

Town Board Minutes

August 21, 2023

Meeting No. 16

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 21st day of August 2023 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 GUMMO, CHIEF OF POLICE
JOHN PILATO, HIGHWAY SUPERINTENDENT
BRUCE STUTZ, PARK CREW CHIEF
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

EXECUTIVE SESSION:

AT 8:10 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER MAZUR, for the purpose of entering into an Executive Session to discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

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 8:27 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 DICKMAN, 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

August 21, 2023

PERSONS ADDRESSING TOWN BOARD:

Goedertz, Jennifer, spoke to the Town Board on the following matter:

- Asked for assistance with the noise in the Village of Lancaster.

Holmes, Elizabeth, Esq., Representing Lucas James, spoke to the Town Board on the following matter:

- Spoke about the Broadway and Bowen Road project traffic assessment.

James, Lucas, spoke to the Town Board on the following matter:

- Agreed to be responsible and accountable for the three conditions on the Broadway and Bowen Road project.

Nosbisch, Jr., Paul, spoke to the Town Board on the following matters:

- Questions regarding the Tim Horton's feasibility study as compared to the Town's Comprehensive Plan for Broadway and Bowen Road.
- Comments regarding illegal aliens.

Ostroff, James, spoke to the Town Board on the following matter:

- Comments regarding reducing the speed limit on Stutzman Road.

Rychlik, Beth, spoke to the Town Board on the following matter:

- Questions and concerns about Tim Horton's being built on Broadway and Bowen Road.

PUBLIC HEARING SCHEDULED FOR 7:05 P.M.: No. 1 - Taxation – Informational Mailings Authorized

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 Chapter 320, Taxation to include a new “Article VII Informational Mailings Authorized 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

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

ALL IN FAVOR, MOTION CARRIED, the public hearing was closed at 7:09 P.M.

Decision on this matter was reserved.

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PUBLIC HEARING SCHEDULED FOR 7:05 P.M.: No. 2 - Chapter 221 - Noise

MOTION BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER MAZUR, to open the public hearing.

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

At 7:10 P.M., the Town Board held a Public Hearing to hear all interested persons upon Chapter 221 Noise – change wording in Section 221-7 Exceptions, subsection D.

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

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
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None

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

ALL IN FAVOR, ANY OPPOSED, MOTION CARRIED, the public hearing was closed at 7:11P.M.

Decision on this matter was reserved.

August 21, 2023

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
August 7, 2023 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	ABSTAINED
COUNCIL MEMBER LEARY	VOTED YES
COUNCIL MEMBER MAZUR	VOTED YES
SUPERVISOR RUFFINO	VOTED YES

August 21, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER DICKMAN, 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 Supervisor's Office, to wit:

Check Run #08212023

Total amount hereby authorized to be paid: \$490,073.86

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 BURKARD, 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

