

Town Board Minutes

November 1, 2021

Meeting No. 22

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 1st day of November 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
WILLIAM KARN, CHIEF OF POLICE
MICHELLE BARBARO, PARK CREW CHIEF
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU
JEAN KARN, DOG CONTROL OFFICER

EXECUTIVE SESSION:

AT 9:07 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER LEARY, SECONDED BY COUNCIL MEMBER DICKMAN AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing collective bargaining negotiations per Article 14 of Civil Service Law.

At 9:50 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:

Bracci Hatt, Laurie, spoke to the Town Board on the following matter:

- Comments regarding the dangerous situation on Transit Road and asking for a traffic signal.

Cole, John, spoke to the Town Board on the following matter:

- Relayed concerns regarding traffic safety on Transit Road and Michael Anthony Lane.

Cicarelli, Carmen, spoke to the Town Board on the following matters:

- Questions regarding a Council Member's request for an independent investigation.
- Asked about what social media page contained a hostile comment regarding contract negotiations.

Czajka, Joseph, spoke to the Town Board on the following matters:

- Comments regarding his special Use Permit and permitted signage.
- Requested a change in the Town Code permitting signs for Home Occupation Special Use Permits.

Czajka, Sandra, spoke to the Town Board on the following matter:

- Requested permission for signage on her property.

Eddy, Melissa, spoke to the Town Board on the following matters:

- Concerns regarding traffic safety on Transit Road.

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

- Asked about funding Dog Control and additional employee work hours.

Rinow, David, spoke to the Town Board on the following matters:

- Asked about the Salaries of elected Officials in the 2022 Budget.
- Asked about the Town of Lancaster Sexual Harassment Policy and the hiring of outside counsel.
- Questions regarding illegal dumping in the Town of Lancaster.

Roland, Eric, spoke to the Town Board on the following matter:

- Comments regarding traffic safety pulling onto Transit Road.

Schaefer, Tammy, spoke to the Town Board on the following matter:

- Stated that she was not contacted for contract negotiations.
- Asked about the reported hostile comments on social media regarding contract negotiations.

Sojka, Greg, spoke to the Town Board on the following matters:

- Comments regarding the Dog Control Department, the 2022 Budget and the Town's Sexual Harassment Policy.
- Asked about an investigation into illegal dumping on Town property.
- Asked about a letter from a Village of Lancaster Trustee.

Zimpfer, Michele, spoke to the Town Board on the following matter:

- Comments regarding traffic safety on Transit Road with the addition of businesses and an increase in traffic and accidents.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 1 Amend Local Law Chapter 400 Zoning, Article XIII Stormwater Control

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

At 7:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Local Law to Amend Chapter 400 Zoning, Article XIII Stormwater Control, by adding § 400-73(D) maintenance and repair of stormwater facilities 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**

None

ON MOTION BY COUNCIL MEMBER MAZUR, SECONDED BY COUNCIL MEMBER LEARY AND CARRIED, the public hearing was closed at 7:16 P.M.

Decision on this matter was reserved.

November 1, 2021

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 2 2022 Special District Budget

ON MOTION BY COUNCIL MEMBER LEARY, 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 the 2022 Special District Budget 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**

None

ON MOTION BY COUNCIL MEMBER MAZUR, SECONDED BY COUNCIL MEMBER LEARY AND CARRIED, the public hearing was closed at 7:18 P.M.

Decision on this matter was reserved.

November 1, 2021

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 3 2022 Preliminary Budget

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

At 7:18 P.M., the Town Board held a Public Hearing to hear all interested persons upon the 2022 Preliminary Budget 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 |
|---|---|
| Kevin Lemaster | Comments/Questions |

ON MOTION BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER MAZUR AND CARRIED, the public hearing was closed at 7:25 P.M.

Decision on this matter was reserved.

November 1, 2021

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 4 Increase & Improvements Consolidated Water District (Cemetery Road – 2021)

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

At 7:25 P.M., the Town Board held a Public Hearing to hear all interested persons upon the Increase and Improvements of Facilities of the Town of Lancaster Consolidated Water District (Cemetery Road – 2021) 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 |
|---|---|
| None | |

ON MOTION BY COUNCIL MEMBER MAZUR, SECONDED BY COUNCIL MEMBER DICKMAN AND CARRIED, the public hearing was closed at 7:29 P.M.

Decision on this matter was reserved.

November 1, 2021

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 October 18, 2021 and the Special Meeting of the Town Board held October 26, 2021 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 |

November 1, 2021

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:

