

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  
May 1, 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

May 15, 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 #05152023

Total amount hereby authorized to be paid: \$1,191,667.71

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

May 15, 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
2023004		Michael Pokorski	398 Stony Rd	Develop Floodplain	
20238805		J's Home & Design LLC	39 Garfield St	Er. Res. Alt.	(V/L)
20238812		Bliss Construction, LLC	5077 Transit Rd	Er. Comm. Bldg.	
20238863		Sara Dickinson	36 Woodlawn Ave	Er. Porch/Porch Cvr	(V/L)
20238868		Buscaglia Decks	121 Michaels Walk	Er. Deck	
20238915		Summer Signs & Designs LLC	5380 Genesee St	Er. Sign - Wall	
20238920		Stonishs Lawn Care	37 Bentley Cir	Inst. Fireplace/Stove	
20238950		Brandon Wolanin	5055 William St	Er. Gazebo	
20238954		Decked Out WNY, Inc.	30 Michael Anthony Ln	Er. Pergola	
20238984		Cortese Brothers Construction	3503 Walden Ave	Er. Res. Alt.	(V/L)
20238992		Aaron's Remodeling, LLC	1166 Penora St	Er. Porch	
20238997		JLB Installations	79 Middlebury Ln	Er. Pool-In Grnd	
20239008		Zenner & Ritter Co. Inc.	4 Fox Hunt Rd	Inst. Generator	
20239014		Ivy Lea Construction Inc.	16 Birchwood Comm	Er. Res. Alt.	
20239026		Patti Syracuse	41 Broezel Ave	Er. Shed	(V/L)
20239029		Aqua Systems of WNY	35 Whitestone Ln	Inst. Ingrnd. Sprinkler	
20239031		Daniel Grady	37 Hidden Trl	Er. Deck	
20239033		Kevin Dean	11 Valley Overlook Dr	Re-Roof	
20239034		Iroquois Fence Inc.	55 Stream View Ln	Er. Fence	
20239036		The Vinyl Outlet Inc.	27 W Payne St	Er. Porch/Porch Cvr	(V/L)
20239039		Beauty Pools Inc.	33 Gale Dr	Er. Fence	
20239040		Beauty Pools Inc.	33 Gale Dr	Er. Pool-In Grnd	
20239041		Chris Williams	35 Ashwood Ct	Er. Fence	
20239043		Beauty Pools Inc.	643 Pleasant View Dr	Er. Pool-In Grnd	
20239044		Beauty Pools Inc.	643 Pleasant View Dr	Er. Fence	
20239049		F&D Construction, Inc.	4 Gailenwood Ln	Er. Porch/Porch Cover	
20239056		Sitzman's Appliance Center	17 Henslow Way	Inst. Generator	
20239059		Alliance Homes	13 Hickory Ln	Er. Dwlg.-Sin.	
20239064		Premier Fencing LLC	5802 Broadway	Er. Fence	
20239065		Christopher Nowak	113 Avian Way	Er. Porch Cover	
20239066		Buffalo RC, LLC	323 Aurora St	Re-Roof	(V/L)
20239067		City Fence	147 Sawyer Ave	Er. Fence	(V/L)
20239068		Adam Protas	31 Stony Brook Dr	Er. Shed	
20239069		Iroquois Fence Inc.	15 Rose Hill Cir	Er. Fence	
20239070		The Home Depot	41 Edgewood Rd	Er. Fence	(V/L)
20239071		Buffalo Modular Homes	0 Schlemmer Rd	Er. Dwlg.-Sin.	
20239072		Sadler Fence & Staining	20 Fourth Ave	Er. Fence	(V/L)
20239073		Welsh Construction	6518 Broadway	Er. Comm. Add./Alt.	
20239075		Theresa McDonough	5 Wildwood Dr	Dumpster - Temp.	
20239078		Buscaglia Decks	26 Sedge Run	Er. Deck/Pergola	
20239079		Besroi Construction	6167 Genesee St	Re-Roof	
20239080		Besroi Construction	5722 Broadway	Re-Roof	
20239081		Paul Sudyn	6 Running Brook Dr	Er. Fence	
20239082		Daniel Santana	3725 Bowen Rd	Er. Fence	
20239083		Cortese Brothers Construction	30 Newberry Ln	Er. Res. Alt.	
20239084		Castle Home Improvements	37 Randolph St	Re-Roof	(V/L)
20239086		Chris Williams	35 Ashwood Ct	Er. Shed	
20239087		Imperial Fence Co. Inc.	3 Peachtree Ct	Er. Fence	
20239088		Sturdi Built Sheds LLC	18 Bowen Ave	Er. Shed	(V/L)
20239089		Kaitlyn Matias	14 Impala Pky	Er. Pool-In Grnd	
20239090		Home Power Systems LLC	9 Sussex Ln	Inst. Generator	
20239092		Sitzman's Appliance Center	3700 Bowen Rd	Inst. Generator	
20239093		Riverside Door & Window Inc.	27 Hidden Trl	Re-Roof	
20239094		Ulrich Sign Co. Inc.	5380 Genesee St	Er. Sign - Pole	
20239099		JBC Properties LLC	5077 Transit Rd	Dem. Bldg	
20239100		Crystal Wood	18 Deepwood Pl	Er. Shed	