Pmt #	SW	Applicant Name	Address	STRUCTURE
	Village			
20239133		Rock Hard Fence	56 Hidden Meadow Cros	Er. Fence
20239137		Pyramid Network Services, LLC	0 Transit Rd	Cell Tower - Alteration
20239294		Ashley Breier	200 Central Ave	Er. Res. Alt. (V/L)
20239376		The Restoration Crew LLC	5489 Broadway	Er. Comm. Add./Alt(V/L)
20239423		James Gianturco	12 Hill Valley Dr	Er. Fence
20239497		Donald Juliano	3800 Bowen Rd	Er. Garage
20239512		Andrew Hofmann	63 Tomahawk Trl	Er. Garage
20239540		Ulrich Sign Co. Inc.	5077 Transit Rd	Er. Sign - Wall
20239542		Daniel Brownson	42 Brandel Ave	Er. Fence (V/L)
20239544		Cortese Brothers Construction	7 Bridlepath Ln	Er. Res. Alt.
20239547		Marino Construction Inc.	57 Livingston St	Er. Res. Add. (V/L)
20239555		Newstead Homes & Improvement	471 Schwartz Rd	Er. Porch Cover
20239556		Newstead Home & Improvements	471 Schwartz Rd	Er. Shed
20239566		Carl Kozlowski	80 Central Ave	Er. Porch/Porch Cvr (V/L)
20239577		Summers & Sons Construction	17 Partridge Walk	Er. Deck
20239614		Sitzman's Appliance Center	19 Hedge Ln	Inst. Generator
20239616		Sitzman's Appliance Center	26 W Home Rd	Inst. Generator
20239617		Excel Fence, Inc.	5 Buckingham Ct	Er. Fence
20239623		Crist Construction	31 Squirrel Run	Er. Porch/Porch Cover
20239624		Buffalo's Best Roofing	5472 Broadway	Re-Roof (V/L)
20239626		Metro Property Preservation	263 Lake Ave	Er. Res. Alt. (V/L)
20239627		Sarah Forbes	1996 Como Park Blvd	Er. Fence (V/L)
20239628		Lisa Thompson	2 Trails End	Er. Res. Add.
20239629		Eastern Remodeling LLC	263 Lake Ave	Re-Roof (V/L)
20239631		Hometeck Roofing & Remodelng	192 Erie St	Re-Roof (V/L)
20239633		LJ Construction WNY LLC	5827 Broadway	Er. Comm. Add./Alt.
20239634		Christopher Varco	44 Brandel Ave	Er. Fence (V/L)
20239335		Russel Licata	250 Erie St	Er. Res. Alt.
20239635		Kazmar Fence Company, Inc.	24 Tanglewood Dr	Er. Fence
20239637		Argauer Excavating, LLC	218 N Maple Dr	Er. Pool-In Grnd
20239639		David Puleo	37 E Home Rd	Er. Fence
20239640		Argauer Excavating, LLC	218 N Maple Dr	Er. Fence
20239641		Buffalo's Best Roofing	1862 Como Park Blvd	Re-Roof (V/L)
20239643		All Fence LLC	9 Walnut Creek Trl	Er. Fence
20239647		Castle Home Improvements	12 Riemers Ave	Re-Roof
20239650		Dalex Construction Inc.	19 Petersbrook Cir	Re-Roof
20239651		Sturdi Built Sheds LLC	59 Simme Rd	Er. Shed
20239652		Nicole Hayden	20 Hidden Meadow Cros	Er. Porch/Porch Cover
20239653		Cultured Landscaping	4622 Walden Ave	Er. Fence
20239654		Tuff Shed Inc.	6232 Genesee St	Er. Shed
20239656		Majestic Pools Inc.	10 Clermont Ct	Er. Pool-In Grnd
20239657		O'Connor Contracting	602 Lake Ave	Re-Roof
20239658		MRLWN Service Inc.	12 Hill Valley Dr	Er. Deck
20239659		Olga T. Casiano-Stuckey	2 Buckingham Ct	Er. Fence
20239661		City Fence	38 Fairfield Ave	Er. Fence (V/L)
20239664		Guardian Fences of WNY Inc.	31 Squirrel Run	Er. Fence
20239666		Decks Unlimited Construction	46 Gale Dr	Er. Shed
20239668		Tammy Tideswell Trust	37 Milton Dr	Er. Fence (V/L)
20239671		Alexander Brown	80 Kurtz Ave	Er. Fence (V/L)
20239673		TNT Custom Decks & Remodel	40 Summerfield Dr	Er. Fence
20239675		Sahlems Roofing & Siding Inc.	763 Erie St	Re-Roof
20239676		Charles Galante	37 Holland Ave	Er. Shed (V/L)
20239679		Paul Pionessa	111 Aurora St	Re-Roof (V/L)

20239685	Debra Stachewicz	101 4 th Ave	Re-Roof	(V/L)
20239687	Fineline Construction	26 Meadow Lea Dr	Er. Fence	
20239688	JCM Rentals LLC	698 Pleasant View Dr	Er. Shed	
20239690	Gen-Tech Power Systems LLC	3912 Bowen Rd	Inst. Generator	
20239691	Marvin Scroger	499 Lake Ave	Re-Roof	

NOW, THEREFORE,

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

August 21, 2023

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

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 400-Zoning, Article XIV Administration and Enforcement, §400-78 Special use permits, of the Code of the Town of Lancaster, upon the application of **Selmar K. Dorsey, II**, for a Special Use Permit for a Home Occupation (Dog Kennel) on premises located at 387 Schwartz Road (SBL No. 117.00-3-33.2), Lancaster, New York; and

WHEREAS, per its terms and conditions, this Special Use Permit is currently up for renewal; and

WHEREAS, by letter received July 30, 2023, **Selmar K. Dorsey, II**, has requested that the Town Board renew the Special Use Permit for an additional two (2) year term; and

WHEREAS, the Supervising Code Enforcement Officer has recommended his approval of this Special Use Permit in his letter dated August 9, 2023.