Check Run # 110121

Total amount hereby authorized to be paid: \$487,020.86

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 WOZNIAK | VOTED | YES |
| SUPERVISOR RUFFINO | VOTED | YES |

November 1, 2021

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 310 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 |
|-------|----|-------------------------------|------------------------|-----------------------|---------|
| 32287 | | Crist Construction | 12 Carlisle St | Er. Porch/Porch Cover | |
| 33404 | | Jeffrey Sinicki | 93 Avian Way | Er. Shed | |
| 33443 | | Russell Renovations WNY Inc. | 16 Crabapple Ln | Er. Res. Alt. | |
| 33448 | | Atlantic Garages | 49 First Ave | Er. Garage | (V/L) |
| 33450 | | Hannah Demolition Inc. | 3847 Walden Ave | Dem. Sin. Dwlg | |
| 33451 | | Vincent Marino | 5600 Broadway | Er. Porch/Porch Cover | (V/L) |
| 33452 | | Chad Robinson | 0 Bowen Ave | Er. Pole Barn | |
| 33453 | | Sturdi Built Sheds LLC | 30 Wainwright Ct | Er. Shed | |
| 33454 | | Sharon Bobak | 3733 Bowen Rd | Re-Roof | |
| 33455 | | Crist Construction | 49 Avian Way | Er. Porch/Porch Cover | |
| 33456 | | Schuster Construction LLC | 178 Nichter Rd | Er. Deck | |
| 33457 | | James Towles | 23 Harold Pl | Re-Roof | (V/L) |
| 33458 | | Alan Henry | 22 Grace Way | Er. Fence | |
| 33459 | | FASTSIGNS | 4367 Walden Ave | Er. Sign | |
| 33460 | | Christopher Kaplan | 11 Katelyn Ln | Er. Fence | |
| 33461 | | Michael Pruski | 12 Markey Ave | Er. Pool-Abv Grnd | |
| 33462 | | Peter Todenhagen | 71 Sawyer Ave | Re-Roof | (V/L) |
| 33463 | | Sitzmans Appliance Center | 1144 Penora St | Inst. Generator | |
| 33464 | | Santoro Sign Inc. | 5976 Genesee St | Er. Sign | |
| 33465 | | Marrano/Marc Equity Corp. | 11 Sedge Run | Er. Patio Home | |
| 33466 | | Frank LaNasa | 45 Deepwood Pl | Er. Fence | |
| 33467 | | Marramo/Marc Equity Corp. | 28 Sedge Run | Er. Patio Home | |
| 33468 | | Frey Electric Construction C. | 5111-5127 Transit Rd | Er. Comm. Add./Alt. | |
| 33469 | | Hidden Meadow Land LLC | 43 Hidden Meadow Cros | Er. Dwlg.-Sin. | |
| 33471 | | Luther Enterprises | 257 Enchanted Forest N | Er. Pool-In Grnd | |
| 33472 | | Buffalo's Best Roofing | 60 Hess Pl | Re-Roof | |
| 33473 | | Buffalo's Best Roofing | 146 Irwinwood Rd | Re-Roof | (V/L) |
| 33474 | | Black Rock Roofing | 21 Sherborne Ave | Re-Roof | (V/L) |
| 33475 | | Amy Pilat | 11 Candlestick Ct | Er. Fence | |
| 33476 | | Town of Lancaster | 4484 Walden Ave | Er. Comm. Add./Alt. | |
| 33478 | | Gerald Kocialski | 257 Enchanted Forest N | Er. Fence | |
| 33479 | | Alfred Roberts | 5118 William St | Inst. Fireplace/Stove | |
| 33480 | | Buffalo's Best Roofing | 74 Pleasant Ave | Re-Roof | (V/L) |
| 33481 | | Buffalo's Best Roofing | 48 Livingston St | Re-Roof | (V/L) |
| 33482 | | El Amigo Tacos | 3580 Walden Ave | Er. Sign - Wall | |
| 33483 | | Gerald Matthew Jaszka | 223 Westwood Rd | Er. Porch/Porch Cover | |
| 33484 | | Steven Kohlhagen | 5512 Broadway | Re-Roof | (V/L) |
| 33485 | | Zenner & Ritter Co. Inc. | 10 Sussex Ln | Inst. Generator | |
| 33486 | | Heidi Marki | 87 Stony Rd | Re-Roof | |
| 33487 | | Adam Patnella | 48 Tranquility Trl | Er. Fence | |
| 33488 | | The Pena Family Trust | 149 Aurora St | Re-Roof | (V/L) |
| 33489 | | FASTSIGNS | 4221 Walden Ave | Er. Sign - Wall | |
| 33490 | | Katie McKenna | 11 W Main St | Er. Comm. Add./Alt. | (V/L) |
| 33491 | | Tesla Energy Operations, Inc. | 110 Avian Way | Inst. Solar Panels | |
| 33492 | | Leveled Contracting Inc. | 54 Park Blvd | Re-Roof | (V/L) |
| 33493 | | Amy Ragyina | 23 Clermont Ct | Er. Fence | |
| 33494 | | Amish Valley Sheds | 35 Garfield St | Re-Roof | (V/L) |
| 33495 | | Transit -William Associates | 4931 Transit Rd | Er. Sign - Temp | |
| 33496 | | The Vinyl Outlet Inc. | 109 Avian Way | Er. Deck | |
| 33497 | | Marrano/Marc Equity Corp. | 10 Sedge Run | Er. Patio Home | |
| 33498 | | Anderson Renovations LLC | 9 Clark St | Dumpster - Temp. | (V/L) |
| 33499 | | Paul Lewis | 114 Irwinwood Rd | Dumpster - Temp. | (V/L) |
| 33501 | | Marrano/Marc Equity Corp. | 13 Henslow Way | Er. Patio Home | |
| 33502 | | Ronald Zglinicki | 318 Stony Rd | Er. Res. Alt. | |

| | | | | |
|-------|-------------------------|----------------|---------------------|-------|
| 33505 | All Pro Plumbing LLC | 530 Aurora St | Inst. Res. Plumbing | |
| 33506 | Besroi Construction | 31 Brandel Ave | Re-Roof | (V/L) |
| 33507 | Jonathan Wier | 14 Clark St | Re-Roof | (V/L) |
| 33508 | Brett & Pamela Brewster | 20 Brunck Rd | Re-Roof | |

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 |

November 1, 2021

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

WHEREAS, the Lancaster Central School District (LCSD) is seeking to collaborate with the Town of Lancaster Dog Control Department to provide a Vocational Work Experience Program for students with and without disabilities to prepare them for their eventual entry into the workforce, and

WHEREAS, the LCSD has provided a Collaboration Agreement for The Vocational Work Experience Program which has been reviewed and approved by the Town Attorney for a one-year (1) term ending August 31, 2022.

NOW, THEREFORE,

BE IT RESOLVED, that the Supervisor be and is hereby directed to execute the Collaboration Agreement for The Vocational Work Experience Program, between the Town of Lancaster and the Lancaster Central School District pursuant to the terms and conditions as outlined in the agreement to provide a Vocational Work Experience Program for students within the Town's Dog Control Department.