20239101	Nicholas Cudzilo	98 Pleasant Ave	Er. Res. Alt.	(V/L)
20239103	Joseph V. Schmigiel & Sons	36 Wren Ave	Inst. Res. Plumbing	(V/L)
20239104	CMK Builders of Alden, Inc.	7 Hickory Ln	Er. Dwlg.-Sin.	
20239105	Iroquois Fence Inc.	56 Middlebury Ln	Er. Fence	
20239106	First Buffalo Total Basement	56 Trentwood Trl N	Er. Res. Alt.	
20239108	Marrano/Marc Equity Corp.	79 Grambo Dr	Er. Patio Home	
20239110	Iroquois Fence Inc.	5208 William St	Er. Fence	
20239113	Michael Grear	101 Christen Ct	Er. Fence	(V/L)
20239114	Switala & Sons Construction	35 Ashwood Ct	Re-Roof	
20239116	City Fence	14 Nicholas Ln	Er. Fence	
20239121	David McCoy	101 Kurtz Ave	Dumpster - Temp.	(V/L)
20239122	Sahlems Roofing & Siding Inc.	10 Red Clover Ln	Re-Roof	
20239123	Niagara Building Systems	25 Redlein Dr	Re-Roof	
20239124	Grace Rentals LLC	130 Aurora St	Dumpster - Temp.	(V/L)
20239127	Carl Eddy	2219 Como Park Blvd	Er. Fence	(V/L)
20239128	Thomas Dickinson	113 Ransom Rd	Inst. Generator	
20239129	Black Rock Roofing	94 Stutzman Rd	Re-Roof	
20239130	Black Rock Roofing	32 Colonial Ave	Re-Roof	(V/L)
20239132	Sturdi Buildt Sheds LLC	50 Cotton St	Er. Shed	(V/L)
20239134	William McGuane	652 Aurora St	Er. Fence	
20239135	AVA Roofing & Siding Inc.	5082 William St	Re-Roof	
20239136	AVA Roofing & Siding Inc	18 Pavement Rd	Re-Roof	
20239138	Buffalo's Best Roofing	31 Heritage Dr	Re-Roof	
20239139	Scott Witkowski	300 Enchanted Forest N	Er. Shed	
20239140	Lindsay Williamson	20 Country Pl	Er. Fence	
20239143	Gen-Tech Power Systems LLC	40 Sagebrush Ln	Inst. Generator	
20239144	Iroquois Fence Inc.	10 Quail Run Ln	Er. Fence	
20239145	Nearmeremodel, LLC	117 Sixth Ave	Re-Roof	(V/L)
20239148	Roy LaRue	56 Rehm Rd	Re-Roof	
20239149	Christian Nichol	708 Pleasant View Dr	Er. Fence	
20239150	Garden Pkwy. LLC	13 Banner Ave	Dumpster - Temp.	(V/L)
20239153	Castle Home Improvements	12 Sherwood Rd	Re-Roof	(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

May 15, 2023

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

4

**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 **Tonya M. Bradford**, for a Special Use Permit for a Home Occupation (Hair Salon) on premises located at 30 Woodgate Drive (SBL No. 115.18-8-56), Lancaster, New York, and the Board issued such Special Use Permit on May 4, 2015, 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 received April 28, 2023, **Tonya M. Bradford** 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 his approval of this Special Use Permit Renewal per his letter dated May 2, 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 **Tonya M. Bradford** for a Home Occupation (Hair Salon) on premises located at 30 Woodgate Drive (SBL No. 115.18-8-56), Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning May 4, 2023, and ending May 3, 2025; and

2. That the applicant will continue in compliance with conditions as set forth in forth §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. There shall be no outdoor sign advertising this business.
- B. This Special Use Permit terminates when the applicant no longer resides on the premises.
- C. Permit must be renewed every two (2) years at no additional cost to applicant. Permit renewal is considered upon the property owner submitting a written request to the Town Clerk, **on or before May 3, 2025**.
- D. Applicant will obtain and provide a copy of the business' New York State Tax/Federal Employer Identification Number and, where required, a copy of a valid State License issued by the appropriate regulatory agency for the service being provided.
- E. Only persons residing on the premises shall be engaged in such an occupation.
- F. 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.

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

May 15, 2023

THE FOLLOWING RESOLUTION WAS OFFERED 5  
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 IV Residential Districts, Section 17 (F) of the Code of the Town of Lancaster, upon the application of **Joshua Strell**, for a Special Use Permit for a Home Occupation (Seasonal Rental Business Office) on premises located at **5898 Broadway**, Lancaster, New York, and the Board issued such Special Use Permit on May 1, 2017, this Special Use Permit is subject to renewal upon application by the property owner; and

**WHEREAS, Joshua Strell** has 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 April 13, 2023.

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

1. That pursuant to Chapter 400-Zoning, Article IV Residential Districts, Section 17 (F), entitled "Home Occupation", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant the renewal of a Special Use Permit to **Joshua Strell**, for a Home Occupation (Seasonal Rental Business Office) on premises located at **5898 Broadway**, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning May 1, 2023, and ending April 30, 2025; and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 400, Article IV Residential Districts, Section 17(F), of the Code of the Town of Lancaster if the applicant continues to engage in the home occupation on the premises, and to any additional conditions listed herein, 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 the applicant. Renewal is considered upon the property owner submitting an application to the Town Clerk, on or before April 30, 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. Temporary signs may be placed on premises in compliance with Town Code, Chapter 400-30 D (5).
- E. Only persons residing on the premises shall be engaged in such an occupation.
- F. The 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.

