Captain, Lancaster Police Department, to Saia Communications, Inc., 100 Stradtman Street, Buffalo, New York, 14206 for a cost not exceed One Hundred Fifty-Eight Thousand Two Hundred Sixty-Seven and 41/100 (\$158,267.41) Dollars, to be paid for from the 2023 police budget under line 05-3120-260, 'Other Capital Outlay'.

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

March 20, 2023

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

19

**WHEREAS**, John Pilato, Highway Superintendent of the Town of Lancaster, by letter dated March 14, 2023, has recommended the appointment of Jeffrey Rogacki of Depew, New York to the position of Laborer in the Town of Lancaster Parks, Recreation and Forestry Department.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that Jeffrey Rogacki be and is hereby appointed to the position of Laborer in the Town of Lancaster Parks, Recreation and Forestry Department, effective April 5, 2023, 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 White 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

March 20, 2023

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

**WHEREAS**, by letter dated March 6, 2023, Michelle Barbaro, the Town of Lancaster Deputy Highway Superintendent, has requested the Town Board approve expenditures for the purchase and installation of new flooring throughout the Highway Office, 525 Pavement Road, Lancaster, New York, and

**WHEREAS**, by letter dated March 6, 2023, Michelle Barbaro, has recommended that the Town of Lancaster use flooring left over from the replacement of the police flooring and authorize said additional expenditure to Heritage Contract Flooring, 29 Depot Street, Buffalo, New York, 14206, for minor supplies, who has been selected off NYS Contract Award #PGB-23200, Group 20600, for a cost not to exceed Three Thousand Nine Hundred Seventy-Five (\$3,975.00) Dollars, and

**WHEREAS**, this project will be paid for with funds from Account 01-1620-260.

**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 Heritage Contract Flooring, 29 Depot Street, Buffalo, New York 14206, for a cost not to exceed Three Thousand Nine Hundred Seventy-Five Dollars and (\$3,975.00) Dollars, per its quote dated February 17, 2023, and to be paid from Account 01-1620-260.

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

March 20, 2023

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

**WHEREAS**, the Town Board is considering the application for rezone and site plan approval submitted by Autopia, LLC, by Kyle Banasik, for a proposed rezone of a parcel of land located at 6218 Broadway, Lancaster, New York (SBL 117.00-1-1) from Agricultural Residential to Light Commercial for the proposed construction of an 8,000 square foot building with office space and storage for vintage and collector automobiles, and

**WHEREAS**, the Town of Lancaster Planning Board has reviewed the environmental impact of the rezone request pursuant to SEQR regulations at their meeting on September 7, 2022, and recommended that a Negative Declaration be issued, and

**WHEREAS**, the Town of Lancaster Planning Board has reviewed the environmental impact of the site plan approval request pursuant to SEQR regulations at their meeting on March 15, 2023, and recommended that a Negative Declaration be issued, and

**WHEREAS**, the Town Board has duly considered the submitted applications, 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, 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 I” action under SEQRA.

**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, the proposed rezone of land located at 6218 Broadway, Lancaster, New York (SBL 117.00-1-1), and proposed improvements thereon, will not result in any significant environmental impacts and hereby issues a negative declaration pursuant to SEQRA 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: March 20, 2023**

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 of land located at 6218 Broadway, Lancaster, New York (SBL 117.00-1-1), and proposed improvements thereon, 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:** Autopia, LLC

**Location of Action:** 6218 Broadway, Lancaster, New York (SBL 117.00-1-1), Erie County.

**SEQR Status:** Type I Action.

**Description of Action:** Rezone and improvements.

**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 – **No impact.**  
There are Federal wetlands on the property.
4. Impact on Groundwater – **No impact.**
5. Impact on Flooding – **No impact.**
6. Impact on Air – **No impact.**
7. Impact on Plants and Animals – **No impact.**
8. Impact on Agricultural Resources – **No impact.**  
This is located in an agricultural district adjacent to 70 acres of actively farmed land. This location was previously improved by a home and outbuilding that were destroyed by fire.
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 – **No impact.**
14. Impact on Energy – **No impact.**
15. Impact on Noise, Odor and Light – **No impact.**
16. Impact on Human Health – **No impact.**
17. Consistency with Community Plans – **No impact**
18. Consistency with Community Character – **No impact.**

