

Town Board Minutes

October 5, 2020

Meeting No. 20

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 5th day of October 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
JEAN KARN, DOG CONTROL OFFICER
WILLIAM GUMMO, POLICE LIEUTENANT

EXECUTIVE SESSION:

AT 8:10 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER LEARY AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing proposed, pending or current litigation.

At 8:20 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.

PERSONS ADDRESSING TOWN BOARD:

Chowaniec, Lee, spoke to the Town Board on the following matters:

- Questions and comments regarding the filed 2021 Budgets.
- Questions and concerns on the Dog Control resolution as to the staffing and salaries.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: Community Development Block
Grant Funds

ON MOTION BY COUNCIL MEMBER DICKMAN, SECONDED BY
COUNCIL MEMBER MAZUR AND CARRIED, the public hearing was opened.

At 7:30 P.M., the Town Board held a Public Hearing to hear all interested
persons upon a Community Development Block Grant Funds matter.

The affidavits of publication and posting of this Public Hearing are on file
and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Gabrielle Prince	Comments

ON MOTION BY COUNCIL MEMBER MAZUR, SECONDED BY COUNCIL
MEMBER LEARY AND CARRIED, the public hearing was closed at 7:35 P.M.

Decision on this matter was reserved.

October 5, 2020

PRESENTATION OF PREFILED RESOLUTIONS:

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

RESOLVED, that the minutes of the Regular Meeting of the Town Board held September 21, 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

October 5, 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. 62407 to Claim No. 62585 Inclusive

Total amount hereby authorized to be paid: \$703,074.72

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

October 5, 2020

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER MAZUR WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER LEARY, 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
33		Joseph & Karen Sreniewski	4913 Transit Rd	Operational Perm-Temp	
31490		Kimberly Merk	14 Hinchey Ave	Er. Fence	(V/L)
31497		Iroquois Fence Inc.	33 Trentwood Trl N	Er. Fence	
31581		Switala's Siding Cedar Inc.	7 Arrow Trl	Re-Roof	
31584		CVM Electric Inc.	6681 Transit Rd	Inst. Generator	
31643		Francis Courtney	7 Wendtworth Ct	Er. Fence	
31674		Steven Newton	8 Weathersfield Ln	Er. Shed	
31698		Castle Home Improvements	78 Markey Ave	Re-Roof	
31699		Castle Home Improvements	39 Quail Run Ln	Re-Roof	
31712		John Jackson	92 Southpoint Dr	Er. Fence	
31714		Susan Payne	553 Pleasant View Dr	Er. Fence	
31716		Wayne Block Development Inc.	81 Wilkshire Pl	Er. Res. Alt.	(V/L)
31717		Crist Construction	40 Saybrook Dr	Er. Deck	
31722		Matthew Blackwell	69 Briarwood Dr	Er. Fence	(V/L)
31729		Dalex Construction Inc.	5592 Broadway	Re-Roof	(V/L)
31745		Darren LaCrego	3643 Bowen Rd	Er. Shed	
31747		Colley's Pool Sales Inc.	11 Sawgrass Ln	Er. Fence	
31748		Colley's Pool Sales Inc.	35 Rose St	Er. Fence	
31753		Joseph Adamec	32 Creekwood Dr	Er. Porch Cover	
31754		Joseph Skok	5706 Broadway	Er. Shed	
31755		Robert Dulski	8 Schilling Ct	Er. Porch/Porch Cover	
31756		James Olesky	53 Bowen Ave	Er. Fence	(V/L)
31757		Colley's Pool Sales Inc.	11 Sawgrass Ln	Er. Pool-In Grnd	
31758		Colley's Pool Sales Inc.	35 Rose St	Er. Pool-In Grnd	
31759		Buscaglia Decks	9 St Davids Rd	Er. Deck	
31760		Richard Watt	79 Williamsburg Ln	Er. Deck	
31761		Dennis Pawlowicz	430 Central Ave	Er. Fence	
31762		Decks Unlimited Construction	20 Magrum Ln	Er. Porch/Porch Cover	
31763		Sahlems's Roofing & Siding Inc	61 Robert Dr	Re-Roof	(V/L)
31764		Gilberto Lopez	71 Tranquility Trl	Er. Fence	
31765		David Jackson LLC	181 Irwinwood Rd	Er. Res. Alt.	(V/L)
31766		Jason Jell	514 Ransom Rd	Er. Pole Barn	
31767		James Szymanski	1912 Como Park Blvd	Re-Roof	(V/L)
31768		Jeffrey Szczesek	133 Nathan's Trl	Er. Fence	
31769		Dalex Construction Inc.	1974 Como Park Blvd	Re-Roof	(V/L)
31770		Marrano/Marc Equity Corp.	68 Grambo Dr	Er. Patio Home	
31771		Marrano/Marc Equity Corp.	120 Avian Way	Er. Dwlg.-Sin.	
31772		Marrano/Marc Equity Corp.	34 Sedge Run	Er. Patio Home	
31773		Majestic Pools Inc.	14 Greenmeadow Dr	Er. Pool-In Grnd	
31774		Edward Mis	4 Blackstone Ct	Er. Shed	
31775		Matthew & Antonio Contracting	3 Ashwood Ct	Re-Roof	
31776		Ronald Robida	205 Nathan's Trl	Re-Roof	
31777		Clover Construction Management	348 Harris Hill Rd	Er. Comm. Add./Alt.	
31778		Ulrich Sign Co. Inc.	4733 William St	Er. Sign - Pole	
31780		William Kuhn	334 Aurora St	Re-Roof	(V/L)
31781		Dalex Construction Inc.	65 Quail Run Ln	Re-Roof	
31782		Dalex Construction Inc.	16 Brady Ave	Re-Roof	(V/L)
31783		Beebe Construction Inc.	16 Glendale Dr	Re-Roof	
31786		Reflections Pools LLC	27 Jonquille Ct	Er. Pool-In Grnd	
31788		Beebe Construcion Inc.	14 Pauline Ct	Re-Roof	
31789		Carl Nuwer	21 Harold Pl	Re-Roof	(V/L)
31790		Carl Nuwer	21 Harold Pl	Er. Fence	(V/L)
31791		Atlantic Garages	135 Fourth Ave	Er. Garage	(V/L)
31792		Donald Powell	116 Steinfeldt Rd	Re-Roof	