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

May 15, 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, Article XIV Administration and Enforcement, §400-78 Special use permits, of the Code of the Town of Lancaster, upon the application of **Lynette M. Metzger-Truslow**, for a Special Use Permit for a Home Occupation (Dog Grooming Service) on premises located at **33 Meadow Lea Drive (SBL No. 93.19-6-58)**, Lancaster, New York, and the Board issued such Special Use Permit on May 15, 2006; and

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

**WHEREAS**, by letter dated April 15, 2023, **Lynette M. Metzger-Truslow** 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 his approval of this Special Use Permit Renewal per his letter dated April 28, 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 renewal of the Special Use Permit to **Lynette M. Metzger-Truslow**, for a Home Occupation (Dog Grooming Service) on premises located at **33 Meadow Lea Drive (SBL No. 93.19-6-58)**, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning May 15, 2023, and ending May 14, 2025; 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. This Special Use Permit terminates when the applicant no longer resides on the premises.
- B. There shall be no outdoor sign advertising this business.
- C. Permit must be renewed every two (2) years at no additional cost to applicant. Permit renewal is considered upon the property owner submitting a written request to the Town Clerk, **on or before May 14, 2025**.
- D. 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.
- E. Only persons residing on the premises shall be engaged in such an occupation.
- F. The 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.
- G. There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home 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

May 15, 2023

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

WHO  
SECONDED BY  
TO WIT:

**WHEREAS**, by letter dated May 2, 2023, John Pilato, Highway Superintendent of the Town of Lancaster, has recommended that the Town of Lancaster approve the reimbursement of Twelve Thousand Seventy-Seven and 97/100 (\$12,077.97) Dollars to Tokio Marine HCC, 1700 Opdyke Court, Auburn Hills, MI 48326, for a deductible recovery reimbursement; and

**WHEREAS**, John Pilato further recommended that the Town of Lancaster approve payment to Department of Public Services, Three Empire State Plaza, 16<sup>th</sup> Floor, Albany, NY 12223-1350, in the amount of Two Thousand Five Hundred and 00/00 (\$2,500.00) for damage to an underground facility; and

**WHEREAS**, these projects will be paid for as follows:

a) Tokio Marine HCC, 1700 Opdyke Court, Auburn Hills, MI 48326, in the amount of Twelve Thousand Seventy-Seven and 97/100 (\$12,077.97) from Highway Budget line 13-5110-0426 (Repairs and Maintenance); and

b) Department of Public Services, Three Empire State Plaza, 16<sup>th</sup> Floor, Albany, NY 12223-1350, in the amount of Two Thousand Five Hundred and 00/00 (\$2,500.00) from Highway Budget Line 13-5110-0449 (Other Classified).

**NOW, THEREFORE,**

**BE IT RESOLVED**, that The Town Board of the Town of Lancaster hereby approves the expenditure of funds as requested by Highway Superintendent John Pilato to Tokio Marine HCC, 1700 Opdyke Court, Auburn Hills, MI 48326, in the amount of Twelve Thousand Seventy-Seven and 97/100 (\$12,077.97) from Highway Budget line 13-5110-0426 (Repairs and Maintenance) and the Department of Public Services, Three Empire State Plaza, 16<sup>th</sup> Floor, Albany, NY 12223-1350, in the amount of Two Thousand Five Hundred and 00/00 (\$2,500.00) from Highway Budget Line 13-5110-0449 (Other Classified).

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 SUPERVISOR BURKARD, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER , TO WIT:

**WHEREAS**, by letter dated May 2, 2023, John Pilato, the Town of Lancaster Highway Superintendent, has requested the Town Board approve expenditures for the purchase of GoNotify – Citizen Notifications and Alert Subscription for smartphones, to allow the Highway Department to notify residents when the Town will have street closings or other work performed; and

**WHEREAS**, by letter dated May 2, 2023, John Pilato, has recommended that the Town of Lancaster authorize said expenditure to GoGov, Inc., 1930 Veterans Highway, #12-425, Islandia, New York, 11749, for the GoGov non-emergency application, at a cost not to exceed Four Thousand Eight Hundred and 00/100 (\$4,800.00) Dollars annually; and

**WHEREAS**, this project will be paid for with funds from Account 13-5110-0451 (Professional Services).

**NOW, THEREFORE,**

**BE IT RESOLVED**, that The Town Board of the Town of Lancaster hereby approves the expenditure of funds as requested by Highway Superintendent John Pilato to GoGov, Inc., 1930 Veterans Highway, #12-425, Islandia, New York, 11749, for the GoGov non-emergency application, at a cost not to exceed Four Thousand Eight Hundred and 00/100 (\$4,800.00) Dollars annually.

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

May 15, 2023

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

**WHEREAS**, on May 1, 2023, the Town Board adopted a Negative Declaration for the Site Plan Amendment of Plumb Creek Apartment development at 5680 Broadway (SBL 116.05-1-3) in the Town of Lancaster, Erie County, New York; and

**WHEREAS**, said resolution improperly designated the description of the project; and

**WHEREAS**, the Town Board now considers the amended site plan for the construction of a 126' x 60' Apartment Building with ten residential units and built-in garage spaces and one 112' x 24' six-unit ancillary garage building, at 5680 Broadway (SBL No. 116.05-1-3) in the Town of Lancaster, Erie County, New York; and

**WHEREAS**, the Town of Lancaster Planning Board has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on April 19, 2023, and recommended that a Negative Declaration be issued; and project, 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 "Unlisted" 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 of the proposed construction of a 126' x 60' Apartment Building with ten residential units and built-in garage spaces and one 112' x 24' six-unit ancillary garage building, at 5680 Broadway (SBL No. 116.05-1-3) in the Town of Lancaster, Erie County, New York, this project will not result in any significant environmental impacts and therefore the Board hereby issues the attached negative declaration of environmental significance 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

May 15, 2023

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

**Town of Lancaster Town Board**

**Dated: May 15, 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 revised site plan of the construction of a 126’ x 60’ Apartment Building with ten residential units and built-in garage spaces and one 112’ x 24’ six-unit ancillary garage building, at 5680 Broadway (SBL No. 116.05-1-3) in the Town of Lancaster, Erie County, New York. 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:** Plumb Creek Apartments

**Location of Action:** 5680 Broadway (SBL No. 116.05-1-3) in the Town of Lancaster, Erie County, New York.

**SEQR Status:** Unlisted Action

**Description of Action:** Construction of a 126’ x 60’ Apartment Building with ten residential units and built-in garage spaces and one 112’ x 24’ six-unit ancillary garage building, at 5680 Broadway (SBL No. 116.05-1-3) in the Town of Lancaster, Erie County, New York.