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 |

November 1, 2021

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 rezone and site plan application from Barclay Damon LLP as representative for WKPR, LLC, Oakridge MFR Holdings, LLC, and RDNW, LLC, proposing to rezone 338 Harris Hill Road (SBL No. 82.04-1-1.11) from Light Commercial to Multifamily Multi Use with minor exterior improvements /alterations to allow the current use of the +/- 4.9-acre property to be considered conforming with the zoning (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 |
| COUNCIL MEMBER WOZNIAK | VOTED | YES |
| SUPERVISOR RUFFINO | VOTED | YES |

November 1, 2021

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

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 23 of the Code of the Town of Lancaster provide for the adoption and enactment of local laws; and

WHEREAS, after review and consideration, the Town Board of the Town of Lancaster deems it in the public interest to amend Chapter 400 Zoning, Article IV Residential Districts § 400-13 Agricultural Residential Districts (A-R), by amending § 400-13(B)(1)(g) to clarify ambiguities contained therein; and

WHEREAS, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required prior to adopting a Local Law.

NOW, THEREFORE,

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

1. A public hearing for the proposed Local Law of the year 2021, which will clarify ambiguities contained within Chapter 400-13(B)(1)(g) of the Code of the Town of Lancaster, will be held at 7:15 o'clock P.M. on the 15th day of November 2021, at the Town Hall, 21 Central Avenue, Lancaster, New York, and that Notice of the Time and Place be published in the official newspaper of the Town, and
2. The Town Clerk is hereby directed and authorized to publish public notice of said hearing in the official newspaper and given in accordance with the Municipal Home Rule Law, the Open Meetings Law, and Sections 264 and 265 of the Town Law of the State of New York, and which Notice shall be in the form attached hereto and made a part hereof, and
3. This resolution is effective immediately.

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

November 1, 2021

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 23 of the Code of the Town of Lancaster and pursuant to a resolution adopted by the Town Board of the Town of Lancaster on November 1, 2021, the Town Board will hold a Public Hearing on the 15th day of November, 2021 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly adopting a Local Law to amend the Town Code of the Town of Lancaster's Chapter 400 Zoning, Article IV Residential Districts (A-R), § 400-13(B)(1)(g) Raising of livestock and poultry.

Copies of the proposed Local Law and the Local Law to be added, can be reviewed at the Lancaster Town Hall, 21 Central Avenue, during normal business hours. All interested members of the public shall be heard.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**By: DIANE M. TERRANOVA
Town Clerk**

November 4, 2021

**Town of Lancaster
Local Law No. of 2021**

**A Local Law Amending Town Code § 400-13(B)(1)(g) to clarify any ambiguities
contained therein.**

Be it hereby enacted by the Town Board of the Town of Lancaster as follows:

Section 1. Section 400-13(B)(1)(g) of Chapter 400, Article IV. Residential Districts of the Town Code is hereby amended to read in its entirety as follows:

Section 400-13 (B)(1)(g) Raising of livestock and poultry on lots of not less than five (5) acres, provided that:

- [1] **All such animals shall be housed in a structure to ensure safety and protection from the elements; and**
- [2] **Housing structures (barns, pens, runways, etc.) shall be a minimum of one hundred (100) feet from any lot line; and**
- [3] **Fencing and other enclosures utilized for corralling, shall keep the livestock and poultry a minimum of fifteen (15) feet from any lot line; and**
- [4] **Any manure or other odor- or dust-producing substance shall be stored a minimum of one hundred (100) feet from any lot line.**

Section 2. Severability Clause. If any part of this local law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this local law. The Town Board of the Town of Lancaster hereby declares that it would have passed this local law and each section and subsection thereof, irrespective of the fact that any one or more of these sections, subsections, sentences, clauses, or phrases may be declared unconstitutional or invalid.

Section 3. Effective Date. This local law shall be effective immediately upon filing with the New York Secretary of State.

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

WHEREAS, Pavement Road Storage, LLC (“**PRS**”) is the owner of certain real property known as V/L Pavement Road (SBL No. 94.00-3-15.22), Lancaster, New York (the “**Property**”), and

WHEREAS, as a condition to approving the construction of a project to be undertaken by PRS on the Property, the Town of Lancaster (the “**Town**”) has required that PRS construct a driveway along the easterly boundary of the Property for access, and for ingress and egress, by the Town’s emergency vehicles (the “**Driveway**”), all as more particularly set forth in a Site Plan previously approved by the Town, and

WHEREAS, in order to grant the Town certain rights, and in order to impose certain restrictions on PRS and the Property, in each instance with respect to the Driveway, PRS has prepared a Declaration of Restrictions, the form of which is attached hereto as Exhibit A (the “**Declaration**”), and

WHEREAS, the Town wishes to approve the form of the Declaration and authorize the Supervisor of the Town (the “**Supervisor**”) to execute and deliver the Declaration to PRS.

NOW, THEREFORE,

BE IT RESOLVED by the Town Board of the Town as follows:

1. Pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “**SEQR Act**”) and the regulations (the “**Regulations**”) adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, “**SEQRA**”), the Town hereby determines (A) that acceptance of the Declaration constitutes an “unlisted action” (as defined in the Regulations), (B) to conduct an uncoordinated review and (C) that, based on its evaluation of the action as against the criteria for determining significance in SEQRA, the acceptance of the Declaration will not result in any significant adverse environmental impact and that an environmental impact statement will not be prepared.
2. That acceptance of the Declaration is within the purpose, mission and governing statutes of the Town.
3. That the form of the Declaration attached hereto as Exhibit A is hereby approved and that the Town is hereby authorized to accept the Declaration in such form and to do all things necessary and appropriate for the accomplishment thereof, and all acts heretofore taken by the Town with respect thereto are hereby approved, ratified and confirmed in all respects.
4. That (A) the Supervisor, on behalf of the Town, is hereby authorized to execute and deliver the Declaration, together with any documents related thereto and (B) the officers, employees and agents of the Town are hereby authorized and directed for and in the name and on behalf of the Town to do all acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of this resolution.
5. 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 |
| COUNCIL MEMBER WOZNIAK | VOTED | YES |
| SUPERVISOR RUFFINO | VOTED | YES |

November 1, 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 has held a public hearing to take comment on proposals for the Town Application for the Federal Community Development Funds, known as Community Development Block Grant Funds, for the year 2022-2023 and has identified the acquisition of a Senior Citizen Lift Van as an eligible project which would benefit low to moderate income persons within the Town.