31793	Coyne 2019 Family Trust	40 Greenmeadow Dr	Inst. Generator	
31794	Double D Carpentry	29 Veterans Dr	Er. Porch/Porch Cover	(V/L)
31795	Sitzmans Appliance Center	4 Saybrook Dr	Inst. Generator	
31796	Sitzmans Appliance Center	150 Harvey Dr	Inst. Generator	(V/L)
31797	Atlantic Garages	20 W Home Rd	Er. Garage	
31800	Michael Zwilling	40 Church St	Er. Porch/Porch Cover	(V/L)
31801	D Allen & Son Contracting Inc.	2117 Como Park Blvd	Re-Roof	(V/L)
31802	Mark Bagley	199 Nathan's Trl	Er. Fence	
31804	Wesley Bollman	1432 Townline Rd	Er. Shed	
31806	Marrano/Marc Equity Corp.	118 Avian Way	Er. Dwlg.-Sin.	
31807	Norman Smolarek	22 Glendale Dr	Inst. Generator	
31808	William Berst	4 Whitestone Ln	Er. Porch/Porch Cover	
31809	Buffalo Contracting	129 Irwinwood Rd	Re-Roof	(V/L)
31810	J-Cap Contractors LLC	610 Hall Rd	Re-Roof	
31811	CIR Electrical Construction Co	108 Norris Ave	Inst. Solar Panels	(V/L)
31812	CIR Electrical Construction Co	53 Hidden Meadow Cros	Inst. Solar Panels	
31813	Solar Liberty Energy Sytems I	59 Middlebury Ln	Inst. Solar Panels	
31814	Solar Liberty Energy Systems I	6 Apple Blossom Blvd	Inst. Solar Panels	
31817	Gregory Young	30 Beatrix Cir	Er. Deck	
31819	Armor Heating Co. Inc.	21 Botimer St	Inst. Generator	
31820	2000 Commerce Parkway LLC	2000 Commerce Pkwy	Re-Roof	(V/L)
31821	Marc Schifferle	23 Candice Ct	Er. Shed	
31823	James Wowzynski	122 Albert Dr	Er. Shed	(V/L)
31824	Calvin Kowalski	74 Livingston St	Er. Fence	(V/L)
31825	Mark Schleicher Revble. Trst.	325 Ransom Rd	Er. Fence	
31826	Mark Mineo	5 St Anthony St	Er. Shed	
31827	Dwight Clark	19 Middlebury Ln	Er. Fence	
31829	Natalie Iodice	63 Kelly Ct	Er. Shed	(V/L)
31830	Nathan Szatkowski	22 Weathersfield Ln	Er. Shed	
31832	Josiah Kirby	136 Aurora St	Re-Roof	(V/L)
31833	Mark Aquino	67 Lake Ave	Er. Shed	(V/L)
31834	People Inc.	5182 Genesee St	Er. Comm. Add./Alt.	
31835	LJ Construction WNY LLC	409 Aurora St	Re-Roof	
31836	LJ Construction WNY LLC	31 Benson Dr	Re-Roof	(V/L)
31837	LJ Construction WNY LLC	757 Schwartz Rd	Re-Roof	
31844	Essex Homes of Western NY Inc.	550 Pavement Rd	Er. Dwlg.-Sin.	
31845	Lancaster Country Club	6061 Broadway	Er. Sign	
31847	Grace Rentals LLC	13 Sawyer Ave	Er. Res. Alt.	(V/L)
31856	Megan Lamadue	307 Broezel Ave	Er. Shed	
31861	Edward Kosmoski	45 Whitestone Ln	Er. Porch/Porch Cover	
31864	Charles Porebski	26 Summit St	Er. Pole Barn	

