

Town Board Minutes

January 4, 2021

Meeting No. 1

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held via teleconference on the 4th day of January 2021 at 7:00 P.M. and there were

PRESENT: ADAM DICKMAN, COUNCIL MEMBER
ROBERT LEARY, COUNCIL MEMBER
DAVID MAZUR, COUNCIL MEMBER
MICHAEL WOZNIAK, 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

PERSONS ADDRESSING TOWN BOARD:

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

- Questions/Comments regarding the Suspended Resolutions and petitioned that the resolutions be tabled.

Lemaster, Kevin, spoke to the Town Board on the following matters:

- Questions regarding family relations being appointed to board positions.
- Questions/Comments regarding the Suspended Resolutions.
- Comments regarding the violation of the Open Meetings Law.
- Reminded the Town Board to vote for the best person for each position.

Martino, Patrick, Representing Waste Management, spoke to the Town Board on the following matter:

- Comments regarding the decision to suspend trash pickup service on December 26, 2020.

Thill, Robert, Retired Town Clerk of Lancaster spoke to the Town Board on the following matters:

- Comments regarding the Suspended Resolutions and petitioned that the resolutions be tabled.
- Asked if the Town Clerk will be given the opportunity to explain her jobs before the Salary Resolution and the Appointment Resolution are Pre-filed.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 1 V&T Ordinance Autumnwood Subdivision, Phase I

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

At 7:16 P.M., the Town Board held a Public Hearing to hear all interested persons upon an Amendment to Vehicle & Traffic Ordinance Stop Intersections Autumnwood Subdivision, Phase I 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
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None

ON MOTION BY COUNCIL MEMBER MAZUR, SECONDED BY COUNCIL MEMBER DICKMAN AND CARRIED, the public hearing was closed at 7:17 P.M.

Decision on this matter was reserved.

January 4, 2021

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 2 Special Use Permit 6355 Broadway

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

At 7:17 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Special Use Permit Philip A. Stephan 6355 Broadway 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
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None

ON MOTION BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER MAZUR AND CARRIED, the public hearing was closed at 7:19 P.M.

Decision on this matter was reserved.

January 4, 2021

PRESENTATION OF ORGANIZATIONAL PREFILED RESOLUTIONS:

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

RESOLVED, by the Town Board of the Town of Lancaster as follows:

SECTION 1:

That during the year 2021, Town department heads or officials, or their designees, are hereby authorized to attend in **Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Monroe, Niagara and Wyoming Counties**, the regular luncheon/dinner meetings of the various official organizations relating to their official duties as Town department heads or officials. The cost of such meals shall not exceed \$35.00 per luncheon or dinner. Necessary expenses incurred in traveling to or from said meeting as well as membership fees, are hereby determined a legitimate Town expense for which such officials shall be reimbursed upon presentation of receipts and also must have funds available in the departmental budget.

SECTION 2:

That during the year 2021, the Code Enforcement Officer/Fire Inspector or his designee is hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts and also must have funds available in the departmental budget:

- New York State Building Officials Conference
- Niagara Frontier Building Officials Education Conference
- State Emergency Management Schools
- New York State Fire Academy Conference
- Montour Falls New York State Fire Academy
- Association of State Flood Plain Managers
- NFBOA-Bi Monthly Meetings of WNY Fire Marshal Association

SECTION 3:

That during the year 2021, the Court Clerks are hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts and must also have funds available in the departmental budget:

- New York State Magistrates' Association of Court Clerks
- Erie County Town & Village Court Clerks Association

SECTION 4:

That during the year 2021, the Town Justices are hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts and must also have funds available in the departmental budget:

- New York State Magistrates' Association Conference
- Office of Court Administration Taking the Bench Certification Course
- Erie County Magistrates Association

SECTION 5:

That during the year 2021, the Director of Administration and Finance and/or the Payroll Supervisor are hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts and must also have funds available in the departmental budget:

