

**Town Board Minutes**

July 20, 2020

Meeting No. 14

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held via teleconference on the 20<sup>th</sup> 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  
DANIEL AMATURA, HIGHWAY SUPERINTENDENT  
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.

**PERSONS ADDRESSING TOWN BOARD:**

**Ferry, Tom,** spoke to the Town Board on the following matter:

- Asked for consideration to build on subdivided lots on Nichter Road.

**Puccio, Don,** spoke to the Town Board on the following matter:

- Concerns regarding drainage on Greenmeadow Drive, Lucia Court and Warner Road.

**Scaccia, Victor,** spoke to the Town Board on the following matter:

- Comments regarding drainage on Greenmeadow Drive.

**Tatoli, Beatrice,** spoke to the Town Board on the following matter:

- Concerns regarding drainage on Warner Road.

**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 July 6, 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 20, 2020

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER LEARY, 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. 61631 to Claim No. 61763 Inclusive

Total amount hereby authorized to be paid: \$1,073,369.89

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 20, 2020

File: Rclaims

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
2020-002		DDS Holdco LLC	5550-5900 Genesee St	Develop Floodplain	
30915		Jamie Loos	660 Townline Rd	Er. Pole Barn	
31007		David Schaub	35 Robert Dr	Er. Fence	(V/L)
31062		Andrew Hallnan	63 Tranquility Trl	Er. Fence	
31086		Buffalo Roof Appeal LLC	32 Chicory Ln	Re-Roof	
31135		Kim Wozniak-Kilijanski	5455 Broadway	Er. Res. Alt.	(V/L)
31160		Erik Hilley	14 Spruceland Ter	Er. Fence	
31164		Melody Haaf	42 Newell Ave	Er. Pool-Abv Grnd	(V/L)
31165		Nicholas Zinter	23 Weathersfield Ln	Er. Fence	
31172		George Johnston	1708 Como Park Blvd	Re-Roof	
31216		Richard Lagowski	8 Butler Dr	Er. Deck	
31217		Switala's Siding Cedar Inc.	8 Overlook Ct	Re-Roof	
31222		Marrano/Marc Equity Corp.	88 Avian Way	Er. Dwlg.-Sin.	
31223		Marrano/Marc Equity Corp.	85 Avian Way	Er. Dwlg.-Sin.	
31228		House Crafters LLC	38 Signal Dr	Re-Roof	
31229		Besroi Construction	31 Saybrook Dr	Er. Deck	
31230		House Crafters Inc.	22 Parkedge Dr	Re-Roof	
31232		James Riley	51 Old Post Rd	Er. Shed	
31233		Antonio La Gambina	10 Butler Dr	Er. Shed	
31234		Antonio LaGambina	10 Butler Dr	Er. Pool-Abv Grnd	
31235		Matthew Reitnour	122 Michaels Walk	Er. Shed	
31236		Cortese Brothers Construction	148 Schwartz Rd	Er. Porch Cover	
31237		Besroi Construction	74 Grambo Dr	Er. Deck	
31238		Besroi Construction	86 Grambo Dr	Er. Deck	
31240		Stockmohr Co. Inc.	28 Thorn Apple Ln	Re-Roof	(V/L)
31241		Stockmohr Co. Inc.	5 Pondview Ct	Re-Roof	
31242		Franks Commercial & Home	31 Gordon Ave	Inst. Res. Plumbing	(V/L)
31243		JHT Construction Inc.	30 Signal Dr	Re-Roof	
31244		J.H. Trucking & Excavating	234 Aurora St	Dem. Rear Struc.	(V/L)
31245		Mark Waliger	164 Irwinwood Rd	Er. Fence	(V/L)
31246		Besroi Construction	6287 Genesee St	Re-Roof	
31247		Besroi Construction	13 Cambridge Ct	Re-Roof	
31248		Besroi Construction	20 Ann Marie Dr	Re-Roof	
31249		Auburn Watson Corp.	174 Enchanted Forest S	Er. Res. Add./Alt.	
31250		Besroi Construction	22 Ann Marie Dr	Re-Roof	
31251		Buffalo Roof Appeal LLC	112 Court St	Re-Roof	(V/L)
31252		Buffalo's Best Roofing	4 Village View	Re-Roof	
31253		Schuster Construction LLC	152 Hinchey Ave	Er. Res. Add.	(V/L)
31254		Building Solutions	15 Ann Marie Dr	Re-Roof	
31256		The Vinyl Outlet Inc.	46 Pheasant Run Ln	Er. Deck	
31257		Richard C. Krywalski, Jr.	12 Ravenwood Dr	Er. Fence	
31258		Black Rock Roofing	316 Westwood Rd	Re-Roof	
31259		Richard Yates	209 Warner Rd	Er. Fence	
31260		Iroquois Fence Inc.	89 Albert Dr	Er. Fence	(V/L)
31261		Jacqueline Devlin	28 Wilkshire Pl	Er. Fence	(V/L)
31262		Brian Haseltine	3753 Bowen Rd	Er. Res. Alt.	
31263		Sam Vanini	36 Robert Dr	Er. Fence	(V/L)
31264		David Griffith	38 Cowing St	Er. Pool-Abv Grnd	(V/L)
31265		Stewart & Gail Schooler	24 Hidden Meadow Cros	Er. Shed	
31266		Sturdi-Build	117 Avian Way	Er. Shed	
31267		Amy Stroka	2167 Como Park Blvd	Er. Fence	
31268		Swimco Manufacturing Inc.	26 Pear Tree Ln	Er. Pool-In Grnd	
31269		D Allen & Son Contracting Inc.	24 Brookfield Pl	Re-Roof	(V/L)