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

October 5, 2020

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

WHEREAS, Daniel Amatura, Highway Superintendent for the Town of Lancaster, by letter dated September 21, 2020 has recommended the appointment of the following individual to the following part-time permanent position.

NOW, THEREFORE,

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

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Kaitlin Walsh Buffalo, NY	Clerk	\$18.27	October 5, 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

October 5, 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 October 6, 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	YES
SUPERVISOR RUFFINO	VOTED	YES

October 5, 2020

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

WHEREAS, Twin District Volunteer Fire Company, Inc., by letter
Received September 16, 2020, has requested the addition of the following member to the
roster of said fire association.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby
confirms the addition to the membership of the Twin District Volunteer Fire Company the
following individual:

ADDITION:

Josh McClenathan
Lancaster, NY

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

October 5, 2020

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

WHEREAS, the developer has requested the Town Board of the Town of Lancaster accept work completed under Street Lighting Public Improvement within The Summerfield Farms Phase VII Subdivision, within the Town of Lancaster, and

WHEREAS, the Town Engineer has inspected the improvement and has recommended the approval thereof, and

WHEREAS, the Town Attorney, by email to the Town Clerk dated September 22, 2020, has reported his favorable review for the acceptance of this public improvement.

NOW, THEREFORE,

BE IT RESOLVED, that the following completed Street Lighting Public Improvement within The Summerfield Farms Phase VII Subdivision, be and is hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 802 - Street Lights

and,

BE IT FURTHER,

RESOLVED, that a copy of this resolution be directed by the Town Clerk to the New York State Electric & Gas Corporation with a request to energize the street lights herein.

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

October 5, 2020

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

WHEREAS, Wendel Consulting Services LLC., (Wendel) will provide hosting and base layer updates for the Town of Lancaster Staff GIS Web Map Application, and

WHEREAS, Wendel will administer and maintain the Town of Lancaster's ArcGIS Online account and named users, and provide ongoing GIS/GPS technical support and training for the department's GIS solution, and

WHEREAS, The Town Board and Town Attorney have reviewed the agreement and deem it in the public interest to engage the professional GIS Support Services of Wendel as presented.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute the agreement for the 2021 fiscal year between the Town of Lancaster and Wendel in order to provide the Town of Lancaster's Highway Department professional GIS Support Services which includes hosting and base layer updates for the Town of Lancaster Staff GIS Web Map Application, administer and maintain the Town of Lancaster's ArcGIS Online account and named users, and provide ongoing GIS/GPS technical support and training for the department's GIS solution, for an amount not to exceed \$8,400.00, which will be paid for from funds available within the 2021 General Fund.