**NOW, THEREFORE,
BE IT RESOLVED,**

1. That pursuant to Chapter 400-Zoning, Article IV. Residential Districts, §400-16(F) Home Occupations, 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 **Selmar K. Dorsey, II**, for a Home Occupation (Dog Kennel) on his premises located at 387 Schwartz Road (SBL No. 117.00-3-33.2), Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance, for the period beginning August 23, 2023 and ending August 22, 2025; and

2. That the applicant will continue in compliance with conditions as set forth in §400-16(F) Home Occupations 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 this home occupation on the premises, namely:

- A) Applicant shall adhere to all applicable requirements established under the New York Consolidated Laws, Agriculture and Markets Law, Article 26-A.
- B) Applicant will obtain necessary Building Department permits and approvals where required for any improvements done to the property.
- C) Only persons residing on the premises shall be engaged in such occupation.
- D) There shall be no change in the outside appearance of the building or premises or visible evidence of the conduct of such home occupation.
- E) Special Use Permit will terminate when the applicant no longer resides on the premises.

- F)** Applicant will obtain **and provide at each renewal:**
- 1) A copy of the business' New York State Tax/Federal Employer Identification Number
 - 2) A copy of a valid New York State Department of Agriculture and Markets Pet Dealer License.
 - 3) A copy of the most recent Pet Dealer Inspection done by New York State AG & Markets.
- G)** Special Use Permit must be renewed every two (2) years at no additional cost to applicant. Renewal is considered upon the property owner submitting a written renewal request to the Town Clerk with all required documents on or before August 22, 2025.
- H)** Applicant will authorize representatives from the Building Inspector's Office and Dog Control Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.

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

August 21, 2023

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

WHEREAS, Bruce Stutz, Park Crew Chief for the Town of Lancaster, has notified the Town Board that various buildings throughout the town are in need of electrical work; and

WHEREAS, the work to be performed is considered “Public Works” for labor and materials, therefore bids for proposals were not required; and

WHEREAS, by letter dated August 9, 2023, Park Crew Chief Stutz has recommended that the Town of Lancaster award the project to Anzalone Electrical Contracting, Inc., P.O. Box 457, East Amherst, New York, 14051, to perform the required electrical work as follows:

Permits and inspection, if needed, for all electrical work.	
Dog control building	Add power for and hang ring camera or flood light
Town Hall	Rewire and rehang fixtures in foyer
	Replace four 4-f5 ballast in office
	Replace three nine-inch razor lights in the hallway
Keysa Pool	Add two 20-amp GFI protected Circuits

WHEREAS, the amount shall not exceed Five Thousand Three Hundred Fifty and 00/100 (\$5,350.00) Dollars, per its quote dated July 26, 2023; and

WHEREAS, funding for the above-described work is available from Account 01-1620-260, Buildings Other Capital Outlay.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the expenditure of funds from Account 01-1620-260, Buildings Other Capital Outlay, as requested by Park Crew Chief Bruce Stutz to Anzalone Electrical Contracting, Inc., P.O. Box 457, East Amherst, New York, 14051, in an amount not to exceed Five Thousand Three Hundred Fifty and 00/100 (\$5,350.00) Dollars, per its quote dated July 26, 2023, to perform the required electrical work as follows:

Permits and inspection if needed for all electrical work.	
Dog control building	Add power for and hang ring camera or flood light
Town Hall	Rewire and rehang fixtures in foyer
	Replace four 4-f5 ballast in office
	Replace three nine-inch razor lights in the hallway
Keysa Pool	Add two 20-amp GFI protected Circuits

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

August 21, 2023

PREFILED RESOLUTION NO. 6 – MEETING OF 8/21/2023

Ruffino/_____ Amend Resolution Adoped January 3, 2023 Re: Professional Services Agreement EBC & HR Payroll Solutions, Inc.

MOTION WAS MADE BY COUNCIL MEMBER LEARY, SECONDED BY COUNCIL MEMBER MAZUR TO TABLE THE RESOLUTION.

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

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

Resolution was tabled.

