

Town Board Minutes

July 6, 2020

Meeting No. 13

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held via teleconference on the 6th day of July 2020 at 7:00 P.M. and there were

PRESENT: ADAM DICKMAN, COUNCIL MEMBER
ROBERT LEARY, COUNCIL MEMBER
DAVID MAZUR, COUNCIL MEMBER
RONALD RUFFINO, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
KEVIN LOFTUS, TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
WILLIAM KARN, CHIEF OF POLICE
MICHELLE BARBARO, PARK CREW CHIEF
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.

EXECUTIVE SESSION:

AT 7:27 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER MAZUR AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing matters which imperil safety if disclosed.

At 8:04 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PRESENTATION OF PREFILED RESOLUTIONS:

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

RESOLVED, that the minutes of the Regular Meeting of the Town Board held June 15, 2020 be and are hereby approved.

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

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

July 6, 2020

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MAZUR, 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 Assistant to the Supervisor, to wit:

Claim No. 61383 to Claim No. 61630 Inclusive

Total amount hereby authorized to be paid: \$1,789,904.59

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

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

July 6, 2020

File: Reclaims

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

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

CODES:

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

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
00032		Backyard Party Supply	0 Rehm Rd	Operational Permit	
31036		Jay Lawrence	60 Norris Ave	Er. Fence	(V/L)
31069		TSC Housing, LLC	53 Wayne St	Re-Roof	(V/L)
31073		Kulback's Inc.	1821 Como Park Blvd	Er. Comm. Add./Alt.	(V/L)
31077		Nicholas Sautter	38 Greenmeadow Dr	Er. Shed	
31079		Marrano/Marc Equity Corp.	103 Avian Way	Er. Dwlg.-Sin.	
31090		Todd Zwifka	138 Robert Dr	Er. Pool-Abv Grnd	(V/L)
31096		Hey Builders, Inc.	17 Grace Way	Er. Porch Cover	
31097		Clover Construction Management	348 Harris Hill Rd	Er. Comm. Add./Alt.	
31099		James Buchert	48 Pleasant Ave	Re-Roof	(V/L)
31100		Deborah Magrum	11 Grafton Ct	Er. Shed	
31103		David Czuprynski	135 Avian Way	Er. Shed	
31104		Samantha Ley	29 Milton Dr	Er. Shed	(V/L)
31105		Stockmohr Co. Inc.	26 Pheasant Run Ln	Re-Roof	
31106		Randy Cera	1165 Penora St	Re-Roof	
31107		Steven Kane	92 Avian Way	Er. Res. Alt.	
31109		Chad Ferge	58 Aurora St	Er. Deck	(V/L)
31110		Fences by Precision LLC	140 Broezel Ave	Er. Fence	
31111		Fences by Precision LLC	130 Broezel Ave	Er. Fence	
31112		David Stotz	24 Windsor Ridge Dr	Er. Fence	
31113		Christopher Brown	20 Oakwood Comm	Er. Fence	
31114		David Staffeldt	214 Brunck Rd	Er. Deck	
31115		Adam Fabozzi	38 Veterans Dr	Er. Pool-Abv Grnd	
31116		Perkins Home Improvement LLC	8 Pinetree Dr	Er. Res. Alt.	
31117		Jeffrey Blank	198 Peppermint Rd	Er. Fence	
31118		Brian MacPeek	30 Fieldstone Ln	Er. Pool-Abv Grnd	
31120		Sandra Yale	69 Taft Ave	Er. Pool-Abv Grnd	
31121		Superior Decks & Gazebos Inc.	5 Park Walk	Er. Deck/Gazebo	
31122		Superior Decks & Gazebos Inc.	15 Spruceland Ter	Er. Deck	
31123		Superior Decks & Gazebos Inc.	221 Nathan's Trl	Er. Deck	
31125		Kevin Thompson	4 Katelyn Ln	Er. Fence	
31126		Iroquois Fence Inc.	5 Stream View Ln	Er. Fence	
31127		Buffalo's Best Roofing	5627 William St	Re-Roof	
31128		B&A Heim Construction	390 Aurora St	Re-Roof	(V/L)
31129		Kyle McCarthy	15 Wren Ave	Er. Porch	(V/L)
31130		James Stady	2 Hidden Trl	Er. Pool-Abv Grnd	
31131		Stephen Codd	68 Livingston St	Er. Fence	(V/L)
31132		Gen-Tech Power Systems LLC	541 Aurora St	Er. Porch	
31133		Michael Shaw	104 Irwinwood Rd	Er. Fence	(V/L)
31134		F&D Construction Inc.	47 W Home Rd	Er. Res. Alt.	
31136		Race Storage Sheds LLC	21 Middlebury Ln	Er. Shed	
31137		The Kuczarski Family Trust	18 Saybrook Dr	Er. Deck	
31138		TNT Custom Decks/ Remodel	85 Wilma Dr	Er. Deck	(V/L)
31139		Comfort Zone Heat	3920 Bowen Rd	Inst. Generator	
31141		Gen-Tech Power Systems LLC	14 Cobblestone Ct	Inst. Generator	
31142		David Lawton	2 Sterling Pl	Er. Fence	
31143		Laurie Granata	4956 William St	Er. Pool-Abv Grnd	
31144		David-Ulmer Sprinkler Co.	1700 Commerce Pkwy	Er. Comm. Add./Alt.	(V/L)
31145		John Mediak	80 Westwood Rd	Er. Deck	
31146		Majestic Pools Inc.	39 Newberry Ln	Er. Pool-In Grnd	
31148		Thomas Braunschweig	5092 William St	Er. Fence	
31149		Ambitious Enterprises, Inc.	2 A St Anthony St	Er. Fence	
31150		Arrow Contracting, Inc.	4817 Transit Rd	Er. Comm. Bldg.	