NOW, THEREFORE,
BE IT RESOLVED, at a meeting of the Lancaster Town Board held on November 1, 2021, the Town Board authorized Ronald Ruffino, Sr., to sign, submit and execute application documents from the Erie County Community Development Block Grant (ECCDBG) program for the following project:

1. Acquisition of a Senior Citizen Van with Power Lift

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 |

November 1, 2021

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

WHEREAS, the Town of Lancaster’s Recreation Department is in need of finding an available gymnasium to operate its yearly Basketball Program due to facility limitations set by the Lancaster School District, and

WHEREAS, by letter dated October 18, 2021, the Director of Operations for the Depew-Lancaster Boys & Girls Club, Jeff Kupa, has given permission to allow the Town of Lancaster Recreation Department to utilize the gymnasiums at both of their sites on Saturdays until 3:15 P.M. starting November 20, 2021, and ending March 19, 2022, and

WHEREAS, there will be no cost to the Town for use of the sites but the Club will be listed as an insured on the Town’s insurance certificates, and the participants of the event will be supervised by the Town’s Recreation personnel.

NOW, THEREFORE,

BE IT RESOLVED, that the Town of Lancaster’s Recreation Department is authorized to use the gymnasiums at both of the Depew-Lancaster Boys & Girls Club sites, at no cost to the Town on Saturdays until 3:15 P.M. starting November 20, 2021, and ending March 19, 2022, as requested by Park Crew Chief Michelle Barbaro per her letter dated October 19, 2021.

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 WOZNAK | VOTED | YES |
| SUPERVISOR RUFFINO | VOTED | YES |

November 1, 2021

PREFILED RESOLUTION NO. 10 – MEETING OF NOVEMBER 1, 2021

10. Wozniak/_____ Authorize Retention Of Outside Council

A MOTION WAS MADE BY COUNCIL MEMBER LEARY, SECONDED BY COUNCIL MEMBER DICKMAN TO WITHDRAW THIS RESOLUTION.

The question of withdrawing the 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 | NO |
| SUPERVISOR RUFFINO | VOTED | YES |

MOTION PASSED.

November 1, 2021

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

WHEREAS, Marybeth Gianni, Recreation Supervisor-Senior Citizens, of the Town of Lancaster, by letter dated October 21, 2021, has requested the creation of one (1) additional position of Recreation Instructor, Part-Time in the Town of Lancaster Senior Center.

NOW, THEREFORE,

BE IT RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) for authorization by the County of Erie Department of Personnel to create one (1) additional position of Recreation Instructor Part-Time, in the Senior Center.

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 |

November 1, 2021

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

WHEREAS, Jennifer Pagano, the owner of real property located at 111 Pleasant View Drive (SBL No. 93.14-3-5), Lancaster, New York, has submitted an application for a Special Use Permit for a Home Occupation (Bakery- Sweet Ella’s Bake Shop) in accordance with the provisions of Chapter 400 Zoning, Article IV Residential Districts, §400-16(F) Supplementary regulations for A-R, R, and MFMU districts, Home Occupations of the Code of the Town of Lancaster, and

WHEREAS, Chapter 400-Zoning, Article XIV Administration and Enforcement, §400-78 Special use permits, of the Code of the Town of Lancaster requires the issuance of a Special Use Permit and a public hearing for the proposed use.

NOW THEREFORE,

BE IT RESOLVED, as follows:

That pursuant to Chapter 400 Zoning, Article XIV Administration and Enforcement, §400-78 Special use permits, of the Code of the Town of Lancaster, a Public Hearing on the proposed Home Occupation (Bakery – Sweet Ella’s Bake Shop) Special Use Permit Application of **Jennifer Pagano**, for premises locally known as 111 Pleasant View Drive, Lancaster, New York, will be held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the 15th day of November 2021 at 7:15 o’clock P.M. Local Time, and said notice of the time and place of such hearing shall be published in a newspaper of general circulation in said Town, and posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

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

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

November 1, 2021

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER
SPECIAL USE PERMIT – JENNIFER PAGANO**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Article XIV Administration and Enforcement, §400-78 Special use permits of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 1st day of November, 2021 the Town Board will hold a Public Hearing on the **15th day of November, 2021 at 7:15 o'clock P.M.**, Local Time, at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of **Jennifer Pagano**, for a Special Use Permit for a Home Occupation (Bakery – Sweet Ella’s Bake Shop) on premises locally known as 111 Pleasant View Drive, in the Town of Lancaster, County of Erie, State of New York.

Full opportunity to be heard will be given to any and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: DIANE M. TERRANOVA
Town Clerk**

November 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 is considering an amendment to a previously approved site plan for Apple Rubber Products, Inc., submitted by Walter Hopcia for proposed construction of additions to the front of the existing building of a 5,988 sq. ft. office on the north side (phase 1); and a 5,848 sq. ft. office on the south side (phase 2) on a +/- 11.5-acre parcel located at 204 Cemetery Road (SBL No. 105.00-1-25.2) in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Planning Board has reviewed the environmental impact of this project pursuant to SEQRA regulations at their meeting on October 20, 2021, and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the construction project using the short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act ("SEQRA") regulations, and such other information deemed appropriate, including the recommendation of the Town of Lancaster Planning Board, and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination, and

WHEREAS, the proposed action has been labeled an "Unlisted" action under SEQRA.