31270	Mark Gaglione	64 Erie St	Er. Fence	(V/L)
31271	Brandon Schalck	27 Church St	Er. Fence	(V/L)
31272	Francis Rera	83 Williamsburg Ln	Er. Shed	
31273	Switala Berner Construction	107 Pleasant View Dr	Re-Roof	
31274	Barrett Green	22 Michael Anthony Ln	Er. Fence	
31275	Thomas Stenzel	77 Harvey Dr	Er. Shed	
31276	Antoinette Addeo	31 Greenmeadow Dr	Er. Pool-Abv Grnd	
31277	Thadeusz Leczynski	47 Benson Dr	Er. Fence	(V/L)
31278	Majestic Pools Inc.	19 Deerpath Dr	Er. Pool-In Grnd	
31280	Robert Monti	5813 Broadway	Er. Sign - Temp	
31281	Scott Page	33 Sagebrush Ln	Er. Pool-Abv Grnd	
31282	Mackenzie Pierce	15 Maple Ave	Er. Shed	(V/L)
31283	Betty Frey	88 William Kidder Rd	Re-Roof	
31284	Paul Santodonato	69 Tranquility Trl	Er. Shed	
31286	Scott Freitas	78 Wilma Dr	Er. Res. Alt.	(V/L)
31287	David Schaub	35 Robert Dr	Er. Fence	(V/L)
31288	Lawrence Zak	28 Burwell Ave	Er. Pool-Abv Grnd	(V/L)
31289	Castle Home Improvements	4 Sussex Ln	Re-Roof	
31290	Howard Fisher	751 Aurora St	Er. Fence	
31291	Gary Keitz	14 Robinwood Ct	Er. Fence	
31292	Thomas Harmon	94 S Irwinwood Rd	Er. Deck	(V/L)
31293	Zenner & Ritter Co. Inc.	6 Fox Trace	Inst. Generator	
31294	Douglas Peita	37 Sagebrush Ln	Er. Fence	
31295	Marrano/Marc Equity Corp.	110 Avian Way	Er. Dwlg.-Sin.	
31296	Mark Stonebraker	1928 Como Park Blvd	Er. Fence	(V/L)
31297	Marrano/Marc Equity Corp.	126 Avian Way	Er. Dwlg.-Sin.	
31298	Marrano/Marc Equity Corp.	93 Avian Way	Er. Dwlg.-Sin.	
31299	DSS Enterprises Inc.	459 Central Ave	Re-Roof	
31300	Shaun DiMino	0 Pavement Rd	Er. Dwlg.-Sin.	
31303	Arthur Tubisz	1236 Penora St	Er. Fence	
31304	Castle Home Improvements	24 Apple Blossom Blvd	Re-Roof	
31305	Castle Home Improvements	29 Ashwood Ct	Re-Roof	
31306	R&D Contracting	4 Blackstone Ct	Er. Deck	
31308	Bryan Stockman	35 Newberry Ln	Er. Fence	
31310	Paul Santodonato	69 Tranquility Trl	Er. Fence	
31311	Chris Gregory	21 Oakwood Comm	Er. Fence	
31313	Crist Construction	30 Saybrook Dr	Er. Deck	
31314	Leanne Kozaczka	250 Seneca Pl	Er. Fence	
31315	Lawrence Livergood	1 Deerpath Dr	Er. Fence	
31316	Amber Wetzler	106 Brunswick Rd	Er. Fence	(V/L)
31320	Brian Radko	48 Village View	Er. Deck	
31324	Kristie Hammer	45 Banner Ave	Er. Shed	(V/L)
31325	Joseph Herdzik	10 Rose Hill Cir	Er. Shed	
31327	Mark Schlesinger	31 Sagebrush Ln	Er. Pool-Abv Grnd	
31328	Vincent Porzio	259 Broezel Ave	Er. Fence	
31331	WNY Roofing	590 Pavement Rd	Re-Roof	
31332	Damien Fugate	102 Newberry Ln	Er. Pool-Abv Grnd	
31334	Damien Fugate	102 Newberry Ln	Er. Deck	
31336	William C. Rott & Sons, Inc.	55 Stony Brook Dr	Re-Roof	
31338	William C. Rott & Sons Inc.	5486 Broadway	Re-Roof	(V/L)
31341	William Pukalo	82 Avian Way	Er. Shed	
31343	Robert Bologna	16 Via Donato W	Inst. Generator	
31346	William C. Rott & Sons Inc.	70 Wayne St	Re-Roof	(V/L)

