

Town Board Minutes

September 6, 2022

Meeting No. 17

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 6th day of September 2022 at 7:00 P.M. and there were

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

ABSENT: NONE

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
THOMAS FOWLER, TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
WILLIAM KARN, CHIEF OF POLICE
MICHELLE BARBARO, DEP. HIGHWAY SUPERINTENDENT
JOHN PILATO, HIGHWAY SUPERINTENDENT
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

EXECUTIVE SESSION:

AT 7:36 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER LEARY, for the purpose of entering into an Executive Session to discuss the collective bargaining negotiations per Article 14 of Civil Service Law.

The question of entering into an Executive Session was duly put to a vote on roll call, which resulted as follows:

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

At 8:05 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.

MOTION WAS MADE BY COUNCIL MEMBER LEARY, SECONDED BY COUNCIL MEMBER MAZUR, to close the Executive Session.

The question of closing the Executive Session was duly put to a vote on roll call, which resulted as follows:

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

September 6, 2022

PUBLIC HEARING SCHEDULED FOR 7:05 P.M.: No. 1 Stem Automotive – 149
Gunnville Road, Suite 2

MOTION BY COUNCIL MEMBER BURKARD, SECONDED BY
COUNCIL MEMBER LEARY, to open the public hearing.

ALL IN FAVOR, MOTION CARRIED the public hearing was opened.

At 7:05 P.M., the Town Board held a Public Hearing to hear all interested
persons upon a Special Use Permit for Stem Automotive, 149 Gunnville Road, Suite 2 to use
the existing building as a motor vehicle repair shop.

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
Matt Goehle, Owner	Proponent

MOTION BY COUNCIL MEMBER MAZUR, SECONDED BY COUNCIL
MEMBER BURKARD to close the public hearing.

ALL IN FAVOR, MOTION CARRIED the public hearing was closed at
7:07 P.M.

Decision on this matter was reserved.

September 6, 2022

PUBLIC HEARING SCHEDULED FOR 7:05 P.M.: No. 2 Angela Dussault – 4982

William Street

MOTION BY COUNCIL MEMBER LEARY, SECONDED BY
COUNCIL MEMBER BURKARD to open the public hearing.

ALL IN FAVOR, MOTION CARRIED the public hearing was opened.

At 7:07 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Special Use Permit for Angela Dussault 4982 William Street Home Occupation (Accounting and Tax Services).

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
Angela Dussault, Owner	Proponent

MOTION BY COUNCIL MEMBER MAZUR, SECONDED BY COUNCIL
MEMBER LEARY AND CARRIED to close the public hearing.

ALL IN FAVOR, MOTION CARRIED the public hearing was closed at
7:10 P.M.

Decision on this matter was reserved.

September 6, 2022

PRESENTATION OF PREFILED RESOLUTIONS:

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

RESOLVED, that the minutes of the Regular Meeting of the Town Board held August 22, 2022 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 BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