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

October 5, 2020

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

WHEREAS, a project for the Aurora Street/Cayuga Creek Bridge, P.I.N.5762.97, (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal funds and 5% non-federal funds, and

WHEREAS, the Town of Lancaster will design, let and construct the Project, and

WHEREAS, the Town of Lancaster desires to advance the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof.

NOW, THEREFORE,

BE IT RESOLVED, that the Lancaster Town Board hereby approves the above-subject Project, and

BE IT FURTHER,

RESOLVED, that the Lancaster Town Board hereby authorizes the Town of Lancaster to pay 100% of the cost of Preliminary Engineering (Design I-VI), work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds, and

BE IT FURTHER,

RESOLVED, that the sum of \$785,624 is hereby appropriated from Line Item A1440-420 and made available to cover the cost of participation in the above phase(s) of the Project, and

BE IT FURTHER,

RESOLVED, that the Lancaster Town Board hereby agrees that the Town of Lancaster shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to the Town of Lancaster, and

BE IT FURTHER,

RESOLVED, that in the event the Project costs not covered by federal-aid, state-aid, or NY Bridge funding exceed the amount appropriated above, the Lancaster Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Town Engineer thereof, and

BE IT FURTHER,

RESOLVED, that the Lancaster Town Board hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months, and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute on behalf of the Town of Lancaster all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Town of Lancaster's funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and

BE IT FURTHER,

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and

BE IT FURTHER,
RESOLVED, this Resolution shall take effect 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

October 5, 2020

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

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning, Section 46-Special Use Permits of the Code of the Town Lancaster, upon the application of James Boglioli, of Lancaster Peach, LLC, on behalf of **Delta Sonic**, for a Special Use Permit to operate a car wash with gas pumps, interior detailing and both indoor and outdoor vacuums on premises located at 4817 Transit Road in the Town of Lancaster, Erie County, New York and the Board issued such Special Use Permit on July 2, 2018, this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, James Boglioli on behalf of **Delta Sonic**, 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 the approval of this Special Use Permit in his letter dated June 18, 2020.

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

1. That pursuant to Chapter 50-Zoning, Article V Business District, Section 20 (B), entitled "Commercial and Motor Service District (CMS)", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit Renewal to **Delta Sonic** to operate a Car Wash, 16 Fuel Dispensing Pumps, Interior Detailing and Indoor and Outdoor Vacuuming at the 4817 Transit Rd. location in the Town of Lancaster, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning October 6, 2020 and ending October 6, 2022, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Article VIII, Section 46, of the Code of the Town of Lancaster, as well as the following conditions as recommended by the Town of Lancaster Building Department:

- A. A copy of the Business Certificate shall be on file with the Town Clerk's Office.
- B. Permit must be renewed every two (2) years at no additional cost to applicant.
- C. Periodic Fire Safety and Property Maintenance Inspections are current.

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

October 5, 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, in order to preserve public safety and in the face of eminent danger to the public, must consider whether the property located at 6026 Broadway Street (SBL No. 116.00-2-11.1) should be condemned and/or demolished; and

WHEREAS, the above-referenced property is vacant and has unresolved Property Maintenance violations spanning several years; and

WHEREAS, by virtue of the issuance of Property Maintenance violations, the owners or agents of the owners have been provided notice of the violation as required by Town Code § 44-1(2), had the opportunity to remedy the deficiencies listed in the notice, failed to remedy those deficiencies, and the time to do so has passed; and

WHEREAS, the above-referenced property represents a public nuisance and poses a threat to the health, welfare, and safety of the public and is believed to be a danger given its current condition; and

WHEREAS, a hearing was held by the Town Board of the Town of Lancaster on September 21, 2020 to elicit from the owner and other residents comments relative to the repair or demolition and removal of said building; and

WHEREAS, due process was completed to locate any interested persons.