**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 DICKMA	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

July 20, 2020

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

**WHEREAS**, the Town Board of the Town of Lancaster has reviewed the operation of the Town Dog Control Department, and has determined to clarify the compensation structure in the Department.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that effective July 21, 2020, any individual appointed to an unsalaried part-time position as Dog Control Officer in the Town of Lancaster Dog Control Department shall be compensated for the actual number of hours worked, except that, in the case of an unscheduled call-in required as a result of a dangerous dog presenting a threat to public safety as determined by the Town of Lancaster Police Department or Dog Control Officer, and also in the case of an unscheduled call-in to care for or feed a dog in Town of Lancaster custody and for court appearances required by their official duties as a Dog Control Officer for the Town of Lancaster, any such individual shall be compensated for the greater of four hours or the actual number of hours worked, and

**BE IT FURTHER,**

**RESOLVED**, that the provisions of this resolution shall supersede any previous resolutions of the Board regarding the compensation of unsalaried employees in the Dog Control Department, 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	NO
SUPERVISOR RUFFINO	VOTED	NO

July 20, 2020

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

**WHEREAS**, the Lancaster Rural Cemetery Association is seeking contribution for its operating expenses from the Town of Lancaster; and

**WHEREAS**, the Town Board previously reviewed this matter and has discovered that in the event that this not-for-profit organization ceases to exist, the Town of Lancaster would become responsible for the maintenance and upkeep of said cemetery pursuant to Town Law, which would place a significant financial burden on town taxpayers, and

**WHEREAS**, said funding was approved in the adopted 2020 Town of Lancaster budget in the sum of fifteen-thousand dollars (\$15,000.00), and

**WHEREAS**, by letter dated July 1, 2020 and received by the Town on July 6, 2020, the Lancaster Rural Cemetery Association has requested the second installment of seven-thousand, five-hundred dollars (\$7,500.00) be provided by the Town, and

**WHEREAS**, the Town Board deems it in the public interest to provide financial assistance to the Lancaster Rural Cemetery Association so that this not-for-profit organization can continue to operate and maintain the Lancaster Rural Cemetery without this obligation falling to the Town.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to provide the sum of seven-thousand, five-hundred dollars (\$7,500.00) to the Lancaster Rural Cemetery Association for its continued operation and maintenance of the before-mentioned cemetery, with said funds being allocated from the Town's 2020 Cemeteries Budget, Line Item A.8810.449.