September 6, 2022

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 #09062022

Total amount hereby authorized to be paid: \$588,963.08

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

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

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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
20220003		Mitchel Staskiewicz	7 Bridgewater Ct	Develop Floodplain	
20227324		Mark Catanzaro	17 Plumb Creek Trl	Er. Shed	
20227990		Investment Solutions of WNY	48 Lombardy St	Er. Res. Alt.	(V/L)
20228176		Green Works Contractin Inc.	196 Pleasant View Dr	Er. Deck	
20228207		Richard Koch	60 Michaels Walk	Er. Fence	
20228210		JBCC Excavation LLC	591 Lake Ave	Er. Pool-In Grnd	
20228211		Ross Vandermeulen	89 Kurtz Ave	Er. Deck	(V/L)
20228213		Michael Salvadore	1266 Townline Rd	Inst. Generator	
20228219		Solar Liberty Energy Systems	118 Brunswick Rd	Inst. Solar Panels	(V/L)
20228221		House Crafters LLC	7 Schiffler Ct	Er. Porch/Porch Cover	
20228230		Majestic Pools Inc.	54 Williamsburg Ln	Er. Pool-In Grnd	
20228231		P.A.T. Construction Management	3100 Commerce Pkwy	Er. Comm. Add/Alt	(V/L)
20228237		Mark Skieresz	6 Bentley Cir	Er. Pool-Abv Grnd	
20228241		Metro Property Preservation	15 Ellie Ct	Er. Deck	
20228242		Catalano Contracting Inc.	32 Whitestone Ln	Er. Res. Alt.	
20228243		Sitzmans applicance Center	13 Waltham Ave	Inst. Generator	(V/L)
20228244		Forbes Homes, Inc.	17 Deepwood Pl	Er. Dwlg.-Sin.	
20228246		ABC Hardware & Rental Inc.	5 Lucia Ct	Inst. Generator	
20228248		Regency Builders LLC	708 Pleasant View Dr	Er. Dwlg.-Sin.	
20228251		The Vinyl Outlet Inc.	41 Banner Ave	Er. Deck	(V/L)
20228253		William Slachciak	193 Westwood Rd	Re-Roof	
20228254		Kim Collins-Jones	43 Hidden Meadow Cros	Er. Shed	
20228255		Elite Barn Construction LLC	46 Worthington Ln	Er. Shed	
20228256		Michael Kasprzak	20 Clark St	Er. Shed	(V/L)
20228257		WNY Remodeling	163 Westwood Rd	Er. Res. Alt.	
20228258		Aquatitec Pools Inc.	23 Northfield Ln	Er. Pool-In Grnd	
20228259		Niagara Building Systems	26 Benson Dr	Re-Roof	(V/L)
20228261		Marc Barthelemy	39 Sussex Ln	Er. Pool-Abv Grnd	
20228263		Michele Warmus	5908 Broadway	Er. Fence	
20228265		Kamar Fence Company Inc.	7 Sedge Run	Er. Deck	
20228266		Thrifty Roofs LLC	222 Aurora St	Re-Roof	(V/L)
20228267		Vicky-Marie Brunette	78 Southpoint Dr	Er. Shed	
20228270		Anna Messinger	60 Trentwood Trl N	Er. Shed	
20228271		The Vinyl Outlet Inc.	9 Hemlock Ln	Er. Deck	
20228273		Kenneth Fetterman	220 Seneca Pl	Re-Roof	
20228274		Leonard Wiza	38 Crabapple Ln	Er. Pool-In Grnd	
20228280		Ingelfinger Custom Contractor	11W Main St	Er. Comm. Add/Alt	(V/L)
20228281		Brian Brooks	18 Kelly Ann Dr	Er. Garage	
20228283		William Murphy	29 N Aurora St	Dumpster - Temp.	(V/L)
20228284		Ahmad Mafi	7 Northfield Ln	Er. Fence	
20228285		Tyler Hatch	118 Avian Way	Er. Fence	
20228288		David Staffeldt	214 Brunck Rd	Re-Roof	
20228289		Buffalo's Best Roofing	8 Pheasant Run Ln	Re-Roof	
20228290		Franks Commercial & Home	27 E Payne St	Inst. Res. Plumbing	(V/L)
20228291		Robert Klas	4 Old Post Rd	Er. Fence	
20228292		Alan Zack	19 Kevwood Ln	Er. Shed	
20228293		Mark Earsing	60 Sawyer Ave	Er. Pool-Abv Grnd	(V/L)
20228295		Donna Fowler	5441 Broadway	Er. Fence	(V/L)
20228298		Vincent Marcello	18 Roosevelt Ave	Er. Shed	(V/L)
20228306		Douglas Muth	42 Squirrel Run	Er. Fence	

20228309	Kyle Van de Velde	55 Middlebury Ln	Er. Shed	
20228311	Marie Ferraro	33 Quincy Ave	Re-Roof	(V/L)

NOW, THEEFORE,

BE IT 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 BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

September 6, 2022

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER BURKARD, 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. The Supervisor, 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 \$2,200,000 which the Town is requesting 60% of the total project cost in grant funding (\$1,320,000).
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 (\$880,000) 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. One certified copy of this Resolution be prepared and sent to the Albany office of the NYS Environmental Facilities Corporation.
5. The Supervisor, or his representative, is also authorized to sign the Signature for Grant Application Certification sheet which is required to be included with the application submission.
6. All documents pertaining to this grant shall be reviewed by the Town Attorney for approval prior to being executed.
7. 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 BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