August 21, 2023

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

WHEREAS, Edward Schiller, of Wm. Schutt Associates, P.C., the Town of Lancaster's consulting engineers, by letter dated August 14, 2023, has requested that the Town Board authorize an invitation to bid for repair or replacement of deteriorated wood soffit and trim at the Lancaster Town Hall Clock Tower, 21 Central Avenue, Lancaster, New York 14086, to include lead paint remediation; and

WHEREAS, the Town Board has given due review and consideration to the request for the aforementioned repairs 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 invites public bids for repair or replacement of deteriorated wood soffit and trim at the Lancaster Town Hall Clock Tower, 21 Central Avenue, Lancaster, New York 14086, to include lead paint remediation, said bids are to be in conformance with the plans and specifications which are available at the office of Wm. Schutt Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 and 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 September 12, 2023, 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

August 21, 2023

ADVERTISEMENT FOR BIDS

TOWN OF LANCASTER ERIE COUNTY, NEW YORK

LANCASTER TOWN HALL

SOFFIT REPAIR

21 CENTRAL AVENUE

General Notice

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

Lancaster Town Hall
Soffit Repair
21 Central Avenue

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 September 12, 2023, at 10:00 AM local time. At that time the Bids received will be publicly opened and read.

The Project consists of lead paint remediation and the repair or replacement of deteriorated wood soffit and trim of the clock tower at the Lancaster Town Hall at 21 Central Avenue in the Town of Lancaster.

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 the offices of Wm. Schutt Associates, Construction Exchange of Buffalo and WNY, or Dodge Reports.

Copies of the Bidding Documents may be obtained 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 Wednesday August 23, 2023, 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 non-refundable. Only official plan holders 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: August 21, 2023

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

WHEREAS, The State University of New York, for and on behalf of the University at Buffalo, desires to have an affiliation with the Town of Lancaster for the purpose of allowing students from the University's Undergraduate Psychology Program to participate in a Field Education Program through the Town of Lancaster Youth Bureau; and

WHEREAS, the Town desires to assist students in pursuing this course of study by entering into a Memorandum of Agreement with The State University of New York, for and on behalf of the University at Buffalo, to allow the involvement of college interns from the University's Undergraduate Psychology Program to participate in a Field Education Program within the Lancaster community under the guidance of the Town's Youth Bureau Executive Director and Program Coordinator.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster, hereby authorizes the Town's Supervisor, Youth Bureau Executive Director and Program Coordinator to execute the annual Memorandum of Agreement with The State University of New York, for and on behalf of the University at Buffalo, which will allow students from the University's Undergraduate Psychology Program to participate in a Field Education Program under the supervision of the Program Coordinator within the Town's Youth Bureau.

BE IT FURTHER,

RESOLVED, this agreement becomes effective September 6, 2023, and shall continue effective until May 4, 2024.

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

August 21, 2023

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

WHEREAS, the Town Board is considering the application submitted by Lucas James, dba Lucas James Construction, as designee for Cornerstone Plaza, owner of 5827 Broadway Street, Lancaster, New York, 14086 (SBL # 116.31-1-3), for a Special Use Permit to operate a restaurant, namely, Tim Hortons, in accordance with provisions of Chapter 400-Zoning, Section 18(B)(1)(a) of the Code of 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 July 19, 2023, and has recommended that a Negative Declaration be issued with conditions; 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. The consideration of the Special Use Permit SEQRA to operate a restaurant, namely, Tim Hortons, 5827 Broadway Street, Lancaster, New York, 14086 (SBL # 116.31-1-3) in accordance with provisions of Chapter 400-Zoning, Section 18(B)(1)(a) of the Code of the Town of Lancaster, 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 conditioned negative declaration of environmental significance for the reasons stated therein, with conditions as stated herein.
2. Double Lane stacking is to be provided.
3. A new traffic study shall be conducted after one year.
4. Any issues identified in the traffic study will be addressed by the applicant within one year.
5. The Town Clerk shall file a copy of the Conditioned Negative Declaration in the file for the Project.
6. 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.
7. 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 BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	NO
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

August 21, 2023

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: August 21, 2023

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 application for Special Use Permit to operate a Tim Hortons located at 5827 Broadway Street, Lancaster, New York (SBL No. 116.31-1-3) submitted by Lucas James dba Lucas James Construction, as designee for Cornerstone Plaza, 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: Special Use Permit – Tim Hortons

Location of Action 5827 Broadway Street, Lancaster, New York 14208 (SBL 116.31-1-3)

SEQR Status: Unlisted

Description of Action: The proposed Special Use Permit is for a Tim Horton on a parcel involving approximately 1.23 acres. This special Use Permit covers a portion of the .63 acre physically disturbed area.