31151	Onalee Flading	58 Lakeside Cres	Er. Fence	(V/L)
31152	Franks Commercial & Home	662 Aurora St	Er. Res. Alt.	
31153	Luther Enterprises	12 Sterling Pl	Er. Fence	
31154	Andrew Blocho	6 Broadmoor Ct	Er. Shed	
31155	Richard & Laura Keil	125 Pleasant View Dr	Er. Fence	
31156	Autowave Inc.	1035 Ransom Rd	Er. Fence	
31158	Daniel Fox	27 Tranquility Trl	Er. Pool-Abv Grnd	
31159	Sahlems Roofing & Siding Inc.	25 Pinetree Dr	Re-Roof	
31161	Michele Cross	18 Squirrel Run	Er. Fence	
31162	Nicholas Fiocco	64 Tranquility Trl	Er. Garage	
31163	Woods Construction Co. Inc.	4835 Transit Rd	Er. Comm. Add./Alt.	
31166	The KAZ Company	226 Nathan's Trl	Re-Roof	
31167	The KAZ Company	5605 Broadway	Re-Roof	(V/L)
31168	David Turtle Lancaster LLC	5430 Broadway	Er. Fence	(V/L)
31169	Glen Snyder	29 Lenox Ave	Er. Shed	(V/L)
31171	Joseph Williams	120 Michaels Walk	Er. Shed	
31173	John Yochum	3609 Bowen Rd	Er. Pool-Abv Grnd	
31174	John Cavar	19 Hidden Meadow Cros	Er. Shed	
31175	Jonathan Poorman	206 Aurora St	Er. Fence	(V/L)
31178	Riverside Door & Window Inc.	14 Devonshire Ln	Re-Roof	
31180	Richard Lagowski	8 Butler Dr	Er. Pool-Abv Grnd	
31181	Kevin Miller	1215 Penora St	Er. Fence	
31182	Brian Mazurkiewicz	55 Apple Blossom Blvd	Er. Shed	
31185	Norman Dumke	27 Allen St	Er. Shed	(V/L)
31186	Gen-Tech Power Systems Inc.	39 Chestnut Corner	Inst. Generator	
31187	Lawrence Bauer	10 Grace Way	Er. Porch Cover	
31189	Sahlems Roofing & Siding Inc.	4805 Transit Rd	Re-Roof	
31190	Sahlems Roofing & Siding Inc.	4805 Transit Rd	Re-Roof	
31191	Sahlems Roofing & Siding Inc.	4805 Transit Rd	Re-Roof	
31192	Sahlems Roofing & Siding Inc.	4805 Transit Rd	Re-Roof	
31193	Sahlems Roofing & Siding Inc.	4805 Transit Rd	Re-Roof	
31194	Sahlems Roofing & Siding Inc.	165 Nathan's Trl	Re-Roof	
31195	Janinne Blank	20 Sagebrush Ln	Er. Shed	
31197	Five Star Roofing	2829 Wehrle Dr	Re-Roof	
31198	Corie Hirtzel	79 Elm Pl	Er. Fence	(V/L)
31199	House Crafters LLC	62 Kennedy Ct	Er. Res. Add.	
31200	Kevin Kozlowski	51 Michael Anthony Ln	Er. Deck	
31202	Anderson Water Systems, Inc.	49 Sagebrush Ln	Inst. Generator	
31203	Craig Heftka	7 Crabapple Ln	Er. Pool-Abv Grnd	
31204	Craig Heftka	7 Crabapple Ln	Er. Fence	
31205	Denise Piechowicz	16 Liberty Ave	Er. Fence	(V/L)
31207	Zenner & Ritter Co. Inc.	40 St Anthony St	Inst. Generator	
31208	Zenner & Ritter Co. Inc.	2 Charlton Pl	Inst. Generator	
31210	Corry Haaf	18 Mount View Pl	Er. Fence	(V/L)
31211	Gen-Tech Power Systems LLC	16 Clermont Ct	Inst. Generator	
31212	Luther Enterprises	12 Sterling Pl	Er. Pool-Abv Grnd	
31213	Robert Crowe	28 Jonquille Ct	Er. Porch/Porch Cover	
31214	Gen-Tech Power Systems LLC	13 Parkedge Dr	Inst. Generator	
31215	Jason Hejna	6 Magrum Ln	Er. Fence	
31218	HMC Home Improvements	6090 Broadway	Re-Roof	
31220	Crist Construction	55 Apple Blossom Blvd	Er. Porch Cover	
31221	Crist Construction	7 Windcroft Ln	Er. Porch Cover	
31224	Samuel Magistrale	111 Avian Way	Er. Fence	
31225	Luther Enterprises	3643 Bowen Rd	Er. Pool-In Grnd	
31239	Superior Decks & Gazebos Inc.	37 Ann Marie Dr	Er. Deck	