**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 use or zoning                                            | <b>No impact.</b>                                                                                     |
| 2.  | Change in land use or intensity                                         | <b>No impact.</b>                                                                                     |
| 3.  | Character of community                                                  | <b>No impact.</b>                                                                                     |
| 4.  | Impact on Critical Environmental Areas                                  | <b>N/A</b><br>• <b>The Town of Lancaster has not established a Critical Environmental Area (CEA).</b> |
| 5.  | Impact on Transportation                                                | <b>No impact.</b>                                                                                     |
| 6.  | Impact on energy                                                        | <b>No impact.</b>                                                                                     |
| 7.  | A. Impact on water supply                                               | <b>No impact.</b>                                                                                     |
|     | B. Impact on wastewater treatment                                       | <b>No impact.</b>                                                                                     |
| 8.  | Impact on historic, archeological, architectural or aesthetic resources | <b>No Impact.</b>                                                                                     |
| 9.  | Impact on natural resources                                             | <b>No impact.</b>                                                                                     |
| 10. | Impact on erosion, flooding or drainage                                 | <b>No impact.</b>                                                                                     |
| 11. | Hazard to environmental resources or human health                       | <b>No impact.</b>                                                                                     |

**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 COUNCILMEMBER LEARY, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS**, Councilmember Robert Leary of the Lancaster Town Board has recommended the appointment of Deborah Lemaster as a member of the Town of Lancaster Ethics Review Board.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that Deborah Lemaster, Lancaster, New York be and is hereby appointed a member of the Town of Lancaster Ethics Review Board for the term of May 16, 2023, through December 31, 2026, thereby filling the unexpired term of Paul Ziolkowski; 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

May 15, 2023



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

WHO  
SECONDED BY  
TO WIT:

**WHEREAS**, John Pilato, Highway Superintendent of the Town of Lancaster, by letter dated May 11, 2023, has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Highway Department, for a period not to exceed five (5) months, and that these being part-time position(s) provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Gianluca Fulciniti Lancaster, NY	Laborer	\$15.00	May 16, 2023
Cooper Bazulka Lancaster, NY	Laborer	\$15.00	May 22, 2023
Jack Harrington Lancaster, NY	Laborer	\$15.00	June 26, 2023
Luke Suchyna Lancaster, NY	Laborer	\$15.00	May 22, 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

May 15, 2023

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

**RESOLUTION AND ORDER  
AFTER PUBLIC HEARING APPROVING  
THE INCREASE AND IMPROVEMENT OF  
FACILITIES OF THE CONSOLIDATED WATER DISTRICT**

**WHEREAS**, the Town Board of the Town of Lancaster (herein called the “Town Board” and “Town”, respectively), in the County of Erie, New York, has, pursuant to Town Law, created the Town of Lancaster Consolidated Water District (the “District”); and

**WHEREAS**, the Town Board has directed Wm. Schutt & Associates, P.C., competent engineers licensed in New York, to prepare a map, plan and report, for a water system capital improvements project within the District; and

**WHEREAS**, such water system capital improvements project will generally consist of (but not be limited to), the installation of approximately 9,700 linear feet of water main along various roads in the Town, along with the installation of fire hydrants, valves and appurtenances, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report prepared by Wm. Schutt & Associates, P.C. and referred to above, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the “District Improvement”); and

**WHEREAS**, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such preliminary map, plan and report for such increase and improvement of facilities of the District and has estimated the total cost thereof to be an estimated maximum amount of \$3,450,000; said cost to be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$3,450,000, offset by any federal, state, county and/or local funds received.

**WHEREAS**, the Town determined that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act (“SEQRA”) are required; and

**WHEREAS**, the Town Board issued an Order at its May 1, 2023 meeting calling for a public hearing to be held on May 15, 2023 at 7:05 p.m. (prevailing time) or shortly thereafter, to consider the District Improvement and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law, and further ordered the Town Clerk to publish at least once in a newspaper designated as an official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten nor more than 20 days before the date of such public hearing; and

**WHEREAS**, said notices of the public hearing were properly published and posted and the public hearing duly held at the time and place stated in the notices.

**NOW, THEREFORE,**  
**BE IT RESOLVED AND DETERMINED BY THE TOWN BOARD OF THE TOWN OF LANCASTER**, based on the information provided at the public hearing, as follows:

**DETERMINED**, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to at the estimated maximum cost of \$3,450,000; and it is hereby

**DETERMINED**, that the parcels and lots of the District shall be benefited by said increase and improvement of facilities of the District; and it is hereby

**DETERMINED**, that all parcels and lots benefited by said increase and improvement of facilities are included in the District; and it is hereby

**ORDERED**, that the facilities of the District shall be so increased and improved and that the Engineer shall prepare plans and specifications and make a careful estimate of the expense for such increase and improvement of facilities, and with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

**FURTHER ORDERED**, that the expense of the District Improvement shall be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$3,450,000, said amount to be offset by any federal, state, county and/or local funds received, and unless paid from other sources or charges, (including, but not limited to, water rents), the costs of said increase and improvement of facilities shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law; and it is hereby

**FURTHER ORDERED**, the Town Board may establish water rents as provided in paragraph (d) of subdivision three of Town Law Section 198; and

**FURTHER ORDERED**, that within ten days after adoption of this Resolution and Order, the Town Clerk will record with the Clerk of the County of Erie a copy of this Resolution and Order, certified by said Town Clerk.