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

1. This project is described as a 2-phase development of a 5,988 sq. ft. office addition to the north side of the front of the existing building and a 5,848 sq. ft. office addition to the south side of the front of the existing building on a +/- 11.5-acre parcel which is located at 204 Cemetery Road (SBL No. 105.00-1-25.2) will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein..
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

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

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

November 1, 2021

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: November 1, 2021

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town Board of the Town of Lancaster has reviewed the proposed two-phased construction of a 5,988 sq. ft. office addition to the existing building on the north, and a 5,848 sq. ft. office addition to the existing building on the south on a +/- 11.50-acre parcel located at 204 Cemetery Road (SBL No. 105.00-1-25.2) submitted by Walter Hopcia; and the Town Board has determined the project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Apple Rubber Products, Inc. Amended Site Plan - #2142

Location of Action: 204 Cemetery Road (SBL No. 105.00-1-25.2), Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted

Description of Action: A proposed 2 phase addition to the front of the existing building. Phase 1 is a 5,988 square foot north addition. Phase 2 is a 5,848 square foot south addition. The additions will be office space, B occupancy added to the existing office space at the front of the building and manufacturing facility, F-1 occupancy category.

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

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

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

For Further Information:

Contact Person: Kevin E. Loftus, Town Attorney

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

Telephone Number: (716) 684-3342

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

WHEREAS, Council Member Robert Leary by email dated October 15, 2021, has requested the creation of the position of Dog Control Officer Full-time and has recommended that current Dog Control Officer Part-time, Jean Karn be appointed to this position in the Control of Dogs Department, and

WHEREAS, Jean Karn 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 the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) for authorization by the County of Erie Department of Personnel to create one (1) new position of Dog Control Officer Full-time, and

BE IT FURTHER,

RESOLVED, that Jean Karn be and is hereby appointed to the position of Dog Control Officer Full-time in the Control of Dogs Department, effective November 2, 2021, at the current annual salary approved in the 2021 Budget of \$51, 511.00, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of law and shall be governed by the same terms and conditions as apply to other non-represented, full-time supervisory Town employees, and

BE IT FURTHER,

RESOLVED, that current part-time permanent Assistant Dog Control Officer, Elizabeth Bertozzi, be and is hereby appointed to the position of Dog Control Officer, Part-time within the Control of Dogs Department, made vacant by the transfer of Jean Karn to Dog Control Officer Full-time, effective November 2, 2021 at an annual salary of \$25,480.00 which has already been funded for in the 2021 budget, and

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

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

November 1, 2021

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

WHEREAS, Council Member Robert Leary by email dated October 15, 2021, has requested the creation of an additional position of Dog Control Officer Regular Part-time and has recommended that current Dog Control Officer Elizabeth Bertozzi be appointed to this position in the Control of Dogs Department; and

WHEREAS, Elizabeth Bertozzi 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 the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) for authorization by the County of Erie Department of Personnel to create one (1) new position of Dog Control Officer Regular Part-time, and

BE IT FURTHER,

RESOLVED, that Elizabeth Bertozzi be and is hereby appointed to the position of Dog Control Officer Regular Part-time in the Control of Dogs Department, effective November 2, 2021, at the current annual salary of \$25,480.00 which has already been included in the department's budget, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of law and shall be governed by the same terms and conditions as apply to other non-represented, Regular Part-time Town employees, and

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

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

November 1, 2021

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

WHEREAS, by letter dated October 19, 2021, MaryBeth Gianni, Recreation Supervisor for the Town of Lancaster Senior Center, has requested authorization for the Erie County Department of Public Works: Division of Highway (“the County”) to use the Senior Center Building for a public informational meeting regarding the William Street Federal Aid Reconstruction Project which will be held on November 10, 2021, from 6:00 P.M. to 8:00 P.M., and

WHEREAS, the Town Attorney’s Office has prepared a Release of Liability and Assumption of Risk document which provides the terms and conditions for use of the Senior Center’s building and which the County has executed in advance of the event taking place.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby grants the Erie County Department of Public Works: Division of Highway permission to use the Town’s Senior Center Building located at 100 Oxford Avenue for a public informational meeting regarding the William Street Federal Aid Reconstruction Project which will be held on November 10, 2021, from 6:00 P.M. to 8:00 P.M.

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 |

November 1, 2021

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

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

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

WHEREAS, the Town Board has directed Wm. Schutt & Associates, P.C., competent engineers licensed in New York, to prepare a map, plan and report, for a water system capital improvements project within the District (“Cemetery Road Improvements Project”), and

WHEREAS, such water system capital improvements project (commonly known as “Water System Capital Improvements Project – Cemetery Road Broadway to Wendling Court”) will generally consist of (but not be limited to), the installation of approximately 6,400 linear feet of water main along Cemetery Road in the Town, along with the installation of fire hydrants, valves and appurtenances, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report prepared by Wm. Schutt & Associates, P.C. and referred to above, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the “District Improvement”), and

WHEREAS, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such preliminary map, plan and report for such increase and improvement of facilities of the District and has estimated the total cost thereof to be an estimated maximum amount of \$2,000,000; said cost to be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$2,000,000, offset by any federal, state, county and/or local funds received.