- New York State-GFOA Pre-Conference Training Seminars and Annual Conference
- New York State-GFOA Western Region Spring Seminar

- New York State-GFOA Western Region Summer Seminar
- New York State-GFOA Western Region Holiday Seminar

SECTION 6:

That during the year 2021, the Highway Superintendent or his designee is hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts and must also have funds available in the departmental budget:

- New York State Association of Town Superintendents of Highways Conference
- Cornell Local Roads Program For Highway Superintendents

SECTION 7:

That during the year 2021, the Police Chief or his designee is hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts and must also have funds available in the departmental budget:

- New York State Association of Chiefs of Police
- Mid Atlantic Great Lakes Organized Crime Law Enforcement Network (MAGLOCLLEN) Conference
- International Association of Chiefs of Police

SECTION 8:

That during the year 2021, the Town Clerk or her designee is hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts and must also have funds available in the departmental budget:

- New York State Town Clerks' Association Annual Conference
- New York Association of Local Government Record Officers Annual Conference
- New York Association of Tax Receivers and Collectors Annual Conference

SECTION 9:

That during the year 2021, the Executive Director of the Youth Bureau is hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts and must also have funds available in the departmental budget:

- New York State Association of Youth Bureaus and Youth Boards
- Western New York Association of Youth Bureaus & Youth Boards

SECTION 10:

That during the year 2021, all Town officials and employees be and hereby are authorized to be paid standard mileage per mile for the use of their personal automobiles on all Town business at a rate equal to the Internal Revenue Service Guideline Regulations for 2021 mileage reimbursement.

SECTION 11:

That all conferences, seminars, lectures and meetings not falling within a pattern of regular attendance and **not exceeding \$400.00** in reimbursable expenses, including mileage reimbursement, may be approved for attendance by the Supervisor pursuant to Section 77-b of the General Municipal Law. Conferences, seminars, lectures and meetings **exceeding \$400.00** shall require the approval of the Town Board and must have funds available in the departmental budget.

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
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

January 4, 2021

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

RESOLVED, that the Town Clerk be instructed to collect the tax roll for the
year 2021 according to the following schedule of penalties as set by the Erie County Tax
Act:

COUNTY TAXES -

Taxes paid prior to February 16th - no fees or penalties
Taxes paid on February 17th, prior to March 2nd - 1.5 %
Taxes paid on March 2nd, prior to March 16th - 3%
Taxes paid on March 16th, prior to April 1st - 4.5%
Taxes paid on April 1st, prior to April 16th - 6%
Taxes paid on April 16th, prior to May 1st - 7.5%
Add 1.5% per month additional thereafter.

SCHOOL TAXES -

Taxes paid prior to October 15th - no fees or penalties
Taxes paid on October 16th, prior to November 1st - 7.5%
Taxes paid on November 1st, prior to December 1st - 9%

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
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

January 4, 2021

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

RESOLVED, that the sum of \$1,000.00 be allocated for the proper observance of Memorial Day and Independence Day to the following Veterans Organizations.

Not to exceed \$250.00 - Lt. Col. Matt Urban V.F.W. Post 7275
Not to exceed \$250.00 - Depew Post, American Legion
Not to exceed \$250.00 - Disabled American Veterans Korean Era
Not to exceed \$250.00 - American Ex-Prisoners of War

provided that such expenses as apportioned shall be paid upon properly itemized and audited vouchers which shall be received during 2021, and

BE IT FURTHER,

RESOLVED, that the sum of \$2,500.00 for the purpose of defraying the expenses of the proper observance of Independence Day in the Town of Lancaster, which sum shall be expended upon properly itemized and audited vouchers for such expenditure.

BE IT FURTHER,

RESOLVED, that the sum of \$2,500.00 for the purpose of defraying the expenses connected with the Taste of Lancaster sponsored by the Village of Lancaster, which sum shall be expended upon properly itemized and audited vouchers for such expenditure.