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 20, 2020

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

**WHEREAS**, Diane Terranova, Town Clerk for the Town of Lancaster, by letter dated July 6, 2020, has recommended the appointment of Sherry Guarino to the position of Clerk Typist in the Town of Lancaster Tax Department of the Office of the Town Clerk, and

**WHEREAS**, Sherry Guarino is eligible for appointment to this position pursuant to the standards and procedures as set forth in the Civil Service Law.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that Sherry Guarino of Lancaster, New York, be and is hereby appointed to the position of Clerk Typist in the Town of Lancaster Tax Department of the Office of the Town Clerk, contingent upon approval by Erie County Department of Personnel, effective July 27, 2020 and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA White Collar Union and all applicable provisions of law, and

**BE IT FURTHER,**

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

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

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

July 20, 2020



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

**WHEREAS**, National Fuel Gas Company, 6363 Main Street, Williamsville, New York 14127 has applied to the Town Board of the Town of Lancaster for a permit for Public Improvement upon real property in the Town of Lancaster along NYS-90 between Freeman Road and Gunnville Road, 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 public improvements requested, and that they conform to the Ordinances of the Town of Lancaster.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that Public Improvement Permit Application No. 820 of National Fuel Gas Company, 6363 Main Street, Williamsville, New York 14127 which is a permit for Public Improvements for:

- Replacing sections of 20" pipe within a 3.5 mile stretch of existing line within the existing row alongside NYS-90 between Freeman Road and Gunnville Road. There is potential to replace the entire line within the established row. 4,905' of pipeline will be replaced.

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 20, 2020

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

**WHEREAS**, Rob Savsrino, 8940 Main Street, Clarence, New York, 14031 has applied to the Town Board of the Town of Lancaster for a permit to construct a Public Improvement upon real property in the Town of Lancaster within Cross Creek Phase VIII Subdivision, and

**WHEREAS**, the Town Engineer has certified on the following permit application that he has reviewed the improvement plan and permit application for the installation of the public improvement requested, and that it conforms to the Ordinances of the Town of Lancaster.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that Public Improvement Permit Application No. 821 of Rob Savsrino, 8940 Main Street, Clarence, New York 14031, for the installation of:

- Furnish and install five (5) street lights as per plan at Cross Creek Phase VIII.

be and is hereby approved and the installation of the improvement requested be and is hereby authorized.

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 20, 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 received a site plan application from James Churchill of Churchill Architectural , on behalf of Commerce Heritage Inc, for a 271,000 sq. ft. manufacturing warehouse located at Walter Winter Dr. and Commerce Pkwy. in the Town of Lancaster Lot 1 (SBL 105.00-1-19), Lot 2 (SBL 105.00-1-.4.5) and Lot 3 (SBL 105.00-1-24) (the “Action”); and

**WHEREAS**, the Town Board of the Town of Lancaster (the “Town Board”) must comply with SEQRA and its implementing regulations at 6 N.Y.C.R.R. Part 617 in the review of the Action; and

**WHEREAS**, the Town Board is an involved agency pursuant to SEQRA; and

**WHEREAS**, the Town Board has determined that the Action is a “Type I” action under SEQRA, requiring a coordinated review; and

**WHEREAS**, the Town Board intends to serve as the Lead Agency for the coordinated SEQRA review of the Action.

**NOW, THEREFORE,**

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

1. The Action is hereby determined to be a Type I action under SEQRA.
2. The Town Board hereby declares its intent to act as Lead Agency, pursuant to SEQRA, for the purpose of conducting the environmental review of the Action.
3. The Town Board hereby directs the Town Attorney to send the Notice of Intent to Act as Lead Agency to the other involved/interested agencies, pursuant to SEQRA.
4. This Resolution shall be 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 20, 2020