NOW THEREFORE,

BE IT RESOLVED by the Town Board of the Town of Lancaster that pursuant to the Town of Lancaster Code, the Unsafe Buildings and Structures, demolition proceedings can commence for said property located at 6026 Broadway St. (SBL No. 116.00-2-11.1) in 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

October 5, 2020

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

WHEREAS, Site One Landscape Supply 2479 Walden Ave. Cheektowaga NY, has offered to make a donation of eleven pallets of pavers for the Town's Memorial Garden at Westwood Park, with said value of donation being approximately \$5,000, and

WHEREAS, by letter dated September 28, 2020, Parks Crew Chief Michelle Barbaro has requested that the Town accept the donation of the eleven pallets of pavers, from Site One Landscape Supply, and

WHEREAS, after due consideration, the Town Board of the Town of Lancaster has determined that it can make use of such a donation and that it is the interest of the community to accept this generous donation.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby accepts the donation from Site One Landscape Supply 2479 Walden Ave. Cheektowaga NY of eleven pallets of pavers for the Town's Memorial Garden at Westwood Park, with said value of donation being approximately \$5,000.

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

October 5, 2020

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

WHEREAS, Town of Lancaster Police Captain Marco Laurienzo, by letter dated September 25, 2020 has advised the Town Board that the Police Department no longer has use for a 2010 Ford Crown Victoria, VIN #2FABP7BV6AX138592, and has therefore requested that the Town Board deem this vehicle to be surplus and permit it to be placed on an online auction, and

WHEREAS, the Town Board has given due consideration to the request of Captain Marco Laurienzo, and deems it in the public interest to declare the 2010 Ford Crown Victoria to be surplus and permits placement of said vehicle on an online auction.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby declares the 2010 Ford Crown Victoria with 76,204 miles, VIN #2FABP7BV6AX138592, to be surplus and authorizes Captain Marco Laurienzo, to place said vehicle up for public bid at an online auction with Auctions International, <http://www.auctionsinternational.com>, 11167 Big Tree Road, East Aurora, New York 14052, beginning October 12, 2020 and concluding on October 25, 2020, with the funds received from said auction to be made payable to the Town of Lancaster and delivered to the Town Supervisor's Office.

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

October 5, 2020

PUBLIC AUCTION
OF TOWN OWNED SURPLUS VEHICLE

Notice is hereby given that the Town Board of the Town of Lancaster has deemed a 2010 Ford Crown Victoria, VIN #2FABP7BV6AX138592 as surplus.

This vehicle will be auctioned at an online auction with Auctions International, <http://www.auctionsinternational.com> , 11167 Big Tree Road, East Aurora New York, 14052, beginning October 12, 2020 and concluding on October 25, 2020.

Successful bidders must provide a payment of 100% of the bid price offered payable to the Town of Lancaster prior to taking possession of the vehicle.

The surplus vehicle may be inspected at the Town of Lancaster Police Department, 525 Pavement Road, Lancaster New York, by calling the Police Department at 716-683-2800 to make an appointment.

TOWN BOARD
TOWN OF TOWN OF LANCASTER

By: DIANE M. TERRANOVA
TOWN CLERK

October 5, 2020

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

WHEREAS, on June 17, 2019 Rebecca Baker was appointed to the position of Town Assessor effective October 1, 2019 for a term to expire September 30, 2025, and

WHEREAS, based on that appointment Ms. Baker and the Town of Lancaster entered into an Employment Agreement dated June 17, 2019, and

WHEREAS, by letter dated July 23, 2020, Ms. Baker requested an amendment to the existing employment agreement to include the option of receiving dental benefits to be included with her previously agreed upon option of participating in the Town's health insurance program, and

WHEREAS, similar to her participation in the Town's health insurance program, Ms. Baker will be required to pay full premium or premium equivalent cost of such participation.