BE IT FURTHER,

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

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

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

July 6, 2020

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

WHEREAS, Donald Gordan, 22 Parktrail Lane, Cheektowaga, New York 14227 has applied to the Town Board of the Town of Lancaster for a permit for Private Improvements upon real property in the Town of Lancaster within 15 Lancaster Parkway, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the improvement plans and permit application for the installation of the private improvements requested, and that they conform to the Ordinances of the Town of Lancaster.

NOW, THEREFORE,

BE IT RESOLVED, that Private Improvement Permit Application No. 819, 15 Lancaster Parkway, Lancaster, New York 14086 which is a permit for Private Improvements for the installation of:

- One single story metal building located at 15 Lancaster Parkway. Project to include metal building, parking lot, landscaping and storm water management.

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

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

July 6, 2020

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

WHEREAS, by letter dated June 15, 2020, Michelle Barbaro, Crew Chief for the Town of Lancaster Parks and Recreation Department, has requested the current preventative maintenance agreements with H.C. Zang Agency, Inc for a one (1) year Advantage Ultra Service Plan and a one (1) Battery Preventative Maintenance Visit at the Lancaster Police Department be renewed, and

WHEREAS, the Agreement has been reviewed and approved by the Town Attorney, and

WHEREAS, funding for this service is available from the Town's Buildings, Account 01.1620.0426;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves and authorizes the Supervisor to execute the Renewal Agreement between the Town of Lancaster and H.C. Zang Agency, Inc., located at 6204 Goodrich Road, Clarence Center, New York, 14032, to provide maintenance services for a one (1) year Advantage Ultra Service Plan and a one (1) year Battery Preventative Maintenance Visit commencing September 13, 2020 and terminating September 12, 2021 at a cost not to exceed \$5,316.20 and to be paid for with funds available in the Town's Buildings, Miscellaneous Account 01.1620.0426.