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

**WHEREAS**, Daniel Amatura, Highway Superintendent of the Town of Lancaster, by letter dated July 14, 2020, has appointed Ryan Bonn to the position of Laborer - Highways in the Town of Lancaster Highway Department, pursuant to New York State Highway Law.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby recognizes the appointment of Ryan Bonn of Depew, New York to the position of Laborer – Highways in the Town of Lancaster Highway Department effective July 20, 2020, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA Blue Collar Union and all applicable provisions of law; and

**BE IT FURTHER,**

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

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

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

July 20, 2020

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

**WHEREAS**, Chief William J. Karn, Jr. of the Town of Lancaster Police Department, by letter dated July 6, 2020, has requested authorization for two (2) lieutenants of the Lancaster Police Department to attend the 2020 FBI Great Lakes Leadership Seminar in Niagara Falls, New York from October 4-9, 2020.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that Lieutenant Shaun DiMino and Lieutenant Ronald Rozler of the Town of Lancaster Police Department, are hereby authorized to attend the 2020 FBI Great Lakes Leadership Seminar in Niagara Falls, New York from October 4-9, 2020; and

**BE IT FURTHER,**

**RESOLVED**, that the total cost of attendance for two (2) lieutenants at the above mentioned training course is hereby authorized in an amount not-to-exceed \$750.00 for actual and necessary expenses, including the cost of registration, travel and meal expenses for six (6) days on the specified dates of training; and

**BE IT FURTHER,**

**RESOLVED**, that all requests for reimbursement must be presented in the form of original, itemized receipts for actual and necessary expenses upon submission of proper documentation to the Accounting Department 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 20, 2020

**PREFILED RESOLUTION NO. 12 – MEETING OF JULY 20, 2020**

12. Ruffino/\_\_\_\_\_ Approve Six (6) Month Residency Requirement Extension For Pam CuvIELLO Director of Administration and Finance

This resolution was withdrawn by Supervisor Ruffino.

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

**WHEREAS** Daniel Amatura, Lancaster Highway Superintendent recommends that Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C. (“Wendel”) provide Construction Administration and Resident Observation Services related to the Public Improvement Permits (PIP) Inspection program in the Town of Lancaster; and

**WHEREAS,** Wendel has submitted a proposal for said services dated July 13, 2020, which details its scope of services including Construction Administration and Resident Observation Services; and

**WHEREAS,** by letter dated July 14, 2020, the Highway Superintendent has recommended that the Town of Lancaster authorize Wendel to perform Construction Administration for its quoted lump sum of \$7000, and Resident Observation Services at \$100.00 per hour related to the Public Improvement Permits (PIP) Inspection program in accordance with the Town of Lancaster’s Procurement Policy.

**NOW, THEREFORE,**

**BE IT RESOLVED,** that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute the above referenced agreement, proposed by Wendel, as presented.

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

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

July 20, 2020

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

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute on behalf of the Town of Lancaster, the Agreement for Professional Services, as presented, between the Town of Lancaster and TechNet Task Group, 11 Worthington Lane, Lancaster, New York 14086 for consulting services and technical installation/configuration for the new telephone system which will be utilized in all municipal buildings for a set fee of \$9,000 per the terms and conditions listed in the agreement which will be paid for with funds available in the 165.165.600.

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 20, 2020



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

**A BOND RESOLUTION, DATED JULY 20, 2020, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE "TOWN") AUTHORIZING THE RECONSTRUCTION OF AND CONSTRUCTION OF IMPROVEMENTS PRIMARILY ALONG PARTRIDGE WALK IN THE TOWN, AT AN ESTIMATED MAXIMUM COST OF \$160,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$160,000 OF THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH 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, in the County of Erie, New York (the "Town") desires to undertake a capital improvements project primarily along Partridge Walk within the Town;

**NOW THEREFORE,**

**BE IT RESOLVED**, by the Town (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 capital improvements project generally consisting of the reconstruction of and construction of improvements primarily along Partridge Walk in the Town, such work to include, but not be limited to, the construction of improvements to the sub-base and pavement section of the roadway, underdrains and curbing, as well as other improvements as more fully identified in (or contemplated by) a preliminary engineering report prepared by Wm. Schutt & Associates, P.C., including all preliminary work and necessary equipment, materials and site work and any preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$160,000.