September 6, 2022

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

WHEREAS, the Town Board of the Town of Lancaster previously held a public hearing pursuant to Chapter 400-Zoning, Article XIV-Administration and Enforcement, Section 78 of the Code of the Town of Lancaster, upon the application of **James A. Boglioli**, for a Special Use Permit for **Delta Sonic Car Wash Systems, Inc.**, to operate a car wash with 16 gas pumps, interior detailing and both indoor and outdoor vacuums on premises located at 4817 Transit Road (SBL No.126.01-1-6), in the Town, and the Board issued such Special Use Permit July 2, 2018, for a two (2) year period, and

WHEREAS, by letter dated July 27, 2022, **James A. Boglioli**, President of Daniele Management & Development, has requested that the Town Board renew the Special Use Permit issued on behalf of **Delta Sonic Car Wash Systems, Inc.**, for an additional two (2) year term, and

WHEREAS, Matt Fischione, the Code Enforcement Officer, has inspected the site and found conditions to be in compliance with the provisions of the original Special Use Permit and GC Zoning District standards per his letter dated August 19, 2022.

NOW, THEREFORE,
BE IT RESOLVED, as follows:

1. That pursuant to Chapter 400-Zoning, Article V Commercial Districts, §400-18(B)(1)(a), General Commercial District, of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant the Special Use Permit renewal to **James A. Boglioli**, on behalf of **Delta Sonic Car Wash Systems, Inc.**, to operate a car wash with 16 gas pumps, interior detailing and both indoor and outdoor vacuums on premises located at 4817 Transit Road (SBL No.126.01-1-6), in the Town of Lancaster, upon the terms and conditions as set forth in the Zoning Ordinance for the period of July 2, 2022 through July 1, 2024.

2. That the applicant will continue in compliance with conditions as set forth in § 400-18 General Commercial District, § 400-19 Supplementary regulations for LC & GC Districts, and § 400-78 Special use permits, of the Code of the Town of Lancaster, and to any additional conditions listed herein, as long as the applicant continues to engage in the occupation listed above on the premises namely:

- A. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.
- B. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal is considered upon the property owner submitting a written request to the Town Clerk, on or **before July 1, 2024**.
- C. Provide a copy of the business' Federal and New York State Tax Employer Identification Number; and where applicable, provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided.

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

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

September 6, 2022

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

WHEREAS, by resolution adopted on November 20, 2017 the Town Board of the Town of Lancaster approved a Special Use Permit Application submitted by Anthony J. Daniele, of **Royal Car Wash**, to operate an express exterior car wash on premises located at 6645 Transit Road, in the Town of Lancaster, New York, and

WHEREAS, Royal Car Wash facility and real property located at 6645 Transit Road, has been bought by MDC Coast24, LLC, d/b/a **GoCar Wash** who has submitted an application requesting that the Special Use Permit issued to Royal Car Wash be transferred to **GoCar Wash**, and

WHEREAS, by letter dated July 29, 2022, Matt Fischione, Town Code Enforcement officer, inspected the site and found conditions to be in compliance with the originally approved Special Use Permit, and

WHEREAS, the Town Board of the Town of Lancaster has reviewed this request and consulted with legal counsel and has determined that the Special Use Permit issued on November 20, 2017 to Royal Car Wash, for location 6645 Transit Road (SBL No. 82.03-1-51.11), is allowed to be transferred to **GoCar Wash** at the same location.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves and authorizes the Special Use Permit issued on November 20, 2017 to Royal Car Wash, for location 6645 Transit Road (SBL No. 82.03-1-51.11), be transferred to **GoCar Wash** at the same location Pursuant to Chapter 400-Zoning, Article V Commercial Districts, Section 18 (B)(1)(a), General Commercial District (GC), Permitted uses of the Code of Town of Lancaster for the period beginning September 6, 2022 and ending November 19, 2023, and

BE IT FURTHER,

RESOLVED, That the applicant will continue in compliance with conditions as set forth in §400-18 General Commercial District (GC), §400-19 Supplementary regulations for LI and GC District, and §400-78 Special use permits, of the Code of the Town of Lancaster, and to any additional conditions listed herein, as long as the applicant continues to engage in the occupation listed above on the premises namely:

- A. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal request is considered upon the property owner submitting a request in writing to the Town Clerk, on or before November 19, 2023.
- B. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.
- C. Applicant will provide a copy of the business' New York State and Federal Tax Employer Identification Numbers; and where applicable, provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided.