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

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

July 6, 2020

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

WHEREAS, William J. Karn, Jr., Police Chief of the Town of Lancaster, by letter dated June 18, 2020, has recommended the appointment of Police Officer John Zimmerman of Lancaster, New York, to the position of School Resource Officer in the Town of Lancaster Police Department,

NOW, THEREFORE,

BE IT RESOLVED, that John Zimmerman is hereby appointed to the position of School Resource Officer in the Town of Lancaster Police Department effective July 9, 2020, and that such appointment shall be subject to the inter-municipal School Resource Officer Agreement between the Town of Lancaster and the Lancaster Central School District, all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the Cayuga Club Police Benevolent Association, and all applicable provisions of law, and

BE IT FURTHER,

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

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

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

July 6, 2020

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

BE IT RESOLVED, that the Town of Lancaster, Location Code 30040,
 hereby establishes the following standard work days for these titles and will report the
 officials to the New York State and Local Retirement System based on their record of
 activities:

NAME	SOCIAL SECURITY NUMBER (LAST 4)	NYSLERS ID	TITLE	CURRENT TERM BEGIN & END DATES	STANDARD WORK DAY (HRS/DAY)	RECORD OF ACTIVITIES RESULT	PAY FREQUENCY
Elected Officials							
Ronald Ruffino		R11402372	Supervisor	01/01/20 – 12/31/23	7	34.79	Biweekly
Diane Terranova		R11664271	Town Clerk	01/01/16 - 12/31/19	7	26.45	Biweekly
Appointed Officials							
Rebecca Baker		R11457130	Assessor	10/01/19 - 09/30/25	7	14.73	Biweekly
Kevin Loftus		R11672365	Town Attorney	01/01/20 - 12/31/21	7	11.93	Biweekly

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

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

July 6, 2020

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

WHEREAS, on May 7, 2018, on the petition of James Boglioli of Lancaster Peach, LLC, 570 Delaware Ave, Buffalo New York the Town Board rezoned the western 9.81 acre portion of a parcel of land located at 4817 Transit Road (SBL no 126.01-1-6) Lancaster, New York to change from the General Business District (GB) to the Commercial Motor Service District (CMS) and granted site plan approval to allow for the construction of a Delta Sonic Car Wash facility, and

WHEREAS, on July 2, 2018, the Town Board granted a Special Use Permit to James Boglioli, of Lancaster Peach, LLC, on behalf of Delta Sonic, to operate a car wash with gas pumps, interior detailing and both indoor and outdoor vacuums the premises, and

WHEREAS, a SEQR review was completed on the proposed site plan on April 2, 2018 and a Negative Declaration was issued, and

WHEREAS, the Delta Sonic, which is located on the east side of Transit Road, will be serviced by a single driveway which is located directly across from Jessica Lane on the west side of Transit Road, and

WHEREAS, the Delta Sonic has allowed for cross connections between Delta Sonic and the Kohl's located to the east, and

WHEREAS, as part of the review and approval of the Delta Sonic, the applicant provided a traffic study which demonstrated that a traffic signal was warranted at the driveway, and

WHEREAS, the Delta Sonic is presently under construction and an application has been submitted by the applicant to the New York State Department of Transportation for approval of a traffic signal at the driveway;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board supports the application for a traffic signal at the driveway which will service this project, as well as Jessica Lane, and by the adoption of this resolution requests that the New York State Department of Transportation grant permission for the installation of the requested traffic signal as not only is such warranted by the traffic generated by the project, but it will protect the health and safety of the residents 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 DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

July 6, 2020

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

WHEREAS, The Town of Lancaster’s Highway Department has been notified of a significant drainage issue along Court Street on property owned by the Lancaster Central School District, and

WHEREAS, by letter dated June 16, 2020 Lancaster Central School District Director of Facilities Michael Bryniarski identified the exact locations along Court Street where the drainage issues were located and requested assistance from the Town Highway Department to help alleviate the situation, and

WHEREAS, by letter dated June 22, 2020 Town Highway Superintendent Daniel Amatura requested permission from the Town Board to access the School District property and clean out the troubled spots along the ditch.

NOW THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes Daniel Amatura, Highway Superintendent of the Town of Lancaster to enter School District property along Court Street, in order to take corrective action to alleviate significant drainage problems caused by a blockage.