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
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

January 4, 2021

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

BE IT RESOLVED, that, pursuant to the Civil Service Law of the State of New York, (a) the Supervisor of the Town of Lancaster be and is hereby designated as the Appointing Officer of the Town of Lancaster, and (b) the Commissioner of Personnel of the County of Erie shall correspond on all matters of personnel concerning the Town of Lancaster with the Town Supervisor.

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
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

January 4, 2021

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

WHEREAS, the Town Board has determined that there is a need to set a policy in regards to monies and other financial resources available for investment and/or deposit on behalf of the Town of Lancaster, and

WHEREAS, the Town Board of the Town of Lancaster has also determined that there is a need for a policy for the purchase of goods or services to determine the applicability of Section 103 of the General Municipal Law.

NOW, THEREFORE,

BE IT RESOLVED, that in order to protect the interests of the Town of Lancaster, its residents and taxpayers, the Town Board of the Town of Lancaster hereby adopts the following policies, as presented, to be effective immediately, and which shall supersede any previous versions of such policies:

- a. Investment & Deposit Policy
- b. Procurement Policy

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
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

January 4, 2021

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

WHEREAS, the Town Board of the Town of Lancaster wishes to implement a policy establishing certain requirements relative to the Town's procurement of public works projects to be performed by outside contractors on Town property.

NOW, THEREFORE,

BE IT RESOLVED, that all public works projects performed by outside contractors on Town property:

1. Shall be procured in a manner consistent with the requirements specified in General Municipal Law §103.
2. Shall have a written contract/proposal/agreement/estimate/quote stipulating the task/work to be performed which is signed & dated by both the contractor and a town official and which includes the following language "The Town is listed as an additional insured on a primary and non-contributory basis for all ongoing and completed operations during the policy period". In addition, contractors shall provide required insurance certificates to the Town Attorney for acceptance and approval.
3. Shall be authorized/approved by the Lancaster Town Board via a resolution, and

BE IT FURTHER,

RESOLVED, Town of Lancaster department heads be and are hereby authorized to sign contracts/proposals/agreements/estimates/quotes for public works projects in the amount of **two-thousand five-hundred dollars (\$2,500.00) or less in conjunction with the provisions stated above**; public works projects in the amount of **two-thousand five-hundred dollars and one cent (\$2,500.01) or more require the Town Supervisor's signature** in conjunction with the provisions stated above, and

BE IT FURTHER,

RESOLVED, in the event of an urgent and unexpected emergency situation where health and public safety or the conservation of public resources is at risk, or where the time sensitive nature of the work requires immediate action, the contract can be executed and approved by the Town Board retroactively in conjunction with all the provisions stated above, and

BE IT FURTHER,

RESOLVED, this resolution is effective immediately and shall supersede any previous versions of such policy.

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
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

January 4, 2021

SUSPENDED RESOLUTION NO. 7 – MEETING OF JANUARY 4, 2021

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

7. Ruffino/_____ Appoint Town Officials To Various Positions, Boards and Commissions

UPON A MOTION DULY MADE BY COUNCIL MEMBER MAZUR, SECONDED BY COUNCIL MEMBER WOZNIAK THE QUESTION OF SUSPENDING THE RULES WAS DULY PUT TO A VOTE, which resulted as follows:

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

This resolution failed due to lack of necessary votes.

SUSPENDED RESOLUTION NO. 8 – MEETING OF JANUARY 4, 2021

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

8. Ruffino/_____ Adopt Schedule of Salaries for Non-Bargaining For 2020 Salaries

UPON A MOTION DULY MADE BY COUNCIL MEMBER MAZUR, SECONDED BY COUNCIL MEMBER WOZNIAK THE QUESTION OF SUSPENDING THE RULES WAS DULY PUT TO A VOTE, which resulted as follows:

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

This resolution failed due to lack of necessary votes.