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

WHEREAS, the Town Board issued an Order at its October 18, 2021 meeting calling for a public hearing to be held on November 1, 2021 at 7:15 p.m. (prevailing time) or shortly thereafter, to consider the District Improvement and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law, and further ordered the Town Clerk to publish at least once in a newspaper designated as an official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten nor more than 20 days before the date of such public hearing, and

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

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

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to at the estimated maximum cost of \$2,000,000; and it is hereby

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

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

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

FURTHER ORDERED, that the expense of the District Improvement shall be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$2,000,000, said amount to be offset by any federal, state, county and/or local funds received, and unless paid from other sources or charges, the costs of said increase and improvement of facilities shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law; and it is hereby

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

The adoption of the foregoing Resolution Approving the Increase and Improvement of Facilities of the Consolidated Water District was duly put to a vote on roll call, which resulted as follows:

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

November 1, 2021

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

A BOND RESOLUTION, DATED NOVEMBER 1, 2021, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT (CEMETERY ROAD WATER MAIN PROJECT - 2021) WITHIN THE TOWN OF LANCASTER CONSOLIDATED WATER DISTRICT AT AN ESTIMATED MAXIMUM COST OF \$2,000,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,000,000 OF THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

WHEREAS, the Town Board of the Town of Lancaster, Erie County, New York (the "Town"), has established the Town of Lancaster Consolidated Water District (the "District"), and

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

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

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

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

SECTION 1. The Town is hereby authorized to undertake a water system capital improvements project (commonly known as "Water System Capital Improvements Project – Cemetery Road Broadway to Wendling Court") will generally consist of (but not be limited to), the installation of approximately 6,400 linear feet of water main along Cemetery Road in the Town, along with the installation of fire hydrants, valves and appurtenances, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report prepared by Wm. Schutt & Associates, P.C. in connection with such project, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof (the "Project"). The estimated maximum cost of said purpose is \$2,000,000.

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

the principal of and interest on such bonds as the same become due and payable, except as provided by law.

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

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

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

SECTION 6. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, the cost of the Project shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on such bonds as the same become due and payable, except as provided by law. Should the assessments upon benefited real property be insufficient to pay the principal of and interest on such bonds, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

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

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

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

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

SECTION 11. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by

this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

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

SECTION 13. To the extent applicable, the Town Supervisor is hereby authorized to execute and deliver in the name and on behalf of the Town a project financing agreement prepared by the New York State Environmental Facilities Corporation (“EFC”) (the “Project Financing Agreement”). To the extent applicable, the Town Supervisor and the Town Clerk and all other officers, employees and agents of the Town are hereby authorized and directed for and on behalf of the Town to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including, but not limited to, the Project Financing Agreement.

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

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

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

- (1) (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with

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

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

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

SECTION 18. This Resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to 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 |

November 1, 2021

NOTICE OF BOND RESOLUTION

TOWN OF LANCASTER

NOTICE IS HEREBY GIVEN that a bond resolution, a summary of which is published herewith, has been adopted by the Town Board of the Town of Lancaster, County of Erie, on November 1, 2021 and the validity of the obligations authorized by such resolution may be hereafter contested only if:

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

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

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

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

SUMMARY OF BOND RESOLUTION

The following is a summary of a bond resolution adopted by the Town Board of the Town of Lancaster (the "Town") on November 1, 2021. The proceeds from the sale of the obligations authorized in said bond resolution will be used to finance a water system capital improvements project (commonly known as "Water System Capital Improvements Project – Cemetery Road Broadway to Wendling Court") will generally consist of (but not be limited to), the installation of approximately 6,400 linear feet of water main along Cemetery Road in the Town, along with the installation of fire hydrants, valves and appurtenances, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report prepared by Wm. Schutt & Associates, P.C. in connection with such project, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof, at an estimated maximum amount of \$2,000,000. Said bond resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of said serial bonds, in an aggregate principal amount not to exceed \$2,000,000 said amount to be offset by any federal, state, county and/or local funds received. The period of probable usefulness for said purpose is 40 years. A copy of the bond resolution summarized herein is available for public inspection during normal business hours at the Office of the Town Clerk, located in the Town Hall, 21 Central Avenue, Lancaster, New York.

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

WHEREAS, the Town of Lancaster, after thorough consideration of the various aspects of the problem and review of available data, has hereby determined that certain work, as described in its NYS Drinking Water Infrastructure Grant Program application and attachments, to address the repair and maintenance of the Cemetery Road Water Line Project, herein called the “Project”, is desirable, is in the public interest, and is required in order to implement the Project and address said compliance requirements, and

WHEREAS, the NYS Environmental Facilities Corporation (EFC) authorizes State assistance to municipalities for drinking water quality improvement projects by means of a contract, and the Town of Lancaster deems it to be in the public interest and benefit under this law to enter into a contract therewith.

NOW, THEREFORE,

BE IT RESOLVED by the Lancaster Town Board, that:

1. Supervisor Ronald Ruffino, or his representative or successor in office, is the representative authorized to act on behalf of the Lancaster Town Board in all matters related to State assistance under the New York State Environmental Facilities Corporation (EFC) and/or any applicable State grant provisions.
2. The Supervisor, or his representative, is also authorized to make an application in the amount of \$2,000,000 which the Town is requesting 60% of the total project cost in grant funding (\$1,200,000).
3. The Town of Lancaster Town Board agrees to fund its portion of the cost of the Project, not to exceed 40% of the total project cost(\$800,000) by way of a General Obligation Bond or a series of Bond Anticipation Notes, and that funds will be made available to initiate the Project efforts within 12 months of written approval of its application by the NYS Department of Health and the New York State Environmental Facilities Corporation authority.
4. The one certified copy of this Resolution be prepared and sent to the Albany office of the NYS Environmental Facilities Corporation.
5. This Resolution takes 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 |
| COUNCIL MEMBER WOZNIAK | VOTED | YES |
| SUPERVISOR RUFFINO | VOTED | YES |

November 1, 2021

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

WHEREAS, by email dated October 21, 2021, Jonathan Wascak, has requested to use the Town of Lancaster Senior Center's parking lot for their Donation Drive to benefit WNY Heroes, Inc., which will be held on November 6, 2021, from 12:00 P.M. (noon) to 4:00 P.M., and

WHEREAS, the Town Attorney's Office has prepared a Release of Liability and Assumption of Risk document which provides the terms and conditions for use of the Senior Center's parking lot and which WNY Heroes, Inc., has executed and submitted with the required proof of liability insurance in advance of the event taking place.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby grants WNY Heroes, Inc., permission to use the Senior Center's parking lot located at 100 Oxford Avenue for their Donation Drive which will be held November 6, 2021, from 12:00 P.M. (noon) to 4:00 P.M.