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

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

July 6, 2020

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

WHEREAS, MGR Constructors, Inc., P.O. Box 61, Bowmansville New York 14026, the contractor for the Lancaster Library Restroom Rehabilitation Project, has submitted Change Order No. 1 in the amount of \$9,064.00 for additional flooring replacement to Lancaster Library's restrooms and Change Order No. 2 in the amount of \$8,652.00 for additional ceiling replacement in the Library and Vestibule areas, to the Town Board for their approval, and

WHEREAS, Additional funds are for Change Order No.1 are available through the original New York State Education Department grant, as the original bid was less than the grant amount, and

WHEREAS, the Library Board has authorized the Library to expend their funds for the work under Change Order No. 2. The Town will receive reimbursement from the Library for this Change Order in the amount of \$8,652.00.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves Change Order No. 1 and Change Order No. 2 to MGR Constructors, Inc., with respect to the outlined descriptions previously provided to the Town Board and referenced above, and

BE IT FURTHER,

RESOLVED, that the Supervisor be and is hereby authorized to execute these Change Orders on behalf 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 DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

July 6, 2020

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

WHEREAS, the Town Board is considering the proposal submitted by H. Christopher Steng of Kulback's Construction for the 33,150 square foot single story metal building addition to an operating warehouse facility on a 9.2 acre parcel located at 3989 Walden Avenue, (SBL# 105.00-1-25.2), in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Planning Board has reviewed the environmental impact of this expansion project pursuant to SEQR regulations at their meeting on June 17, 2020 and recommended a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the expansion project using the short 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 an "Unlisted" action under SEQRA.

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

1. This project is described as a 33,150 square foot single story metal building addition to an operating warehouse facility on a 9.2 acre parcel located at 3989 Walden Avenue, (SBL# 105.00-1-25.2), in the Town of Lancaster, and will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.

2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.

3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.

4. This resolution is effective immediately.

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

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

July 6, 2020

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: July 6, 2020

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 Board of the Town of Lancaster has reviewed the 33,150 square foot single story metal building addition to an operating warehouse facility on a 9.2 acre parcel located at 3989 Walden Avenue, (SBL# 105.00-1-25.2), in the Town of Lancaster, and the Town Board has determined that the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Addition to Orville's Appliance

Location of Action: 3979 Walden Avenue., (SBL# 105.00-1-25.2), Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted

Description of Action: The project is described as a 33,150 square foot single story pre-engineered warehouse and truck dock addition to an operating warehouse facility.

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. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? **No impact.**
2. Will the proposed action result in a change in the use or intensity of use of land? **No impact.**
3. Will the proposed action impair the character or quality of the existing community? **No impact.**
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? **The Town of Lancaster has not established a Critical Environmental Area (CEA).**
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? **No impact.**
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? **No impact.**
7. Will the proposed action impact existing:
 - a. public/private water supplies? **No impact.**
 - b. public/private wastewater treatment utilities? **No impact.**

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? **No impact.**
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna)? **No impact.**
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No impact.**
11. Will the proposed action create a hazard to environmental resources or human health? **No impact.**

For Further Information:

Contact Person: Kevin E. Loftus, Town Attorney

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

Telephone Number: (716) 684-3342

PREFILED RESOLUTION NO. 12 – MEETING OF 7/6/2020

12. Ruffino/ _____ Adopt Salary Compensation Structure Part-Time Dog Control Officers

At the request of Supervisor Ruffino, this resolution was tabled for further study.

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

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves, as presented, the Agreement for Leave of Absence between the Town, the CSEA White Collar Unit and Rose Ann Brunstad.