TOWN BOARD OF THE  
TOWN OF LANCASTER

The adoption of the foregoing Resolution Approving the Increase and Improvement of Facilities of the Consolidated Water District 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

May 15, 2023

The Resolution approving the increase and improvement of facilities of the Consolidated Water District was declared adopted.

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

**A BOND RESOLUTION, DATED MAY 15, 2023, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE “TOWN”), AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT WITHIN THE TOWN OF LANCASTER CONSOLIDATED WATER DISTRICT AT AN ESTIMATED MAXIMUM COST OF \$3,450,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,450,000 OF THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.**

**WHEREAS**, the Town Board of the Town of Lancaster, Erie County, New York (the “Town”), has established the Town of Lancaster Consolidated Water District (the “District”); and

**WHEREAS**, the Town Board has determined, by resolution, to undertake a certain water system capital improvements project; and

**WHEREAS**, the Town Board has determined to proceed with such project; and

**WHEREAS**, the Town Board desires to issue obligations of the Town to finance the costs of such project.

**NOW, THEREFORE,**

**BE IT RESOLVED**, by the Town Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

**SECTION 1.** The Town is hereby authorized to undertake a water system capital improvements project that will generally consist of (but not be limited to), the installation of approximately 9,700 linear feet of water main along various roads in the Town, along with the installation of fire hydrants, valves and appurtenances, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report prepared by Wm. Schutt & Associates, P.C. in connection with such project, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof (the “Project”). The estimated maximum cost of said purpose is \$3,450,000.

**SECTION 2.** The Town Board plans to finance the estimated maximum cost of said purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$3,450,000 of the Town, hereby authorized to be issued therefore pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, (including, but not limited to, water rents), the cost of such improvement is to be paid by the issuance of serial bonds and by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on such bonds as the same become due and payable, except as provided by law.

**SECTION 3.** It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 40 years.

**SECTION 4.** Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

**SECTION 5.** It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

**SECTION 6.** The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges (including, but not limited to, water rents), the cost of the Project shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on such bonds as the same become due and payable, except as provided by law. Should the assessments upon benefited real property be insufficient to pay the principal of and interest on such bonds, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

**SECTION 7.** Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

**SECTION 8.** The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution.

**SECTION 9.** This resolution shall constitute the declaration (or reaffirmation) of the Town's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the bonds, notes or other obligations authorized herein, as required by United States Treasury Regulations Section 1.150-2.

**SECTION 10.** The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

**SECTION 11.** The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

**SECTION 12.** The Town Supervisor is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with Town officials and the Town's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the Town Clerk.

**SECTION 13.** To the extent applicable, the Town Supervisor is hereby authorized to execute and deliver in the name and on behalf of the Town a project financing

agreement prepared by the New York State Environmental Facilities Corporation (“EFC”) (the “Project Financing Agreement”). To the extent applicable, the Town Supervisor and the Town Clerk and all other officers, employees and agents of the Town are hereby authorized and directed for and on behalf of the Town to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including, but not limited to, the Project Financing Agreement.

**SECTION 14.** The Town determined that the Project is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act (“SEQRA”) are required.

**SECTION 15.** In the absence or unavailability of the Town Supervisor, the Deputy Town Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

**SECTION 16.** The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or

(2) Said obligations are authorized in violation of the provisions of the Constitution of New York.

**SECTION 17.** The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in the Town and designated as the official newspaper of the Town for such publication.

**SECTION 18.** This Resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a 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

May 15, 2023

The foregoing resolution was thereupon declared duly adopted.

## NOTICE OF BOND RESOLUTION

### TOWN OF LANCASTER

NOTICE IS HEREBY GIVEN that a bond resolution, a summary of which is published herewith, has been adopted by the Town Board of the Town of Lancaster, County of Erie, on May 15, 2023 and the validity of the obligations authorized by such resolution may be hereafter contested only if:

(1) (a) such obligations were authorized for an object or purpose for which the Town of Lancaster is not authorized to expend money or

(b) the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of publication of this notice; or

(2) such obligations were authorized in violation of the provisions of the Constitution of New York.

### SUMMARY OF BOND RESOLUTION

The following is a summary of a bond resolution adopted by the Town Board of the Town of Lancaster (the "Town") on May 15, 2023. The proceeds from the sale of the obligations authorized in said bond resolution will be used to finance a water system capital improvements project that will generally consist of (but not be limited to), the installation of approximately 9,700 linear feet of water main along various roads in the Town, along with the installation of fire hydrants, valves and appurtenances, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report prepared by Wm. Schutt & Associates, P.C. in connection with such project, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof, at an estimated maximum amount of \$3,450,000. Said bond resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of said serial bonds, in an aggregate principal amount not to exceed \$3,450,000 said amount to be offset by any federal, state, county and/or local funds received. The period of probable usefulness for said purpose is 40 years. A copy of the bond resolution summarized herein is available for public inspection during normal business hours at the Office of the Town Clerk, located in the Town Hall, 21 Central Avenue, Lancaster, New York.