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
December 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
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

January 4, 2021

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. 63643 to Claim No. 63733 Inclusive

Total amount hereby authorized to be paid: \$477,625.98

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
COUNCIL MEMBER WOZNAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

January 4, 2021

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
32114		Custom Interiors	12 Avian Way	Er. Res. Alt.	
32126		Edward Church	5558 Broadway	Re-Roof	(V/L)
32134		James P. Terhaar Carpentry	72 Middlebury Ln	Er. Res. Alt.	
32142		Labella Associates DPC	0 Cemetery Rd	Er. Fence	
32144		Best of Buffalo Home Improve	54 Fairfield Ave	Re-Roof	(V/L)
32148		Forbes Homes Inc.	40 Squirrel Run	Er. Dwlg.-Sin.	
32149		Forbes Homes Inc.	44 Squirrel Run	Er. Dwlg.-Sin.	
32152		R&D Contracting	8 Blackstone Ct	Er. Res. Alt.	
32154		James Macken	6475 Broadway	Re-Roof	
32155		Tadeusz Blaszczyk	53 Worthington Ln	Er. Res. Alt.	
32157		Jacob Smaczniak	28 Hampton Ct	Er. Fence	
32158		Vastola Heating & Cooling LLC	17 Sussex Ln	Inst. Generator	
32159		Matthew Goodyear	8 Branch Way	Er. Fence	
32160		Ferry Builders	183 Nichter Rd	Er. Dwlg.-Sin.	
32161		Essex Homes of Western NY Inc	25 Northfield Ln	Er. Dwlg.-Sin.	
32163		FASTSIGNS	4429 Walden Ave	Er. Sign - Wall	
32164		Schuster Construction LLC	110 Court St	Er. Res. Alt.	(V/L)
32166		City Fence	104 Brunswick Rd	Er. Fence	(V/L)
32167		Diane Terranova	560 Lake Ave	Er. Fence	
32168		Christopher Sobus	21 Stream View Ln	Inst. Generator	

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
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

January 4, 2021

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

WHEREAS, William J. Karn, Jr., Police Chief of the Town of Lancaster, by letter to the Town Board dated December 21, 2020, has recommended the appointment of Nathan R. Wyse of Lancaster, New York, to the position of Police Officer in the Town of Lancaster Police Department, and

WHEREAS, Nathan R. Wyse is eligible for appointment to this position pursuant to the standards and procedures as set forth in the New York State Civil Service Law.

NOW, THEREFORE,

BE IT RESOLVED, that Nathan R. Wyse, is hereby appointed to the position of Police Officer in the Town of Lancaster Police Department effective January 25, 2021, 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 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
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

January 4, 2021

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

WHEREAS, on March 7, 2020, Andrew M. Cuomo, Governor of the State of New York issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, on December 18, 2020, the Governor issued Executive Order 202.83, a portion of which includes a local option pertaining to Senior Citizens' and Persons with Disabilities' partial property tax exemption, Subdivisions 7, 7-a and 8 of Section 459-c of the Real Property Tax Law (Partial Tax Exemption for Persons with Disabilities), and Subdivisions 5, 5-a, 5-b, 5-c and 6 of Section 467 of the Real Property Tax Law (Partial Tax Exemption for Low Income Senior Citizens), to the extent necessary to permit the governing body of an assessing unit to adopt a resolution directing the assessor to grant exemptions pursuant to such section on the 2021 assessment roll to all property owners who received either of those exemption on the 2020 assessment roll, unless there has been a change in status that would no longer qualify the homeowner, dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons; and

WHEREAS, the Town of Lancaster is desirous to adopt such resolution while also allowing the assessor to require a renewal application to be filed when the assessor has reason to believe that an owner who qualified for the exemption on the 2020 assessment roll may have since changed primary residence, added another owner to the deed, transferred the property to a new owner, or died.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster directs the Town Assessor, pursuant to the NYS Governor's Executive Order 202.83 Continuing Temporary Suspension and Modification of Laws relating to the pandemic disaster emergency, specifically as it pertains to Senior and Disability Exemptions, Section 467 and 459c of the Real Property Tax Law, to grant exemptions on the 2021 Assessment Roll to all property owners who received that exemption on the 2020 Assessment Roll, except in the case that there is a change of status that would no longer qualify the homeowner, thereby dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons.