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 |

November 1, 2021

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

WHEREAS, Alexander Cornwell, of **Raw Rutes, LLC** has submitted site plans prepared by Design & Drafting By Gina, LLC, which contains drawings A100, A101, A102, A103, A104 & A105 all dated June 1, 2021 and also site plans prepared by Wendel which included a survey dated September 15, 2020, with drawings G001 (coversheet) dated June 29, 2021 and drawings C101, C102, C201, C301, C302, C401, C501, C502, C503 all dated June 29, 2021 and a revised date of July 7, 2021, received June 29, 2021 for the proposed construction of two pole barn structures for light industrial use which will be completed in two phases to be located at 4266 Walden Avenue (SBL No. 94.00-3-23) in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was recommended for approval at their September 15, 2021 meeting, and

WHEREAS, the Town Planning Board has completed an environmental review for the project on September 15, 2021, in conformance with SEQR (State Environmental Quality Review) regulations and the Town Board, acting as lead agency, issued a Negative Declaration on October 4, 2021.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plans submitted by Alexander Cornwell, of **Raw Rutes, LLC** prepared by Design & Drafting By Gina, LLC, which contains drawings A100, A101, A102, A103, A104 & A105 all dated June 1, 2021 and also Wendel which included a survey dated September 15, 2020, with drawings G001 (coversheet) dated June 29, 2021 and drawings C101, C102, C201, C301, C302, C401, C501, C502, C503 all dated June 29, 2021 with a revision date of July 7, 2021, and received June 29, 2021 for the proposed construction of two pole barn structures for light industrial use which will be completed in two phases to be located at 4266 Walden Avenue (SBL No. 94.00-3-23), with the following conditions:

1. PIP permit will be required to initiate construction.
2. Contractor to provide an “As-built” survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.

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 |

November 1, 2021

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

WHEREAS, Walter Hopcia, of **Apple Rubber Products, Inc.**, has submitted an amended site plan prepared by Lydon Architectural Services, P.C., (SP1) and photos & partial floor plan (A2) both dated July 13, 2021, with revision dates of August 10, 2021; and drawings C-101, C-102, and C-201 all dated December 13, 2018 with revision dates of August 10, 2021; the submittal also contained a Survey prepared by Millard, MacKay & Delles dated January 13, 2020 and Drawing dated January 14, 2020; all received August 10, 2021 for the proposed 2-phase construction of a 5,988 sq. ft. office addition to the north side of the front of the existing building and a 5,848 sq. ft. office addition to the south side of the front of the existing building located at 204 Cemetery Road (SBL No. 105.00-1-25.2) in the Town of Lancaster, and

WHEREAS, the amended site plan for this project was submitted to the Planning Board and was recommended for approval at their October 20, 2021 meeting, and

WHEREAS, the Planning Board completed an environmental review on October 20, 2021, in conformance with SEQR (State Environmental Quality Review) regulations and the Town Board, acting as Lead Agency issued a Negative Declaration on November 1, 2021.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the amended site plan submitted by Walter Hopcia, of **Apple Rubber Products, Inc.**, has submitted an amended site plan prepared by Lydon Architectural Services, P.C., (SP1) and photos & partial floor plan (A2) both dated July 13, 2021, with revision dates of August 10, 2021; and drawings C-101, C-102, and C-201 all dated December 13, 2018 with revision dates of August 10, 2021; the submittal also contained a Survey prepared by Millard, MacKay & Delles dated January 13, 2020 and Drawing dated January 14, 2020; all received August 10, 2021 for the proposed 2-phase construction of a 5,988 sq. ft. office addition to the north side of the front of the existing building and a 5,848 sq. ft. office addition to the south side of the front of the existing building located at 204 Cemetery Road (SBL No. 105.00-1-25.2) in the Town of Lancaster with the following conditions:

1. Contractor to provide an “As-built” survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.
2. Private Improvement Permit will be required to initiate construction.

BE IT FURTHER,

RESOLVED, that this revised site plan hereby replaces the site plan drawings approved on June 2, 2014, filed under original Town Project No. 2142.

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 |

November 1, 2021

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

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute on behalf of the Town of Lancaster, the Stormwater Control Facility Maintenance Agreements required per §400-73 of the Lancaster Town Code for projects when presented, between the Town of Lancaster and the real property owners of record upon which the Stormwater Facility is located.

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 |

November 1, 2021

COMMUNICATIONS & REPORTS

860. New York State Department of State to Town Clerk –
Town of Lancaster, Local Law 3 for 2021, filed on October 1, 2021.
Disposition = Received & Filed
861. New York State Department of State to Town Clerk –
Town of Lancaster, Local Law 4 for 2021, filed on October 1, 2021.
Disposition = Received & Filed
862. Code Enforcement Officer to Town Board –
Recommend approval of Home Occupation Special Use Permit for 111 Pleasant View Dr., with conditions. Disposition = Resolution 11/1/21
863. Code Enforcement Officer to Town Board –
Recommend approval of Special Use Permit for NYSDEC registered Soil Recycling Facility, 6125 Genesee St., with conditions.
Disposition = For Resolution
864. Town Clerk to Code Enforcement Officer –
Copy of letter from Daniel A. Dintino, Jr. requesting a renewal of a Special Use Permit for 561/563 Pavement Road to conduct an automotive service and repair business. Disposition = Code Enforcement, For Resolution
865. Town Clerk to Various News Media –
Press Release announcing a Special Meeting of the Lancaster Town Board to be held on Tuesday, October 26, 2021. Disposition = Received & Filed
866. Town Clerk to Barbara A. Milfet, 7-Eleven, Inc. –
Reminder that the Special Use Permit to operate an Automobile Fueling Station and Car Wash Facility at 4949 Transit Rd. will expire on December 4, 2021.
Disposition = Received & Filed
867. Town Clerk to Anthony J. Daniele –
Reminder that the Special Use Permit to operate an express exterior car wash at 6645 Transit Rd. will expire on November 20, 2021.
Disposition = Received & Filed
868. Code Enforcement Officer to Town Board –
Application for a Dumping Permit for 316 Ransom Rd. requires additional information. Disposition = Received & Filed
869. Jonathan Wascak to Supervisor –
Request for use of parking lot at the Lancaster Youth Bureau/Senior Center on November 6, 2021 to host a donation drive to benefit WNY Heroes.
Disposition = Resolution 11/1/21
870. Recreation Supervisor to Supervisor and Town Board –
Request for Erie County Dept. of Public Work: Division of Highways be allowed the use of the Senior Center on November 10, 2021 for a public informational meeting on the William Street Federal Aid reconstruction project.
Disposition = Resolution 11/1/21
871. Town Engineer to Town Board –
Request for approval of Change Order 1 Revised for the Lancaster Historical Building Painting. Disposition = For Resolution
872. Park Crew Chief to Town Board –
Request for resolution allowing the Town of Lancaster Recreation Dept. to use the Boys and Girls Club of Lancaster and Depew for their Basketball Program from Nov. 20, 2021 to Mar. 19, 2022. Disposition = Resolution 11/1/21