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

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**WHEREAS**, the Town Board previously solicited a Professional Services proposal for Design and Construction Services related to the repair of the Clock Tower at Lancaster Town Hall; and

**WHEREAS**, due to the unique qualifications required, two companies were requested to submit quotes; and

**WHEREAS**, White's Clock and Carillon Northeast, Inc. responded with the lowest responsible quote; and

**WHEREAS**, Edward Schiller, P.E., the Town's consulting engineer, by letter dated May 2, 2023, has recommended proceeding with the proposal submitted November 28, 2022, by White's Clock and Carillon Northeast, Inc., P.O. Box 364, Pulaski, New York 13142, in an amount not to exceed Thirty Seven Thousand Four Hundred Eight and 00/100 (\$37,408.00) Dollars, to be paid from the funds in the Town Hall Repair Capital Account No. 90215.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby accepts the proposal submitted by White's Clock and Carillon Northeast, Inc., P.O. Box 364, Pulaski, New York 13142, in an amount not to exceed Thirty Seven Thousand Four Hundred Eight and 00/100 (\$37,408.00) Dollars, to be paid from the funds in the Town Hall Repair Capital Account No. 90215; and

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor is authorized to execute the contract upon receipt and approval by the Town Attorney's Office of the required documents and insurance certificates.

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

May 15, 2023



THE FOLLOWING RESOLUTION WAS OFFERED 15  
BY SUPERVISOR RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER TO WIT:

**WHEREAS**, the Town Board previously solicited a Professional Service proposal for Design and Construction Services related to the repair to the Soffits at the entrance of the Town Hall; and

**WHEREAS**, Kideney Architects were requested to submit a proposal;  
and

**WHEREAS**, Kideney Architects responded quickly after the soffit fell and was extremely responsive in assessing the safety of the current situation; and

**WHEREAS**, Edward Schiller, P.E., the Town's consulting engineer, by letter dated May 2, 2023, has recommended proceeding with the proposal submitted April 28, 2023, by Kideney Architects, 143 Genesee Street, Buffalo, New York, 14023, in an amount not to exceed Twenty-Seven Thousand Eight Hundred-Fifty and 00/100 (\$27,850.00) Dollars, to be paid from the funds in the Town Hall Repair Capital Account No. 90215.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby accepts the proposal of Kideney Architects, 143 Genesee Street, Buffalo, New York, 14023, in an amount not to exceed Twenty-Seven Thousand Eight Hundred-Fifty and 00/100 (\$27,850.00) Dollars, to be paid from the funds in the Town Hall Repair Capital Account No. 90215; and

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor is authorized to execute the contract upon receipt and approval by the Town Attorney's Office of the required documents and insurance certificates.

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

May 15, 2023

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

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**WHEREAS**, the Lancaster Town Board has entered into an agreement with Flynn Battaglia Architects, P.C. to provide architectural 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 re-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, June 16, 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 June 9, 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

May 15, 2023

# **NOTICE TO BIDDERS**

FOR THE

**TOWN of LANCASTER  
EXTERIOR RESTORATION – RE-BID MISCELLANEOUS CARPENTRY REPAIRS  
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, June 16, 2023**, 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. **June 9**. 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: May 18, 2023

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

Diane M. Terranova

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

WHO  
SECONDED BY  
TO WIT:

**WHEREAS**, the Town Board previously solicited a Professional Services proposal for the installation of new automatic sliding entry doors to the main entrance of the Town of Lancaster Youth Bureau; and

**WHEREAS**, no bids were received; and

**WHEREAS**, Edward Schiller, P.E., the Town's consulting engineer, by letter dated May 8, 2023, has recommended proceeding with the proposal submitted October 26, 2022, by Imperial Doors, Inc., 85 Oriskany Drive, Tonawanda, New York, 14150, in an amount not to exceed Twenty-Seven Thousand One Hundred Fifty-Four and 00/100 (\$27,154.00) Dollars, to be paid from funds in account number 17310.211.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby accepts the proposal submitted by Imperial Doors, Inc., 85 Oriskany Drive, Tonawanda, New York, 14150, in an amount not to exceed Twenty-Seven Thousand One Hundred Fifty-Four and 00/100 (\$27,154.00) Dollars, to be paid from funds in account number 17310.211; and

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor is authorized to execute the contract upon receipt and approval by the Town Attorney's Office of the required documents and insurance certificates.

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

May 15, 2023

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

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**WHEREAS**, the Town Board previously solicited a Professional Services proposal for the installation of a new Video Intercom at the main entrance of the Town of Lancaster Youth Bureau; and

**WHEREAS**, Fire Safety Systems, who maintains the current systems, provided the lowest quote; and

**WHEREAS**, Edward Schiller, P.E., the Town's consulting engineer, by letter dated May 8, 2023, has recommended proceeding with the proposal submitted May 8, 2023, by Fire Safety Systems, 525 Aero Drive, Suite 200, Buffalo, New York, 14225, in an amount not to exceed Two Thousand Six Hundred Seventy-Two and 49/100 (\$2,672.49) Dollars, to be paid from funds in account number 17310.211.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby accepts the proposal submitted by Fire Safety Systems, 525 Aero Drive, Suite 200, Buffalo, New York, 14225, in an amount not to exceed Two Thousand Six Hundred Seventy-Two and 49/100 (\$2,672.49) Dollars, to be paid from funds in account number 17310.211; and

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor is authorized to execute the contract upon receipt and approval by the Town Attorney's Office of the required documents and insurance certificates.