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

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

January 4, 2021

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

WHEREAS, it is essential to public safety that the Town of Lancaster continue its participation in the coordinated effort to reduce alcohol related traffic injuries and fatalities, and

WHEREAS, the County of Erie has tendered an application to the Town of Lancaster for participation in said coordinated effort for the 2021 calendar year.

NOW, THEREFORE,

BE IT RESOLVED, that the Supervisor is hereby authorized and directed to execute on behalf of the Town of Lancaster, the 2021 Police & Court Contract 2021 STOP-DWI Agreement with the County of Erie for participation in funding of alcohol related traffic safety law enforcement activities under the 2021 STOP-DWI Grant Program.

BE IT FURTHER,

RESOLVED, that the Chief of Police, William J. Karn, Jr., is authorized to execute the 2021 ERIE COUNTY STOP-DWI Appendix A of the 2021 Police & Court Contract 2021 STOP-DWI Agreement.

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
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

January 4, 2021

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

WHEREAS, A-1 Construction and Painting, Inc., 299 Kenmore Avenue, Tonawanda, New York, 14223 the contractor for the repair of the Portico at the Lancaster Historical Society Building located at 40 Clark Street, has submitted Change Order No. 4 to the Town Board for their approval, based on the description of work previously provided to the Town Board.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves Change Order No. 4 to A-1 Construction and Painting, Inc., with respect to the outlined descriptions provided to the Town Board.

DESCRIPTION OF CHANGE ORDER NO. 4:

Extend the time of completion of the contract from November 30, 2020 to April 30, 2021 to allow for inclement winter weather and completion of painting in more favorable weather.

CHANGE ORDER NO. 4

The original Contract Sum was	\$	174,000.00
The Contract Sum increased by Change Order #1 in the amount of....	\$	0.00
The Contract sum increased by Change Order #2 in the amount of....	\$	11,900.00
The Contract Sum increased by Change Order #3 in the amount of....	\$	1,400.00
The Contract Sum increased by this Change Order in the amount of....	\$	0.00
New Contract Sum including this Change Order will be	\$	187,300.00

BE IT FURTHER,
RESOLVED, that the Supervisor be and is hereby authorized to execute this Change Order 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
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

January 4, 2021

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

WHEREAS, Michelle Barbaro, Park Crew Chief of the Town of Lancaster's Parks Recreation & Forestry Department, has requested authorization to purchase an 18" walk behind sod cutter for use by the Parks Department, and

WHEREAS, the Park Crew Chief, obtained two (2) quotes proposals for the purchase of an 18" walk behind sod cutter in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, by letter dated December 16, 2020, Michelle Barbaro has recommended that the Town of Lancaster purchase the 18" walk behind sod cutter from Alexander Equipment, in the amount of \$4,559.96 per their quote dated December 15, 2020, and

WHEREAS, funding for the purchase of the 18" walk behind sod cutter is available from the Parks' 2020 Trucks and Related Equipment Budget, Line Item 01-7110-0225.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the purchase of one 18" walk behind sod cutter from Alexander Equipment, 3266 Buffalo, Street, Alexander, New York 14005, in accordance with their quote dated December 15, 2020 for an amount not to exceed \$4,559.96 and to be paid for with funds available from the Parks' 2020 Trucks and Related Equipment Budget, Line Item 01-7110-0225.