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

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

September 6, 2022

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

WHEREAS, by letter dated August 23, 2022, the Deputy Highway Superintendent, on behalf of the Town of Lancaster's Parks Recreation & Forestry Department, has notified the Board that blacktop is needed for paving in the Town's parks and will not exceed \$15,000.00, and

WHEREAS, blacktop is available for purchasing through the Erie County Department of Purchase, Bid No. 222105-004, Section 402, by authorized bidder County Line Stone, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, funding for the blacktop is available from the Town's 2022 Parks, Contractual Expenses, Resurfacing Materials Budget (Line Item 01-7110-0433).

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the purchase of blacktop for paving within the Town's parks, not to exceed \$15,000.00 from County Line Stone, Co., Inc., 4515 Crittenden Road, Akron, New York as in accordance with Bid No. 222105-004, Section 402 as proposed by the Deputy Highway Superintendent and will be paid for with funds from the Town's 2022 Parks, Contractual Expenses, Resurfacing Materials Budget (Line Item 01-7110-0433).

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

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

September 6, 2022

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

WHEREAS, Ed Schiller, of Wm. Schutt Associates, P.C., the Town of Lancaster's consulting engineer, has requested that the Town Board authorize an invitation to bid for the reconstruction of Simme Road culvert over tributary to Cayuga Creek within the Town of Lancaster, and

WHEREAS, the Town Board has given due review and consideration to the request and deems it in the public interest to invite public bids in conformance with General Municipal Law Section 103 of the State of New York.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes an invitation of public bids for the reconstruction of Simme Road culvert over tributary to Cayuga Creek, and

BE IT FURTHER,

RESOLVED, that the Issuing Office for the Bidding Documents is Avalon Document Services, www.avalonplanroom.com, Prospective Bidders may examine the Bidding Documents at the Issuing Office or at Construction Exchange of Buffalo and WNY (www.conexbuff.com), 2660 William Street, Buffalo, New York 14227 on Monday through Friday between the hours of 8:00 AM and 4:00 PM. Copies of the Bidding Documents may be obtained from the Issuing Office, beginning at 9:00 AM, on September 9, 2022, completed Bid Documents are to be received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on October 4, 2022 and opened thereafter.

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

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

September 6, 2022

NOTICE TO BIDDERS

FOR THE
TOWN LANCASTER

RECONSTRUCTION OF SIMME ROAD CULVERT OVER TRIBUTARY TO CAYUGA CREEK

General Notice

The Town of Lancaster is requesting Bids for the construction of the following Project:

Reconstruction of Simme Road Culvert
Over Tributary to Cayuga Creek

Bids for the construction of the Project will be received at the office of the Town Clerk, 21 Central Avenue, Lancaster, New York 14086 until Tuesday, October 04, 2022 at 10:00 AM local time. At that time the Bids received will be publicly opened and read.

The Project consists of replacing the existing pipe structure with a precast concrete box culvert and related road and site work.

Obtaining the Bidding Documents

The Issuing Office for the Bidding Documents is Avalon Document Services,
www.avalonplanroom.com.

Prospective Bidders may examine the Bidding Documents at the Issuing Office or at Construction Exchange of Buffalo and WNY, 2660 William Street, Buffalo, New York 14227 on Monday through Friday between the hours of 8:00 AM and 4:00 PM and may obtain copies of the Bidding Documents from the Issuing Office as described below. Partial sets of Bidding Documents will not be available from the Issuing Office. Neither Owner nor Engineer will be responsible for full or partial sets of Bidding Documents, including addenda, if any, obtained from sources other than the Issuing Office.

Beginning at 9:00 AM, on September 9, 2022, if bidders wish to purchase printed copies of the Contract Documents, they must be obtained through Avalon Document Services. The fee paid to Avalon is nonrefundable. Only official planholders will be allowed to bid on the project. Bidders acknowledge that they are responsible for review of all components of the Contract Documents, including all specification sections and drawings, regardless of how many drawings they print and in which format/size they are printed.