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

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

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

July 6, 2020

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

WHEREAS, on June 17, 2020 Governor Andrew Cuomo signed into law a Bill which authorizes local governments to extend building permits and local Zoning Board of Appeals and Planning Board's active approvals for a period of up to 120 days, and

WHEREAS, said law can be used for the duration of the State disaster emergency declared pursuant to Executive Order 202 of 2020.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town Lancaster hereby extends for up to 120 days beyond the stated expiration date the following:

1. Building Permits issued before March 7, 2020
2. Local Zoning Board of Appeals and Planning Board active approvals issued before March 7, 2020

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

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

July 6, 2020

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

WHEREAS, the Town of Lancaster is interested in upgrading its telephone and fax service throughout its various Town buildings, and

WHEREAS, the Town of Lancaster, in consultation with its Information Technology Manager TechNet Task Group, obtained a proposal from Nextiva, 8800 E. Chaparral Rd. Suite 300, Scottsdale AZ 85250 for professional services to provide and design a complete upgrade and replacement of the phone system throughout the Town's municipal buildings, and

WHEREAS, according to the proposal dated June 18, 2020 there will be a one-time installation and hardware charge not to exceed \$3,528.95, and a recurring monthly charge not to exceed \$4,126.20 all of which will be paid through Budget Account 1.1620.454, and

WHEREAS, the above-referenced proposal has been duly reviewed and considered 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, on behalf of the Town of Lancaster, an Agreement for Professional Services, between the Town of Lancaster and Nextiva, 8800 E. Chaparral Rd. Suite 300, Scottsdale AZ 85250 for a complete upgrade and replacement of the phone system through all Town of Lancaster Offices and Departments per the terms and costs referenced above and specified in the June 18, 2020 proposal, and

BE IT FURTHER,

RESOLVED, that once executed this Agreement will be for a term of thirty-six months at which time it will continue on a month to month basis unless terminated by either party.

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

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

July 6, 2020

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

WHEREAS, Kevin Loftus, Town Attorney of the Town of Lancaster, by letter dated June 10, 2020, has recommended the appointment of the following individual to the following part-time temporary position.

NOW, THEREFORE,

BE IT RESOLVED, that the following individual is hereby appointed to the following part-time temporary position in the Town of Lancaster Attorney’s Office, for a period not to exceed one (1) year, and that this being a part-time position, 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>
Genevieve Zajac Lancaster, NY	Clerk	\$17.56	July 7, 2020

BE IT FURTHER,

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

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

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	NO
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

July 6, 2020

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

NOW, THEREFORE,

BE IT RESOLVED, that Anthony Gorski, Lancaster, NY be and is hereby appointed a member of the Town of Lancaster Planning Board for the period January 1, 2020 through December 31, 2020.

BE IT FURTHER,

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

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

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

July 6, 2020

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

WHEREAS, Town Engineer Edward Schiller, sent out a Request for Quotes for the Reconstruction of Partridge Walk within the Town of Lancaster, and

WHEREAS, four (4) quotes were received, opened and reviewed on July 1, 2020, and

WHEREAS, by letter dated July 1, 2020, Wm Schutt & Associates P.C., consulting Engineer for the Town of Lancaster and Highway Superintendent Daniel Amatura have recommended awarding the contract to Anastassi Trucking Inc. as providing the lowest quote in the amount of \$125,840.00.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster, hereby awards the contract for the Partridge Walk Reconstruction Project, to Anastassi Trucking Inc. 4430 Walden Ave., Lancaster NY 14086, in conformance with the specifications on file in the Town Clerk's office, in the total amount not to exceed \$125,840.00.