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
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

January 4, 2021

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

WHEREAS, Town of Lancaster's Park's Crew Chief, Michelle Barbaro by letter dated December 29, 2020 has requested the purchase of **one (1) new 2020 John Deere 1025R Sub-Compact Utility Tractor & Associated Equipment** for use by the Parks, Recreation and Forestry Department, and

WHEREAS, the loader is available from the New York State Contract No. PC68131, Group 40625, and Award No. PGB-22792, through authorized contractor Deere & Company, 2000 John Deere Run, Cary, NC 27513, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, the Town Board deems it in the public interest to approve the purchase of one (1) new **2020 John Deere 1025R Sub-Compact Utility Tractor & Associated Equipment**.

NOW, THEREFORE,

BE IT RESOLVED, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of **one (1) new 2020 John Deere 1025R Sub-Compact Utility Tractor & Associated Equipment** from the 2020 authorized New York State Contractor Deere & Company, 2000 John Deere Run, Cary, NC 27513 under New York State Contract No. PCPC68131, Group 40625, and Award No. PGB-22792 as proposed by Park Crew Chief, Michelle Barbaro for an amount not to exceed \$28,003.70, per purchase order ID 23391528, dated December 29, 2020, which will be paid from the Town's 2020 Parks Equipment, Passenger Vehicle Budget Line # 01.7110.0220.

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
COUNCIL MEMBER WOZNIAK	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

January 4, 2021

COMMUNICATIONS & REPORTS

1. Tyler Sojka to Supervisor and Town Board –
Request to be reappointed as Member and Chairman of the Town of Lancaster Zoning Board Appeals for four years. Disposition = Received & Filed
2. Jennifer Uldrich to Town Clerk –
Request to be reappointed to the Town of Lancaster Board of Ethics for 2021. Disposition = Received & Filed
3. NYS Agriculture and Markets to Supervisor –
Municipal Shelter Inspection Report. Disposition = Received & Filed
4. NYS Agriculture and Markets to Supervisor –
Dog Control Officer Inspection Report. Disposition = Received & Filed
5. Erie County Dept. of Central Police Services to Supervisor –
2021 STOP-DWI Contract for signature and approval. Disposition = Received & Filed
6. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Sewerage Management regarding Pavement Road Quarry, 300 – 324 Pavement Rd. & 293 Cemetery Rd., Proj. #81021637. Disposition = Planning Committee
7. Town Attorney to Town Board and Planning Board –
SEQR response from NYSDEC and Erie County Division of Sewerage Management regarding Superior Pallets, Inc., Amendment to parcel use for vehicle access, Proj. #1010. Disposition = Planning Committee
8. Town Engineer to Town Board –
Recommend approval of Change order 4 for the Lancaster Historical Building Portico Rehabilitation. Disposition = Resolution 1/4/21
9. Town Engineer to Town Board –
Notice that sidewalks have been installed at Summerfield Phase 7 in accordance with Town approved plans and that the Performance Bond can be retired. Disposition = Received & Filed
10. Supervisor to Town residents –
Local State of Emergency declared in the Town of Lancaster beginning on December 15, 2020 and continuing for a period of time not to exceed 30 days due to Coronavirus Disease (COVID-19). Disposition = Received & Filed
11. Michael Doggenforf to Town Board –
Request for consideration to serve on the Town of Lancaster Zoning Board of Appeals. Disposition = Received & Filed
12. Police Chief to Supervisor and Town Board –
Request for resolution appointing Nathan R. Wyse to fill the existing patrol officer vacancy effective January 25, 2021. Disposition = Resolution 1/4/21
13. Katie Schaumloeffel and Rick Harrington to Town Clerk –
Thanks to Lancaster Dog Control and Lancaster Police for helping find their lost dog. Disposition = Received & Filed
14. Joseph Keefe, Esq. to Supervisor and Town Board –
Request to be considered for reappointment to the Lancaster Town Planning Board. Disposition = Received & Filed
15. Mark Tillmanns to Supervisor and Town Board –
Request to be considered for appointment to the Town of Lancaster Zoning Board of Appeals. Disposition = Received & Filed