Instructions to Bidders.

For all further requirements regarding bid submittal, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding Documents.

This Advertisement is issued by:

Owner: Town of Lancaster, New York
By: Diane Terranova
Title: Town Clerk
Date: September 9, 2022

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

WHEREAS, by letter dated August 23, 2022, John Trojanowsky, Executive Director of the Youth Bureau, has recommended that the Town of Lancaster continue to participate in the collaborative effort with Lancaster Central School District by providing 50% of the annual salary and 50% of the annual cost of contractual expenses and fringe benefits for a School Psychologist or Social Worker for the Joint Funded School and Community Support Program within the Lancaster Central School District, and

WHEREAS, the School Psychologist or Social Worker considered an employee of the School District with an annual salary of approximately \$67,684.00; and the annual cost of contractual expenses and fringe benefits of approximately \$34,687.88, and

WHEREAS, the Town Board deems it in the public's interest to provide 50% of the annual salary and annual contractual and fringe benefit costs to the School District to ensure this service is maintained for the community.

NOW, THEREFORE,

BE IT RESOLVED, as follows, that the Supervisor of the Town of Lancaster is hereby authorized to enter into the Joint Funding of School and Community Support Agreement with the Lancaster Central School District for the purpose of providing a School Psychologist or Social Worker for the period of August 30, 2022 to June 23, 2023 with the Town paying 50% of the annual salary (\$33,842.00) and 50% of the annual contractual expenses and fringe benefits expenses (\$17,183.94) for a total contribution of \$51,024.94; the funding for the Program will be paid in quarterly installments to the Lancaster Central School District as follows: the first and second installments of \$10,205.19 shall be paid on or about October 1, 2022, and December 1, 2022; with the third and fourth installments of \$15,307.78 being paid on or about February 1, 2023 and April 1, 2023, with funds coming from the Town's 2022/2023 School Social Worker/Counselor Budget (line Item A4240.411).

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

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

September 6, 2022

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

BE IT RESOLVED, that Cynthia Maciejewski, Lancaster, NY be and is hereby appointed as Secretary of the Town of Lancaster's Planning Board effective September 7, 2022.

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

September 6, 2022

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

WHEREAS, by resolution adopted on January 21, 2020, the Lancaster Town Board approved an agreement with Signify North America Corporation, to provide cloud-based access to the Town's streetlights through CityTouch Software Service, and

WHEREAS, by email dated June 17, 2022, the Highway Department notified the Town that Signify will need to transfer the data from CityTouch Software Service to Interact City Software Service as CityTouch utilized the Internet Explorer Browser which no longer exists.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute the Software Service Upgrade Agreement, as presented, between the Town of Lancaster and Signify North America Corporation, 200 Franklin Square Drive, Somerset, New Jersey 08873, to transition from CityTouch Software Service to the remotely-hosted Interact City Software Service at no additional cost to the Town.

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

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

September 6, 2022

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

WHEREAS, Town of Lancaster Patrol Captain, Marco Laurienzo, by letter dated August 24, 2022, has requested the purchase of **one (1) new and unused 2022 Pursuit Rated Dodge Durango** patrol vehicle, for the use by the Police Department, and

WHEREAS, the above-referenced vehicle is available for purchase under New York State's "Piggybacking" Law through the Onondaga County Division of Purchase, 071-05 Police and Administrative Vehicles, Bid Reference No. 8771, Contract ID No. 3197 from authorized vendor Robert Green Auto and Truck (Vendor Code #5521), which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, Captain Laurienzo has recommended the purchase of the aforementioned vehicle, in accordance with said specifications, be made from Robert Green Auto and Truck, at a **price of \$38,049.76** per their proposal previously provided to the Board, and

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

NOW, THEREFORE,

BE IT RESOLVED, as follows, that the Town Board of the Town of Lancaster hereby approves the purchase of **one (1) new and unused 2022 Pursuit Rated Dodge Durango patrol vehicle** through the Onondaga County Division of Purchase, 071-05 Police and Administrative Vehicles, Bid Reference No. 8771, Contract ID No. 3197 from authorized vendor Robert Green Auto and Truck (Vendor Code #5521), P.O. Box 8002, Rock Hill, New York 12775, as proposed by the Town of Lancaster Patrol Captain, Marco Laurienzo, for a total expenditure not to exceed **\$38,049.76** and which will be paid for with funds from the Town's Public Safety, Equipment Passenger Vehicle Budget (Line Item P 005-3120-0220).