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

1. Article I, Section 2 entitled "Other Compensation of Benefits" of the prior June 17, 2019 employment agreement between Rebecca Baker and the Town of Lancaster is hereby amended to include the following language – "Ms. Baker may elect to participate in the Town's health and dental insurance programs subject to the customary rules that apply to the program, such as with regard to open enrollment periods, provided that Ms. Baker must pay the full premium or premium-equivalent cost of such participation, and that Ms. Baker shall not receive any benefit from the Town from declining to so participate in the health insurance program."
2. The Supervisor is hereby authorized and directed to execute the Amended Employment Agreement with Ms. Baker 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

October 5, 2020

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

WHEREAS, the Town Board, on behalf of all the Special Districts and Special Improvement Districts, upon which the cost of maintenance is required by law to be apportioned and assessed in proportion to the amount of the benefits conferred, has duly prepared detailed estimates in writing of the anticipated revenues and expenditures for such districts to determine the amount of money required to meet the expense of maintaining same, and

WHEREAS, the Town Board has assessed the amount of said estimates on several lots against which the expense of the improvement was charged in proportion to the amount of benefit conferred, and

WHEREAS, Assessment Rolls were duly prepared according to law and said assessment rolls were duly filed in the Office of the Town Clerk.

NOW, THEREFORE,
BE IT RESOLVED, as follows:

1. That a Public Hearing is hereby called and shall be held on the 19th day of October, 2020, at 7:15 o'clock P.M., Local Time, via Teleconference Bridge at 1-716-800-4267, Access Pin 1232 during the Town Board Meeting, at which time and place this Town Board will meet to consider the aforementioned Special Districts Budget for the Year 2021, and to hear all persons interested in the subject matter thereof, and concerning the same, and

2. That a Legal Notice of said Public Hearing be published in the Lancaster Bee on October 8, 2020, which Notice shall be in the form attached hereto and made a part hereof and which date of publication is not less than ten (10) nor more than twenty (20) days prior to the public hearing.

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

October 5, 2020

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE OF PUBLIC HEARING
UPON THE 2021 SPECIAL DISTRICTS BUDGET**

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lancaster, New York, has completed its estimates and assessment roll relating to Special Districts, spreading costs on a benefit basis, and has filed same with the Town Clerk for the following districts for the year 2021:

Consolidated Water District
Consolidated Lighting District Number 1
Fire Protection District
Refuse and Garbage District

and,

FURTHER NOTICE IS GIVEN, that a Public Hearing on such estimates and Assessment Roll will be held on October 19, 2020 at 7:15 o'clock P.M., Local Time, via Teleconference Bridge at 1-716-800-4267, Access Pin 1232, at which time and place the Town Board will meet to hear and consider any persons interested in the subject matter thereof.

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

BY: DIANE TERRANOVA, Town Clerk

October 8, 2020

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

WHEREAS, Ronald Ruffino, Sr., Budget Officer of the Town of Lancaster, on October 1, 2020, duly filed the Tentative Budget of said Town for the fiscal year beginning January 1, 2021, with the Town Clerk of said Town.

NOW, THEREFORE,

BE IT RESOLVED, that the said Tentative Budget, without modifications, is hereby approved and shall become the Preliminary Budget of the Town of Lancaster for the fiscal year beginning January 1, 2021, and

BE IT FURTHER,

RESOLVED, that said Preliminary Budget shall be made available by the Town Clerk to the public for inspection during the regular business hours of the Office of the Town Clerk, and

BE IT FURTHER,

RESOLVED, that a Public Hearing on the Preliminary Budget of the Town of Lancaster for the year 2021, be held by this Town Board via Teleconference Bridge 1-716-800-4267, Access Pin 1232 during the Town Board Meeting on the 19th day of October 2020, at 7:15 o'clock P.M., Local Time, and

BE IT FURTHER,

RESOLVED, that a Legal Notice of said Public Hearing upon the 2021 Preliminary Budget, as required by Section 108 of the Town Law of the State of New York, be published in the Lancaster Bee, on October 8, 2020 which Notice shall be in the form attached hereto and made a part hereof and which date of publication is not less than five (5) days prior to the public hearing.