- 16. Keith Stoerr to Supervisor and Town Board –
Request to be considered for appointment to the Town of Lancaster Zoning Board of Appeals. Disposition = Received & Filed**
- 17. Dana Cipolla to Town Board –
Request to be considered for appointment to the Lancaster Industrial Development Agency Board. Disposition = Received & Filed**
- 18. Jamie Kucewicz to Supervisor –
Request to be appointed to the Town of Lancaster Recreation Commission. Disposition = Received & Filed**
- 19. Dennis Mescall to Supervisor –
Request to be considered for appointment to the Town of Lancaster Recreation Commission. Disposition = Received & Filed**
- 20. Supervisor to Town Board –
Request for reappointment to the Lancaster Industrial Development Agency Board. Disposition = Received & Filed**
- 21. Steven Hoffman to Town Board –
Request for reappointment to the Lancaster Industrial Development Agency Board for 2021. Disposition = Received & Filed**
- 22. Frank Fialkiewicz II to Town Board –
Request for reappointment to the Lancaster Industrial Development Agency Board. Disposition = Received & Filed**
- 23. Paul Rudz to Supervisor and Town Board –
Request to be considered for appointment to the Lancaster Industrial Development Agency Board. Disposition = Received & Filed**
- 24. Alan Kurtzman to Supervisor –
Request for reappointment to the Lancaster Industrial Development Agency Board. Disposition = Received & Filed**
- 25. Anthony Gorski to Supervisor and Town Board –
Request for reappointment to the Town of Lancaster Planning Board for another term. Disposition = Received & Filed**
- 26. David Visone to Supervisor and Town Board –
Request for appointment to the Lancaster Industrial Development Agency Board. Disposition = Received & Filed**
- 27. Jane Myers-Reitmeier to Supervisor –
Request for appointment to the Town of Lancaster Recreation Commission. Disposition = Received & Filed**
- 28. Cynthia Barnhardt to Supervisor –
Request for appointment to the Town of Lancaster Recreation Commission. Disposition = Received & Filed**
- 29. Frank Caparaso to Town Board –
Request for appointment to the Town of Lancaster Ethics Committee. Disposition = Received & Filed**
- 30. Mark Jerge to Supervisor –
Request for appointment to the Town of Lancaster Industrial Development Agency Board. Disposition = Received & Filed**

- 31. Peter Sugg to Supervisor and Town Board –
Request for appointment to the Town of Lancaster Zoning Board of Appeals. Disposition = Received & Filed**
- 32. Park Crew Chief to Town Board –
Request for resolution to purchase one new and unused 2020 John Deere 1025R Sub-Compact Utility Tractor & Equipment from Deere & Company, 2000 John Deere Run, Cary, NC. Disposition = Resolution 1/4/21**
- 33. Town Clerk to Various News Media –
Special Meeting of the Lancaster Zoning Board of Appeals will be held via teleconference on January 14, 2021 at 6:45PM. Disposition = Received & Filed**
- 34. Highway Superintendent to Town Board –
Request for resolution authorizing the publication of a bid for a new and unused 2021 16' Long/8' Wide All Aluminum Constructed Enclosed Tandem Axle Cargo Trailer. Disposition = For Resolution**
- 35. Highway Superintendent to Town Board –
Request for resolution authorizing the publication of a bid for new and unused 2021 Ford F150 XL 4X2 Regular Cab, Long Bed Pickup. Disposition = For Resolution**
- 36. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER LEARY AND SECONDED BY
COUNCIL MEMBER MAZUR AND CARRIED,** the meeting was adjourned in memory
of Becky Eleczko, Jody Kotowski and Timothy Luthart at 7:55 P.M.

Signed _____

Diane M. Terranova, Town Clerk