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

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

September 6, 2022

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

WHEREAS, Brenda Bantle, of TurboPro, Inc., has submitted an amended site plan prepared by Nussbaumer & Clarke, Inc., consisting of a Plot Plan dated February 10,2022, Drawings A-1(2) dated February 23, 2022, and Drawings C-101, C-102, C-103, C-104, and C-105, all dated July 11, 2022 and all received July 12, 2022, for the proposed construction of two (2) additional buildings totaling 3,096 SF to be used as a workshop and storage on their existing +/-1.052 acre-parcel located at 1284 Town Line Road (SBL No. 95.00-3-13.111), 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 the August 17, 2022 meeting, and

WHEREAS, the Town, acting as Lead Agency under the State Environmental Quality Review Act (“SEQRA”) has identified the relevant areas of environmental concern and determined the action to be a Type II action under 6NYCRR Part 617.5(c)(9).

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the amended site plan submitted by **Brenda Bantle, of TurboPro, Inc.,** prepared by by Nussbaumer & Clarke, Inc., consisting of a Plot Plan dated February 10,2022, Drawings A-1(2) dated February 23, 2022, and Drawings C-101, C-102, C-103, C-104, and C-105, all dated July 11, 2022 and all received July 12, 2022, for the proposed construction of two (2) additional buildings totaling 3,096 SF to be used as a workshop and storage on their existing +/-1.052 acre-parcel located at 1284 Town Line Road (SBL No. 95.00-3-13.111), 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 will be required to initiate site construction.
3. Performance Bond shall be provided in accordance with § 400-75 (E) of the Town Code 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 BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

September 6, 2022

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

WHEREAS, Joseph G. Bantle, 4622 Woods Road, East Amherst, New York 14052 has applied to the Town Board of the Town of Lancaster for a permit for Private Improvements upon real property in the Town of Lancaster within 1284 Town Line Road, and

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

NOW, THEREFORE,

BE IT RESOLVED, that Private Improvement Permit Application No. 844 for 1284 Town Line Road, Alden, New York 14004 which is a permit for Private Improvements for:

- Construction of a detention basin to comply with Town of Lancaster Stormwater Management Policy. Located at the west end of 1284 Town Line Road, Alden, New York 14004 . All grading, drainage, basin and all construction materials and supplies included.

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

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

September 6, 2022

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

WHEREAS, Michelle Barbaro, Deputy Highway Superintendent of the Town of Lancaster, by letter dated September 1, 2022 has recommended the appointment of the following individual to the following part-time permanent position in the Town of Lancaster Parks, Recreation & Forestry Department.

NOW, THEREFORE,

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

NAME	ADDRESS	POSITION	HOURLY RATE	EFFECTIVE DATE
George Besch	Lancaster, NY	Recreation Attendant	\$18.25	September 10, 2022