**SECTION 2.** The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$160,000 of the Town, hereby authorized to be issued therefore pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, 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 3.** It is hereby determined that the Purpose is an object or purpose described in subdivision 20(a) of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is five 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 such bonds.

**SECTION 5.** It is hereby determined the proposed maturity of the obligations authorized by this resolution will not 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 will 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, there will 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 Section 1 of this resolution. The Town then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (a) the date hereof or (b) the date of any earlier expression by the Town of its intent to reimburse such expenditures) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration (or reaffirmation) of the Town's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

**SECTION 9.** 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 10.** 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 11.** 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 12.** The Town has determined that the Purpose will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") is required.

**SECTION 13.** 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 14.** The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

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

(b) the provisions of the law which should be 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 such publication of this notice, or

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

**SECTION 15.** 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 the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

**SECTION 17.** This resolution is effective immediately pursuant to Section 35.00(b)(3) of the Local Finance Law.

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 20, 2020

**SUSPENDED RESOLUTION**

Supervisor Ruffino requested a suspension of the necessary rules for immediate consideration of the following resolution:

UPON A MOTION DULY MADE BY COUNCIL MEMBER MAZUR, SECONDED BY COUNCIL MEMBER LEARY AND CARRIED, a suspension was granted.

**SUSPENSION GRANTED**

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

**WHEREAS**, Town of Lancaster Police Detective Captain, Jeffrey Smith, by letter dated July 16, 2020 has requested the purchase of one (1) new and unused 2020 Chevrolet Equinox 2LT AWD for use by the Lancaster Police Detective Bureau, and

**WHEREAS**, based on the emergency need of this new vehicle and in accordance with the Town’s Procurement Policy F2, three quotes were obtained from Chevrolet Dealers, the lowest being from West Herr Chevrolet of Williamsville for \$27,779.75

**WHEREAS**, Captain Smith has recommended the purchase of the above referenced vehicle, in accordance with said specifications, from West Herr Chevrolet of Williamsville in the amount of \$28,014.18 which is the purchase price plus registration and title fees, and

**WHEREAS**, the Town Board deems it in the public interest to approve the purchase of said vehicle.

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

- 1) The Town Board of the Town of Lancaster hereby approves the purchases of one (1) new and unused 2020 Chevrolet Equinox 2LT AWD from West Herr Chevrolet of Williamsville in the amount of \$28,014.18 which will paid out of the 2020 Police Department – “Passenger Vehicles” Budget Line 3120.220.