The question of the adoption of the following 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

October 5, 2020

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE OF PUBLIC HEARING
ON THE 2021 PRELIMINARY BUDGET**

NOTICE IS HEREBY GIVEN, that the Preliminary Budget of the Town of Lancaster, for the fiscal year beginning January 1, 2021, has been filed in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, where it is available for inspection by any interested persons during office hours.

FURTHER NOTICE IS GIVEN, that a Public Hearing on the Preliminary Budget of the Town of Lancaster for the year 2021, be held by this Town Board via Teleconference Bridge 1-716-800-4267, Access Pin 1232, on the 19th day of October 2020, at 7:15 o'clock P.M., Local Time, and at such hearing, any person may be heard in favor of or against the Preliminary Budget as compiled, or for or against any item or items therein contained.

Pursuant to Section 108 of the Town Law, the proposed annual salaries of the following Town Officers are specified as follows:

Supervisor - as Supervisor	\$72,500
- as Budget Officer	\$5,000
Total	\$77,500
Council Member	\$20,037
Council Member	\$20,037
Council Member	\$20,037
Council Member	\$20,037
Town Justice	\$45,115
Town Justice	\$45,115
Town Clerk - as Town Clerk	\$76,631
- as Records Management Officer	\$6,935
- as Registrar of Vital Statistics	\$3,060
- as Clerk to Zoning Board of Appeals	\$3,652
Total	\$90,278
Superintendent of Highways	
- as Superintendent of Highways	\$75,169
- as Parks/Rec Oversight	\$5,280
- as Drainage Coordinator - P.T.	\$5,783
Total	\$86,232

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF LANCASTER

BY: DIANE M. TERRANOVA, Town Clerk

October 5, 2020

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

WHEREAS, Michelle Barbaro, Park Crew Chief of the Town of Lancaster, by letter dated September 30, 2020, has recommended that Robert Giroux of Lancaster, New York, be returned from his current position of Director of Recreation II to his former position of Laborer in the Town of Lancaster Parks, Recreation and Forestry Department.

NOW, THEREFORE,

BE IT RESOLVED, that Robert Giroux be and is hereby returned to the position of Laborer in the Town of Lancaster Parks, Recreation and Forestry Department, which appointment shall be effective October 1, 2020, consistent with his leave of absence from the CSEA White Collar Union, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA White Collar Union and all applicable provisions of law, and

BE IT FURTHER,

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

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

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

October 5, 2020

COMMUNICATIONS & REPORTS

- 481. Buffalo Niagara Builders' Association to Supervisor –
Request to consider a change to the requirements for issuance of a certificate of occupancy for residential new construction. Disposition = Code Enforcement**
- 482. Twin District Fire Company to Town Clerk –
Change in roster. Disposition = Resolution 10/5/20**
- 483. Town of Cheektowaga Zoning Board of Appeals to Town Clerk –
Decision regarding 6700 Transit Road for an area variance.
Disposition = Received & Filed**
- 484. Town Engineer to Town Board –
Recommendation to accept Public Improvement Permit #802 for streetlights for Summerfield Phase 7. Disposition = Resolution 10/5/20**
- 485. Alden Town Clerk to Supervisor –
Notice of Public Hearing for proposed Local Law #1 for year 2020.
Disposition = Received & Filed**
- 486. Town Engineer to Supervisor –
Request for notarized resolution regarding Aurora St. Bridge over Cayuga Creek. Disposition = Resolution 10/5/20**
- 487. Erie County Legislator Todaro to Supervisor –
Follow-up on meeting regarding hazardous road conditions on Pleasant View Dr., Harris Hill and Central Ave. Disposition = Received & Filed**
- 488. Erie County Comptroller to Erie County Dept. of Public Works –
Copy of letter with questions and concerns regarding William Street in the Town of Lancaster. Disposition = Received & Filed**
- 489. Highway Superintendent to Supervisor –
Request for change from part-time seasonal to part-time permanent for Kaitlin Walsh. Disposition = Resolution 10/5/20**
- 490. Town Clerk to Various News Media –
Press Release announcing that a Special Meeting of the Lancaster Zoning Board of Appeals will be held via teleconference on October 8, 2020 at 6:45PM.
Disposition = Received & Filed**
- 491. Town Clerk to Various News Media –
Press Release announcing change in procedure for collection of taxes due to the Covid-19 Pandemic. Disposition = Received & Filed**
- 492. Town Clerk to Town Engineer and Building Inspector –
Transmittal of Application for Dumping Permit for 5739 Genesee St.
Disposition = For Resolution**
- 493. Planning Board Chairman to Town Board, Planning Board, Town Attorney, Engineering Consultant, Highway Superintendent and Building Inspector –
Draft copy of minutes from Sept. 16, 2020 Planning Board Meeting.
Disposition = Received & Filed**
- 494. Planning Board to Town Board –
Memo recommending approval of amended site plan for Advanced Thermal Systems, 15 Enterprise Drive, Proj. #8392. Disposition = Planning Committee**
- 495. Planning Board to Town Board –
Memo recommending approval of site plan for Town of Lancaster Dog Control, 525 Pavement Road, Proj. #6170. Disposition = Planning Committee**