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

September 6, 2022

COMMUNICATIONS & REPORTS

571. Legal Assistant to Town Board and Planning Board –
SEQR response from NYSDEC regarding Classic Tube, 80 Rotech Dr., Proj. #0646. Disposition = Planning Committee
572. Code Enforcement Officer to Town Board –
Request to renew Special Use Permit for Delta Sonic Car Wash, 4817 Transit Rd. was reviewed and found to be compliant with provisions of original standards.
Disposition = Resolution 9/6/22
573. Alden Town Clerk to Lancaster Town Clerk –
Copy of the Order of Notice of Public Hearing for Local Law #1 of the year 2022.
Disposition = Received & Filed
574. Planning Board Chairman to Planning Board, Town Board, Town Attorney, Engineering Consultant, Highway Superintendent and Building Inspector –
Draft copy of minutes from August 17, 2022 Planning Board Meeting.
Disposition = Received & Filed
575. Planning Board to Town Board –
Memo recommending approval of Amended Site Plan for TurboPro Inc., 1284 Town Line Rd., Proj. #4827. Disposition = Planning Committee
576. Director of Bands, Lancaster Central School District to Supervisor –
Request for use of the Lions Picnic Shelter on Sunday, September 25, 2022 and that the Lancaster Youth Bureau be opened for restroom accommodations.
Disposition = Received & Filed
577. Deputy Highway Superintendent to Town Board –
Request for resolution to purchase blacktop for paving in our Town parks from Countyline Stone, 4515 Crittenden Rd., Akron, NY.
Disposition = Resolution 9/6/22
578. State of New York Public Service Commission to Town Clerk –
Notice of Public Statement Hearings regarding NY Telecommunications Industry for Relief of the 716 Numbering Plan Area.
Disposition = Received & Filed
579. Town Clerk to Twin District VFC Chief, Town Line VFD Chief, Millgrove VFD Chief, Bowmansville VFA Chief, Twin District VFC President, Town Line VFD President, Millgrove VFD President and Bowmansville VFA President –
Reminder of Annual Inspection hosted by Bowmansville V.F.D. on Monday, September 26, 2022 at 7:00PM. Disposition = Received & Filed
580. Executive Director Youth Bureau to Supervisor and Town Board –
Request for Town of Lancaster to continue to participate in the collaborative effort with Lancaster Central School District providing a School and Community Support Program from August 30, 2022 through June 23, 2023.
Disposition = Resolution 9/6/22
581. Town Clerk to Code Enforcement Officer –
Copy of letter from Justin Cruse requesting a renewal of the Special Use Permit for Wreckmasters, 5550 Genesee St. Disposition = For Resolution
582. Brazen Brewing LLC to Town Clerk –
30-Day Advance Notice for a liquor license for Brazen Brewing, 5839 Genesee St., Lancaster, NY. Disposition = Town Attorney
583. Cynthia Maciejewski to Supervisor and Town Board –
Request to be considered for the position of Town of Lancaster Planning Board Secretary. Disposition = Resolution 9/6/22

- 584. Patrol Captain Laurienzo to Supervisor –
Request for resolution authorizing the purchase of one new 2022 Dodge Durango Pursuit through Robert Green Auto and Truck, Rock Hill, NY.
Disposition = Resolution 9/6/22**
- 585. Melanie Foster to Dog Control Officer Karn –
Letter of resignation from the position of Dog Control Officer effective September 5, 2022. Disposition = Received & Filed**
- 586. Marc Accurso to Dog Control Officer Karn –
Letter of resignation from the position of Dog Control Officer part-time effective September 3, 2022. Disposition = Received & Filed**
- 587. New York State Department of Public Service to Town Clerk –
Request for assistance with informing constituents about public statement hearings regarding NY Telecommunications Industry for Relief of the 716 Numbering Plan Area. Disposition = Received & Filed**
- 588. NYSDEC to Town Clerk –
Information regarding Environmental Cleanup Investigation Activities to begin at Brownfield Site – Westwood Country Club, 772 North Forest Road, Williamsville, NY. Disposition = Received & Filed**
- 589. Erie County Dept. of Environment & Planning to Supervisor –
Information regarding Community Development Public Hearings.
Disposition = Received & Filed**
- 590. Charter Communications to Town Clerk –
Upcoming changes to channel line-up. Disposition = Received & Filed**
- 591. Deputy Highway Superintendent to Supervisor and Town Board –
Request for resolution appointing George Besch to the position of part-time permanent employee for the Fall Tennis Program for the fall 2022 in the Parks, Recreation & Forestry Department effective September 10, 2022.
Disposition = Resolution 9/6/22**

ADJOURNMENT:

**MOTION WAS MADE BY COUNCIL MEMBER DICKMAN AND
SECONDED BY COUNCIL MEMBER BURKARD,** to adjourn the meeting in memory of
Bonita Bianco and Vic Marrale at 8:06 P.M.

The question was put to a vote on roll call, which resulted as follows:

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

MEETING ADJOURNED.

September 6, 2022

Signed _____

Diane M. Terranova, Town Clerk