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

May 15, 2023

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

19  
WHO  
SECONDED BY  
TO WIT:

**WHEREAS**, Bruce Stutz, Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated May 10, 2023 has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Parks, Recreation and Forestry Department, for a period not to exceed five (5) months, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Lucas Jachimiak Lancaster, NY	Laborer	\$15.00	May 24, 2023
Nathan Massaro Lancaster, NY	Laborer	\$15.00	June 23, 2023
George Besch Lancaster, NY	Tennis Supervisor	\$19.00	May 16, 2023
Kirsten Brady Cheektowaga, NY	Recreation Attendant	\$15.00	June 10, 2023
Alejandra Bielat Lancaster, NY	Recreation Attendant	\$15.00	June 10, 2023
Gabrielle Buchert Lancaster, NY	Recreation Attendant	\$15.00	June 10, 2023
Riley Faso Lancaster, NY	Recreation Attendant	\$15.00	June 10, 2023
Samuel Parrinello Lancaster, NY	Recreation Attendant	\$15.00	June 10, 2023
Mark Stancampiano Depew, NY	Recreation Attendant	\$15.00	June 10, 2023
John Szymusiak Lancaster, NY	Recreation Attendant	\$15.00	June 10, 2023
Laine Miklas Lancaster, NY	Recreation Attendant	\$15.00	June 10, 2023
Isabella Granata Lancaster, NY	Recreation Attendant	\$15.00	June 10, 2023
Byanna Gram Lancaster, NY	Recreation Attendant	\$15.00	June 10, 2023

Danielle Masse Lancaster, NY	Recreation Attendant	\$16.00	May 16, 2023
James Wilkowski Lancaster, NY	Lifeguard	\$16.50	May 16, 2023
Konstantin Nikolov Lancaster, NY	Lifeguard	\$16.50	May 16, 2023
Katherine Wilkowski Lancaster, NY	Lifeguard	\$16.50	May 16, 2023
Allyson Koedel Depew, NY	Lifeguard	\$16.00	May 16, 2023
Kalyn Kwasniewski Lancaster, NY	Lifeguard	\$16.00	May 16, 2023
Bradley Len Lancaster, NY	Lifeguard	\$16.00	May 16, 2023
Molly Mahony Lancaster, NY	Lifeguard	\$16.00	May 16, 2023
Dominic Mintz Lancaster, NY	Lifeguard	\$16.00	May 16, 2023
Jared Rupp Lancaster, NY	Lifeguard	\$16.00	May 16, 2023
Timothy Steffens Lancaster NY	Lifeguard	\$16.00	May 16, 2023
Hanna Wozniak Lancaster, NY	Lifeguard	\$16.00	May 16, 2023
Lillian Ammerman Lancaster, NY	Lifeguard	\$16.00	May 16, 2023
Vanessa Mintz Lancaster, NY	Lifeguard	\$16.00	May 16, 2023
Makayla Sand Lancaster, NY	Lifeguard	\$16.00	May 16, 2023
Kirstin Heffler Depew, NY	Lifeguard	\$16.00	May 16, 2023
Cameron Kwasniewski Lancaster, NY	Lifeguard	\$16.00	May 16, 2023
Casey Mahony Lancaser, NY	Lifeguard	\$16.00	May 16, 2023
Aaron Gasiewicz Lancaster, NY	Lifeguard	\$16.00	May 16, 2023
Amelia Stack Lancaster, NY	Lifeguard	\$16.00	May 16, 2023
Robert Wilkowski Lancaster, NY	Lifeguard	\$16.00	May 16, 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

May 15, 2023



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

WHO  
SECONDED BY  
TO WIT:

**WHEREAS, Gary Machniak,** submitted an application to amend an approved site plan for “as built” improvements by 21 Pavement Road LLC., prepared by Greenman-Pedersen, Inc., containing an Amended Site Plan (sheet no. 1) dated July 2010, with a pavement area revision date of December 21, 2022, a Plan and Detail drawing (sheet no. 2) dated March 2019, with a pavement area revised date of December 13, 2022, an ERO Control Plan and Details (sheet 2A) dated April 2019, with a Pavement area revised date of December 13, 2022, a Building Elevations drawing (sheet no. 3) dated July 2010, and a Landscape Plan & Details drawing (sheet no. 4) dated March 2019, with a pavement area revised date of December 13, 2022, received by the Town of Lancaster Building Department on January 9, 2023, for the proposed pavement expansion of approximately 2200 S.F. along the existing paved drive on the north end of the project site, located at 21 Pavement Road (SBL No. 116.08-1-71), in the Town of Lancaster; and

**WHEREAS,** the Town, acting as lead agency, duly considered the request for the project, including the recommendation of the Town of Lancaster Planning Board in conformance with SEQR (State Environmental Quality Review) regulations and, on June 3, 2019, issued a Negative Declaration; and

**WHEREAS,** the original site plan was approved by the Lancaster Town Board by resolution dated June 3, 2019, with conditions; and

**WHEREAS,** the “as built” survey for this project was submitted to the Planning Board, which, after Zoning Board of Appeals granted setback relief and, following due consideration, voted to recommend approval to the Town Board at their May 3, 2023, meeting; and

**WHEREAS,** the Planning Board recommendation issued May 3, 2023, was predicated upon an examination of potential environmental impact as a result of the revised site plan, and, no impact having been identified, no repeat or additional coordination under SEQR was required or initiated; and

**WHEREAS,** the amendment to the site plan is to keep the project as built, insofar as there was a deviation from the original site plan.

**NOW, THEREFORE,**

**BE IT RESOLVED,** that the Town Board of the Town of Lancaster hereby approves the amended site plan submitted by Gary Machniak, 21 Pavement Road LLC., prepared by Greenman-Pedersen, Inc., containing plans and sheets as above described, for the proposed pavement expansion of approximately 2200 S.F. along the existing paved drive on the north end of the project site, located at 21 Pavement Road (SBL No. 116.08-1-71), in the Town of 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

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

**WHEREAS**, Ronald Ruffino, Sr., Supervisor for the Town of Lancaster, has recommended the appointment of following individual to the following part-time permanent position in the Town of Lancaster Supervisor’s Office.