**For Further Information:**

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

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

Telephone Number: (716) 684-3342

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

**WHEREAS**, the Town Board of the Town of Lancaster held a public hearing on March 6, 2023, pursuant to Chapter 400-Zoning, Section 78F entitled Special use permits, of the Code of the Town Lancaster, upon the application of Jose Castaneda, DBA Margarita's Mexican Restaurant, as designee for 327-42 Forestream, LLC, owner of 4725 Transit Road (SBL No. 126.54-1-59), Depew, New York, Town of Lancaster, for a Special Use Permit to operate a restaurant on premises located at 4725 Transit Road, Depew, New York, Town of Lancaster in accordance with provisions of Chapter 400-Zoning, Section 18 of the Code of the Town of Lancaster, Erie County, New York, and

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

**WHEREAS**, Code Enforcement Officer, Matt Fischione, has reviewed the use and found it compliant to the Zoning District of this Special Use Permit request per his letter dated January 25, 2023.

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

1. That pursuant to Chapter 400 Zoning, Article VI Industrial Districts, §400-18 General Commercial District of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to 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, for a Special Use Permit to operate a restaurant on premises located at 4725 Transit Road (SBL No. 126.54-1-59), Depew, Town of Lancaster, New York upon the conditions as set forth in the Zoning Ordinance as set forth in the Zoning Ordinance for the period beginning March 20, 2023, through March 19, 2025; and

2. That the applicant will continue in compliance with conditions as set forth in §400-18 General Commercial District, §400-19 Supplementary Regulations for LC and GC Districts, and §400-78F Special use permits, of the Code of the Town of Lancaster, and to any additional conditions listed herein, as long as the applicant continues to engage in the occupation listed above on the premises namely:

- A. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal is considered upon the property owner submitting a request in writing to the Town Clerk, **on or before March 19, 2025**.
- B. Hours of operation for outdoor seating be limited to no later than Ten O'clock Post Meridiem (10:00 P.M.).
- C. There shall be no amplified sound transmitted to the outside seating area.
- D. Applicant will provide a copy of the business' New York State/Federal Tax Employer Identification Number and when applicable a License from the appropriate regulatory agency for the service being provided.

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

March 20, 2023

THE FOLLOWING RESOLUTION WAS OFFERED 23  
BY COUNCIL MEMBER MAZUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster held a public hearing on March 6, 2023, pursuant to Chapter 400-Zoning, Section 78 entitled Special use permits, of the Code of the Town Lancaster, upon the application of Billa, Inc., by Peter Eid, DBA Pan Pizza, Co., as designee for Rehm-Transit Associates, owner of 0 Rehm Road, Lancaster, New York, for a Special Use Permit to operate a takeout restaurant on premises located at 0 Rehm Road (SBL No. 93.13-3-1.3), locally known as Building B Suite 525, 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**, persons for and against such Special Use Permit have had an opportunity to be heard, and

**WHEREAS**, Code Enforcement Officer, Matt Fischione, has reviewed the use and found it compliant to the Zoning District of this Special Use Permit request per his letter dated November 16, 2022.

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

1. That pursuant to Chapter 400 Zoning, Article VI Industrial Districts, §400-18 General Commercial District of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to Billa, Inc., by Peter Eid, DBA Pan Pizza, Co., as designee for Rehm-Transit Associates, owner of 0 Rehm Road, 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), locally known as Building B Suite 525, 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

2. That the applicant will continue in compliance with conditions as set forth in §400-18 General Commercial District, §400-19 Supplementary Regulations for LC and GC Districts, and §400-78 Special use permits, of the Code of the Town of Lancaster, and to any additional conditions listed herein, as long as the applicant continues to engage in the occupation listed above on the premises namely:

- A. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal is considered upon the property owner submitting a request in writing to the Town Clerk, **on or before March 19, 2025.**
- B. Applicant will provide a copy of the business' New York State/Federal Tax Employer Identification Number and when applicable a License from the appropriate regulatory agency for the service being provided.

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

March 20, 2023