496. Patrol Captain Laurienzo to Planning Board Chairman –
No objection to Amended Site Plan Review – Project #5194.
Disposition = Planning Committee
497. Executive Director Depew-Lancaster Boys & Girls Club to Supervisor –
Request for same funding amount from the Town for 2021.
Disposition = Received & Filed
498. Town Attorney to Town Board and Planning Board –
SEQR response from NYSDEC regarding Amended Site Plan – Infrastructure
Improvement Project, 5949 Broadway, Proj. #5194.
Disposition = Planning Committee
499. Town Engineer to Town Board –
Application for Dumping Permit, 5739 Genesee St. requires Topographic Plan.
Disposition = For Resolution
500. Erie County Dept. of Environment & Planning to Supervisor –
Information regarding Draft Funding Plan – Final Round of Community
Development Block Grant - Cares Act Funds. Disposition = Received & Filed
501. Park Crew Chief to Town Board –
Request for resolution to accept a donation from Site One Landscape Supply
of eleven pallets of pavers for the Memorial Garden in Westwood Park.
Disposition = Resolution 10/5/20
502. Erie County Comptroller to Erie County Commissioner of Public Works –
Comments and concerns regarding the safety hazards on Aurora Street.
Disposition = Received & Filed
503. Patrol Captain Laurienzo to Supervisor and Town Board –
Request to deem a listed vehicle as surplus property to be sold at public
auction. Disposition = Resolution 10/5/20
504. Town Clerk to Various News Media –
Information regarding the installation of a new, large capacity Drop Box at the
entrance to the new addition of Town Hall facing Clark Street.
Disposition = Received & Filed
505. Code Enforcement Officer to Town Board –
Enforcement for Dumping Permit non-compliance for 3803 Bowen Road,
Lancaster, NY. Disposition = For Resolution
506. Dog Control Officer to Town Board –
Dog Control Report for September 2020. Disposition = Received & Filed
507. Parks Crew Chief to Town Board –
Request for resolution to appoint Robert Giroux to the position of Laborer
in the Parks, Recreation & Forestry Dept. effective October 1, 2020.
Disposition = Resolution 10/5/20
508. Town Clerk to Code Enforcement Officer –
Transmittal of Application for a Special Use Permit for a Home Occupation at
151 Schwartz Road for review and determination. Disposition = Town Attorney
509. Police Chief to Town Board –
Request for Town Board to hold a Public Safety Committee meeting on
October 21, 2020. Disposition = For Resolution
510. Town Clerk to Pamela CuvIELLO –
Request for additional hours as needed for Diann Lutz and Linda Shepard
during tax collection. Disposition = Received & Filed

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER DICKMAN AND SECONDED BY
COUNCIL MEMBER LEARY AND CARRIED,** the meeting was adjourned in memory of
Margaret Gilhooly, Helene Kemnitzer and Mary Terranova at 8:21 P.M.

Signed _____

Diane M. Terranova, Town Clerk