**NOW, THEREFORE,**

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

<b>NAME</b>	<b>ADDRESS</b>	<b>POSITION</b>	<b>HOURLY RATE</b>	<b>EFFECTIVE DATE</b>
Lynn King	Lancaster, NY	Clerk	\$20.00	May 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

May 15, 2023

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

22

**WHEREAS**, on August 10, 2021, 4781 Transit Road, Inc., submitted an application for the rezone of real property located at 4781 Transit Road, Lancaster, New York (SBL #126.01-1-8.2) from General Commercial (GC) to Multifamily Residential Mixed Use (MFMU) in order to construct a three-story mixed use building with residential, retail and commercial applications, including a separate bank structure, for which a site plan approval application was submitted concurrently; 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 reviewed such application for rezone and made no objection with respect thereto; and

**WHEREAS**, on June 6, 2022, the Town Board of the Town of Lancaster, upon recommendation of the Town of Lancaster Planning Board, after thorough consideration, issued a Negative Declaration following review pursuant to criteria for determining significance as set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS**, on March 28, 2023, Christopher Cardillo and Anthony J. Pandolfe, of Carmina Wood Design, as designee for 4781 Transit Road, Inc., submitted a revised Site Plan for the proposed construction of a mixed use development involving the redevelopment of 12,010 sq. ft. of retail, 20 apartment units, and a separate building with a bank and drive-through at 4781 Transit Road, Lancaster, New York; and

**WHEREAS**, in considering the revised site plan and rezoning petition, the planning board considering all environmental factors and concluded the potential impacts from the revised plans were no greater than the original plan and therefore recommend the Town Board take no further SEQRA action; and

**WHEREAS**, on April 19, 2023, the Town of Lancaster Planning Board recommended approval of the revised site plan above described; and

**WHEREAS**, on May 3, 2023, the Town of Lancaster Planning Board recommended approval of the rezoning of the parcel commonly known as 4781 Transit Road, Lancaster, New York.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board conclude that no further SEQRA action is required as the potential impacts from the revised plan are no greater than the original plan; and

**BE IT FURTHER,**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the revised site plan submitted Christopher Cardillo and Anthony J. Pandolfe, of Carmina Wood Design, as designee for 4781 Transit Road, Inc., dated March 23, 2023, for the proposed construction of a mixed use development involving the redevelopment of 12,010 sq. ft. of retail, 20 apartment units, and a separate building with a bank and drive-through at 4781 Transit Road, Lancaster, New York (SBL #126.01-1-8.2) subject to the following conditions:

1. The building and the plaza will be repositioned to the North as per the site plan submitted on March 23 2023.
2. The height of the building will be reduced from 45” to 35” with a flat roof.
3. The bank will remain in the same location.
4. A “Right Out Only” (No Left Turn) sign will be installed at the north driveway; and

**BE IT FURTHER,**

**RESOLVED**, 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 General Commercial to Multifamily Residential Mixed Use for the purposes of a proposed construction as above described and herein approved; and

**BE IT FURTHER,**

**RESOLVED**, that the Town Clerk of the Town of Lancaster is directed to send a public notice as required at the earliest possible opportunity.

**4781 Transit Road, Lancaster, New York 14086 (SBL #126.01-1-8.2)**

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Lancaster, County of Erie and State of New York, being part of Lot 97, Township 10 and Range 6 of the Buffalo Creek Reservation and described as follows:

COMMENCING at a point in the northeast corner of said Lot 97, Township 10, range 6; running thence southerly along the east line of said Lot 97, a distance of 1,076.16 feet to a point;

THENCE westerly and parallel with the north line of said Lot 97, a distance of 2,399.82 feet to a point in the southeast corner of lands now or formerly conveyed to 4781 Transit Road, Inc., by deed recorded in the Erie County Clerk's Office in Uber 10975 of deeds at page 7950, said point being the Point of Beginning;

THENCE westerly along the south line of said 4781 Transit Road, Inc. lands, a distance of 270.41 feet to the west line of Lot 97;

THENCE northerly at an interior angle of 90°01'11" along the said west line of Lot 97, a distance of 269.26 feet to the northwest corner of said 4781 Transit Road, Inc., lands;

THENCE easterly at an interior angle of 90°59'47" along the north line of said 4781 Transit Road, Inc. lands and the north line of lands now or formerly conveyed to Lancaster Road Strip Acquisitions, LLC by deed recorded in the Erie County Clerk's Office in Uber 11305 of deeds at page 9576, a distance of 315.55 to a point;

THENCE southerly at an interior angle of 88°59'02", along a line parallel with the west line of said lands conveyed to Lancaster Road Strip Acquisitions LLC, and through said lands a distance of 274.86 feet to a point on the south line of aforesaid lands;

THENCE westerly at an interior angle of 90°00'00", along the south line of aforesaid lands, a distance of 45.00 feet to the Point of Beginning.

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

May 15, 2023

**LEGAL NOTICE  
ADOPTION OF AMENDMENT  
ZONING ORDINANCE, TOWN OF LANCASTER  
4781 TRANSIT ROAD, INC.,  
4781 TRANSIT ROAD (S.B.L. No. 126.01-1-8.2)  
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 General Commercial (GC) to Multifamily Mixed Use (MFMU) for the property known as 4781 Transit Road (S.B.L. No. 126.01-1-8.2) within the Town of Lancaster, New York.

**May 25, 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 25<sup>th</sup> day of May, 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 25<sup>th</sup> day of May, 2023

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