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 to small impact.**
6. Will the proposed action cause an increase in the use of energy, and fail 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: Thomas E. Fowler, Jr., Town Attorney
Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Telephone Number: (716) 684-3342

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

BE IT RESOLVED, that the Town of Lancaster, Location Code 30040,
 hereby establishes the following as standard work days for these titles and will report the
 officials to the New York State and Local Retirement System based on the record of
 activities:

NAME	SOCIAL SECURITY NUMBER (LAST 4)	NYSLERS ID	TITLE	CURRENT TERM BEGIN & END DATES	STANDARD WORK DAY (HRS/DAY)	RECORD OF ACTIVITIES RESULT	NOT SUBMITTED	PAY FREQUENCY
Appointed Officials								
John Mikoley		R13251731	Chairman, Zoning Board of Appeals	01/01/23 – 12/31/27	7	0.65		Biweekly
Melissa Studley		R13282208	Member, Zoning Board of Appeals	01/01/23 – 12/31/24	7	0.31		Biweekly

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

August 21, 2023

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

WHEREAS, Bruce Stutz, Park Crew Chief, of the Town of Lancaster, by letter dated August 10, 2023, has recommended the appointment of Adam Bistoff to the position of Laborer in the Town of Lancaster Parks, Recreation and Forestry Department.

NOW, THEREFORE,

BE IT RESOLVED, that Adam Bistoff of Lancaster, New York, be and is hereby appointed to the position of Laborer in the Town of Lancaster Parks, Recreation and Forestry Department, effective September 5, 2023, and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA White Collar Union and all applicable provisions of law, and

BE IT FURTHER,

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

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

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

August 21, 2023

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

WHEREAS, the Highway Superintendent of the Town of Lancaster by letter dated August 1, 2023, has requested that the Town authorize the expenditure of funds for concrete curbing, four sidewalk blocks, and one wheelchair ramp replacement at various specified locations throughout the Town of Lancaster; and

WHEREAS, the Highway Superintendent has sufficient funds in the 2023 Highway Department Budget to undertake the actions specified above; and

WHEREAS, the Highway Superintendent obtained three (3) price quotes for furnishing the materials and labor required for curb, sidewalk and wheelchair ramp replacement and removal at various specified locations throughout the Town of Lancaster; and

WHEREAS, Custom Curb Appeal, 29 Quincy Avenue, Lancaster, New York, 14086, provided the lowest price quote of \$32,500.00 for up to 290 linear feet of upright curbing, four sidewalk blocks, and a wheelchair ramp.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby awards a contract for the materials and labor required for curbing, sidewalk blocks, and one wheelchair ramp replacement and removal at various locations throughout the Town of Lancaster to Custom Curb Appeal, 29 Quincy Avenue, Lancaster, New York, 14086, in accordance with the aforementioned price quote, to be paid for with funds from the Highway Department's 2023 budget (line items 13-5110-0411 and 13-5110-0413).

BE IT FURTHER,

RESOLVED, that this award is subject to approval of the Town Attorney after receipt of all bond documents and work shall be performed with such approval.

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

August 21, 2023

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

WHEREAS, John Pilato, Highway Superintendent of the Town of Lancaster, by letter dated August 8, 2023, has appointed Liam O'Brien of Lancaster, New York, to the position of Light Equipment Operator.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby recognizes the appointment of Liam O'Brien, Lancaster, New York to the position of Light Equipment Operator in the Town of Lancaster Highway Department, effective August 22, 2023, contingent upon approval by Erie County Department of Personnel and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA Blue Collar Union and all applicable provisions of law, and

BE IT FURTHER,

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

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

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

August 21, 2023

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

WHEREAS, the Town Board is considering the application of Matt Abate, of Popli Design Group, as designee for J. Kozel & Son, Inc., Jeffrey W. Loeffler, President, for the proposed installation of a gravel parking lot on one acre of physically disturbed land on 5.6 acres of land at 3857 Walden Avenue, Lancaster, New York, 14086 (SBL # 105.00-1-4.1); and

WHEREAS, the Town of Lancaster Planning Board has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on August 2, 2023, and recommended a Negative Declaration be issued; and

WHEREAS, the Town Board has duly considered the plans for the building, the long 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 Municipal Review Committee; 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 as an “Unlisted” action under SEQRA.