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

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

July 6, 2020

COMMUNICATIONS & REPORTS

- 325. James Ostroff to Town Board and Planning Board –
Concerns with drainage regarding the proposed Stutzman Road Subdivision.
Disposition = Received & Filed**
- 326. Jennifer Tulumello to Planning Board –
Response to draft scope regarding the proposed Stutzman Road Subdivision with
signatures of residents who are opposed to this project.
Disposition = Received & Filed**
- 327. Residents of Bowmansville to Town Board and Planning Board –
Photos of flooding in Bowmansville. Disposition = Received & Filed**
- 328. Deputy Commissioner, NYS Agriculture & Markets to Supervisor –
Thank you for letter to Governor Cuomo regarding funding to support the
Companion Animal Capital Fund program. Disposition = Received & Filed**
- 329. Charles Malcomb, Hodgson Russ to Town Board –
Information regarding legal representation concerning review of an application
from Natale Builder, Inc. for the Stutzman Road Subdivision Project.
Disposition = Received & Filed**
- 330. Park Crew Chief to Town Board –
Request for resolution to renew service agreement for preventative maintenance
for a one year service plan and battery maintenance visit at the Lancaster Police
Dept. with H.C. Zang Agency, Inc., 6204 Goodrich Rd., Clarence, NY.
Disposition = Resolution 7/6/20**
- 331. Supervisor to Lancaster Town residents –
Local State of Emergency declared due to COVID-19 in the Town of Lancaster
beginning on June 15, 2020 and continuing in effect until July 15, 2020.
Disposition = Received & Filed**
- 332. NYS Dept. of Environmental Conservation to Town Clerk –
Information regarding Public Comment About Proposal to Address
Contamination at Brownfield Site on Jamison Road.
Disposition = Received & Filed**
- 333. Town Clerk to Town Board –
Notice of appointment of Rose Ann Brunstad to the full-time position of
Deputy Receiver of Taxes effective July 7, 2020, to fill a vacancy.
Disposition = Received & Filed**
- 334. NYS Dept. of Taxation & Finance to Supervisor –
Certificate of the Final State Equalization Rate for the 2020 Assessment Roll.
Disposition = Received & Filed**
- 335. Code Enforcement Officer to Town Board –
Recommend renewal of Special Use Permit for Delta Sonic Car Wash,
4817 Transit Rd.; stipulations noted. Disposition = For Resolution**
- 336. Town Clerk to Police Chief –
Transmittal of application for a fireworks permit for Lancaster National
Speedway, 57 Gunnville Road. Disposition = Received & Filed**
- 337. Patrol Captain Laurienzo to Building Inspector –
No objection to proposed fireworks permit for Lancaster Speedway,
57 Gunnville Road. Disposition = Received & Filed**
- 338. Town Clerk to Matt Shaw –
Permit for a fireworks display on July 3, 2020, at Lancaster National
Speedway. Disposition = Received & Filed**

- 339. Police Chief to Supervisor and Town Board –
Notice of selection of Officer John Zimmerman to fill the vacant S.R.O.
position in the Police Department effective July 9, 2020.
Disposition = Resolution 7/6/20**
- 340. Town Engineer to Town Board –
Request for resolution approving Change Orders 1 & 2 for Lancaster
Public Library Restroom Restoration. Disposition = Resolution 7/6/20**
- 341. Highway Superintendent to Town Board –
Request for permission from the Town Board to clean out the ditch on
Court St. as per a request from the Lancaster Central School District.
Disposition = Resolution 7/6/20**
- 342. Planning Board Chairman to Planning Board, Town Board, Town Attorney,
Engineering Consultant, Highway Superintendent and Building Inspector –
Draft copy of minutes from June 17, 2020 Planning Board meeting.
Disposition = Received & Filed**
- 343. Rich Healy to Town Clerk –
Request for review and approval by Town Board to install a fence adjacent to
Meadow Lea Park pedestrian pathway. Disposition = Received & Filed**
- 344. Town Clerk to Town Board –
Minutes from June 25, 2020 Ethics Board Meeting.
Disposition = Received & Filed**
- 345. Town of Cheektowaga Zoning Board of Appeals to Town Clerk –
Decision to deny request regarding 4808 Transit Road.
Disposition = Received & Filed**
- 346. Residents of Belmont Avenue and Riemers Avenue to Supervisor –
Request for assistance regarding commercial vehicles parking in driveways
on Belmont Avenue and Riemers Avenue.
Disposition = Received & Filed, Police**
- 347. Town Engineer to MGR Constructors, Inc. –
Acceptance of additional time request for Restroom Rehabilitation Lancaster
Library. Disposition = Received & Filed**
- 348. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**
- 349. Dog Control Officer to Town Clerk –
Dog Control Monthly Report for June 2020. Disposition = Received & Filed**
- 350. Mark Lawniczak to Police Chief –
Resignation from position as Public Safety Dispatcher for the Town of Lancaster
effective June 29, 2020. Disposition = Received & Filed**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER MAZUR AND SECONDED BY
COUNCIL MEMBER LEARY AND CARRIED,** the meeting was adjourned in memory of
Sue Ann Barnes, Robert DeVries, John Rupp, Donald Schall and Donald Symer at 8:05 P.M.

Signed _____

Diane M. Terranova, Town Clerk