873. Charter Communications to Town Clerk –
Upcoming changes to channel lineup. Disposition = Received & Filed
874. Town Attorney to Town Board and Planning Board –
SEQR response from NYSDEC regarding National Grid Emergency Response Facility, 295 Cemetery Rd., Proj. #2131. Disposition = Planning Committee
875. Town Attorney to NYSDEC, Erie County DPW, US Army Corp of Engineers, Division of Sewerage Management, NYSDOT, Erie County DEP and Erie County Water Authority –
Revised Site Plan for 4,000 Sq. Ft. Car Wash, 3620 Walden Ave. & 371 Central Ave., Proj. #1920. Disposition = Planning Committee
876. Town Engineer to Town Board –
Revised request for approval of Change Order 1 Revised for the Lancaster Historical Building Painting. Disposition = For Resolution
877. Town Engineer to Town Board –
No exception to the Application for Special Use Permit, Dish Co-Locate 6495 Transit Rd. Disposition = Received & Filed
878. Highway Superintendent to Pamela CuvIELlo –
Request for encumbrance of funds to the original resolution for DeLacy Ford, 3061 Transit Rd. for the purchase of two (2) 2021 or newer vehicles for the Town Highway Dept. Disposition = For Resolution
879. Thomas Ferry to Town Clerk –
Request for sidewalk waiver for 282 Pavement Road.
Disposition = Received & Filed, Code Enforcement
880. Recreation Supervisor to Supervisor and Town Board –
Request for resolution authorizing the creation of a PO-17 for a Recreation Instructor position in the Town of Lancaster Senior Center.
Disposition = Resolution 11/1/21
881. Town Attorney to Town Board and Planning Board –
SEQR response from NYSDEC regarding Car Wash 4,000 Sq. Ft., 3620 Walden Ave. & 371 Central Ave., Proj. #1920.
Disposition = Planning Committee
882. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Dept. of Public Works regarding Site Plan Amend O'Connell Electric, 20 Lancaster Pkwy., Proj. #6039.
Disposition = Planning Committee
883. NYSDOT to Concrete Applied Tech Corp d/b/a CATCO –
Award of contract for Intersection Widening and Highway Rehab NY Rt 78 Transit Road, Erie County to Concrete Applied Tech Corp d/b/a CATCO.
Disposition = Received & Filed
884. Lee Chowanec to Town Clerk –
Comments and questions regarding live streaming Town Board meetings.
Disposition = Received & Filed
885. Planning Board Chairman to Town Board, Planning Board, Town Attorney, Engineering Consultant, Highway Superintendent and Building Inspector –
Draft copy of minutes from the October 20, 2021 Planning Board meeting.
Disposition = Received & Filed
886. Planning Board to Town Board –
Memo recommending approval of an Amended Site Plan for 204 Cemetery Rd., Proj. #2142. Disposition = Planning Committee

- 887. Code Enforcement Officer to Town Board –
Response to 501 Erie Street complaint. Disposition = Received & Filed**
- 888. Code Enforcement Officer to Town Board –
Request for Town Attorney to receive a Bond of an estimated amount to complete the work according to the approved Site Plan for 21 Pavement Rd. and require renewal of the expired permit at the original amount.
Disposition = Received & Filed**
- 889. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Dept. of Public Works regarding National Grid Emergency Response Facility, 295 Cemetery Rd., Proj. #2131.
Disposition = Planning Committee**
- 890. Town Attorney to Town Board and Planning Board –
SEQR response from NYS Office of Parks, Recreation and Historic Preservation regarding National Grid Emergency Response Facility, 295 Cemetery Rd., Proj. #2131. Disposition = Planning Committee**
- 891. Town Clerk to Code Enforcement Officer –
Copy of letter requesting a renewal of a Special Use Permit for Royal Car Wash, 6645 Transit Rd. Disposition = Code Enforcement, For Resolution**
- 892. Lancaster Residents to Town Board –
Request for traffic light at Michael Anthony Lane and Transit Road petition.
Disposition = Received & Filed, Police**
- 893. Alden Town Clerk to Lancaster Town Clerk –
Notice of Public Hearing for proposed Local Law #3 of the year 2021.
Disposition = Received & Filed**
- 894. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**
- 895. G&V Property Holdings LLC to Supervisor and Town Board –
Request for Project Approval Extension for Theo's Place Multi-Family Development, 5153 Transit Road. Disposition = Received & Filed**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER DICKMAN AND SECONDED BY
COUNCIL MEMBER MAZUR AND CARRIED,** the meeting was adjourned in memory
of Anthony Bish, Michael Caruana, Madeleine Newman, Shannon Sankey and Marilyn Seyler
at 9:51 P.M.

Signed _____

Diane M. Terranova, Town Clerk