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 20, 2020

## COMMUNICATIONS & REPORTS

351. **Town Attorney to NYSDEC, Division of Sewerage Management, US Army Corps of Engineers, Erie County Health Dept., Erie County Water Authority, NYSDOT, and Erie County DEP –  
Request for lead agency designation regarding Coordinated Review – Site Plan Design – Commerce Heritage Warehouse Project, 0 Walter Winter Dr., Proj. No. 8766. Disposition = Planning Committee**
352. **Code Enforcement Officer to Drainage & Storm Sewer Committee –  
MS4 June 2020. Disposition = Received & Filed**
353. **Town Clerk to Town Board –  
Town Clerk Monthly Report June 2020. Disposition = Received & Filed**
354. **Principal Frontier Central High School to Supervisor –  
Thank you for making graduation ceremony at Lancaster Speedway on June 28, 2020 a success. Disposition = Received & Filed**
355. **Village of Lancaster to Town of Lancaster –  
Adoption of bond resolution dated June 22, 2020, authorizing the acquisition and installation of LED street lights. Disposition = Received & Filed**
356. **Lancaster Rural Cemetery Association to Supervisor and Town Board –  
Request for 2<sup>nd</sup> installment of \$7,500 of the 2020 annual allowance.  
Disposition = Resolution 7/20/20**
357. **Police Chief to Town Board –  
Request for resolution allowing two lieutenants to the 2020 FBI Great Lakes Leadership Seminar to be held on October 4-9, 2020, in Niagara Falls, NY.  
Disposition = Resolution 7/20/20**
358. **Town Clerk to Code Enforcement Officer –  
Copy of letter from Joanne Rocco requesting a renewal of a Special Use Permit for Antique, Home Décor & Handcrafted Items Retail Store, 5300 Transit Road. Disposition = Town Attorney**
359. **Town Clerk to Town Board –  
Copy of final settlement payment to Erie County. Disposition = Received & Filed**
360. **Iroquois Central School District to Receiver of Taxes –  
Notice of confirmation of appointment as tax receiver for the Town of Lancaster for the 2020-2021 school year. Disposition = Received & Filed**
361. **Code Enforcement Officer to Town Board –  
Request for extension of residency requirement for Jesse Gilbert for an additional six months. Disposition = For Resolution**
362. **Federal Insurance and Mitigation Administration of FEMA to Supervisor –  
Information regarding location of 3830 Walden Ave. within the Special Flood Hazard Area and within the regulatory floodway for Scajaquada Creek.  
Disposition = Received & Filed**
363. **Pamela CuvIELLO, Director of Administration & Finance to Town Board –  
Request for extension of residency requirement for an additional six months.  
Disposition = Received & Filed**
364. **VFW/AMVETS Post 7275 to Supervisor –  
Information regarding Drive-Thru Chicken Dinner on Sunday, August 9, 2020. 12 noon – until sold out. Disposition = Received & Filed**

- 365. Town Clerk to Town Board –  
Request for Sherry Guarino to be appointed to the position of Clerk Typist  
in the Tax Department of the Office of the Town Clerk effective July 27, 2020.  
Disposition = Resolution 7/20/20**
- 366. Highway Superintendent to Town Board –  
Request for Ryan Bonn to be appointed to the position of Laborer Grade #1  
in the Highway Department effective July 20, 2020.  
Disposition = Resolution 7/20/20**
- 367. Supervising Code Enforcement Officer to Town Board –  
Recommend renewal of Special Use Permit for 5300 William Street for Home  
Occupation (Antiques, Home Décor and Handcrafted Items Retail Store).  
Disposition = For Resolution**
- 368. Clarence Central School District to Town Clerk –  
Appointments made by Board of Education at Annual Reorganization Meeting.  
Disposition = Received & Filed**
- 369. William Schutt, PE & Edward Schiller, PE to Supervisor and Town Board –  
Acknowledgment of instructions that services to provide construction inspection  
will not be required on any future Town Public Improvement Permit Projects.  
Disposition = Received & Filed**
- 370. Supervisor to Lancaster Town residents –  
Local State of Emergency declared due to COVID-19 in the Town of Lancaster  
beginning on July 15, 2020 and continuing in effect until August 15, 2020.  
Disposition = Received & Filed**
- 371. Code Enforcement Officer to Drainage & Storm Sewer Committee –  
Information regarding rear yard drainage system Lucia Ct./Warner Rd.  
Disposition = Received & Filed**
- 372. Barbara Robinson to Town Clerk –  
Request for Town to review house plans for lot #1 on Nichter Road which is  
part of lot #272 on Pavement Road. Disposition = Received & Filed**
- 373. Lieutenant Michael Cronin to Town Board –  
Intent to retire from service in Lancaster Police Department effective on  
July 31, 2020. Disposition = Received & Filed**
- 374. Police Chief to Town Clerk –  
Articles and communications. Disposition = Received & Filed**

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER DICKMAN AND SECONDED BY  
COUNCIL MEMBER MAZUR AND CARRIED,** the meeting was adjourned at 7:53 P.M.

Signed \_\_\_\_\_

Diane M. Terranova, Town Clerk