NOW, THEREFORE,

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

1. This project consists of 5.6 acres of land, affecting one-acre physically disturbed land, for the installation of a new gravel parking lot. The proposed parking lots 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 BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

August 21, 2023

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: August 21, 2023

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 of Lancaster Town Board (the “Town Board”), has reviewed the proposed construction of a gravel parking lot on one acre of physically disturbed land. 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: Tool Ranch

Location of Action: 3857 Walden Avenue, Lancaster, New York, 14086, Erie County

SEQR Status: Type “Unlisted”

Description of Action: Installation of new gravel parking lot affecting one acre of physically disturbed area within 5.6 acres of land

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. | Impact on land | No impact. |
| 2. | Change in land use or intensity | No impact. |
| 3. | Character of community | No impact. |
| 4. | Impact on Critical Environmental Areas | |
| | • The Town of Lancaster has not established a Critical Environmental Area. | |
| 5. | Impact on Transportation | No impact. |
| 6. | Impact on Energy | No impact. |
| 7. | A. Impact on water supply | No impact. |
| | B. Impact on wastewater treatment | |
| 8. | Impact on historic, archaeological, Architectural or aesthetic resources | No impact. |
| 9. | Impact on natural resources | No impact. |
| 10. | Impact on erosion, flooding, or drainage | No impact. |
| 11. | Hazard to environmental resources or Human health | No impact. |

For Further Information:

Contact Person: Thomas E. Fowler, Jr.
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 MAZUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER BURKARD, TO WIT:

WHEREAS, Matt Abate, of Popli Design Group, as designee for J. Kozel & Son, Inc., Jeffrey W. Loeffler, President, has prepared and submitted a site plan dated October 25, 2022, and received October 26, 2022, with revisions dated January 31, 2023, for the proposed installation of a gravel parking lot at 3857 Walden Avenue, Lancaster, New York, 14086 (SBL # 105.00-1-4.1); and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their August 2, 2023, meeting; and

WHEREAS, a SEQR Review of this project was started on January 18, 2023, and reopened August 2, 2023, and a negative declaration was issued at that time.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Matt Abate, of Popli Design Group, as designee for J. Kozel & Son, Inc., Jeffrey W. Loeffler, President, dated October 25, 2022, and received October 26, 2022, with revisions dated January 31, 2023, for the proposed installation of a gravel parking lot at 3857 Walden Avenue, Lancaster, New York, 14086 (SBL # 105.00-1-4.1) with the following conditions:

1. Project to be completed within 90 days of the Lancaster Town Board Approval.

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

August 21, 2023

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

WHEREAS, the Town Board is considering the application of Frederick J. Gawronski, of Colligan Law, LLP, as designee for Michael Scofield, for the minor subdivision on a parcel involving approximately 23 acres, covering a portion of a three acre physically disturbed area at 5943 Genesee Street, Lancaster, New York, 14086 (SBL # 94.00-2-17-1); and

WHEREAS, the Town of Lancaster Planning Board has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on August 2, 2023, and recommended a Negative Declaration be issued; and

WHEREAS, the Town Board has duly considered the plans for the building, the long 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 Municipal Review Committee; 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 as an “Unlisted” action under SEQRA.

NOW, THEREFORE,

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

1. This project consists of a minor subdivision on a parcel covering approximately 23 acres, covering a portion of a three acre physically disturbed area at 5943 Genesee Street, Lancaster, New York, 14086 (SBL # 94.00-2-17-1. This project 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 BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

August 21, 2023

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: August 21, 2023

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 of Lancaster Town Board (the “Town Board”), has reviewed the proposed construction of a gravel parking lot on one care of physically disturbed land. 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: Minor Subdivision – 2 Lot Split (Wlosinski, Scofeld, Montanino, Machnica, Perry)

Location of Action: 5943 Genesee Street (SBL # 94.00-2-17.1), Lancaster, New York, 14086, County of Erie

SEQR Status: Type “Unlisted”

Description of Action: Minor subdivision on a parcel involving approximately 23 acres, covering a portion of a three acre physically disturbed area

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. Impact on land | No impact. |
| 2. Change in land use or intensity | No impact. |
| 3. Character of community | No impact. |
| 4. Impact on Critical Environmental Areas | |
| • The Town of Lancaster has not established a Critical Environmental Area. | |
| 5. Impact on Transportation | No impact. |
| 6. Impact on Energy | No impact. |
| 7. A. Impact on water supply | No impact. |
| B. Impact on wastewater treatment | |
| 8. Impact on historic, archaeological, Architectural or aesthetic resources | No impact. |
| 9. Impact on natural resources | No impact. |
| 10. Impact on erosion, flooding, or drainage | No impact. |
| 11. Hazard to environmental resources or Human health | No impact. |

For Further Information:

Contact Person: Thomas E. Fowler, Jr.
Town Attorney

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

Telephone Number: (716) 684-3342

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

WHEREAS, John Pilato, Highway Superintendent of the Town of Lancaster, by letter dated August 14, 2023, has appointed Thomas Maryanski of Lancaster, New York, who previously held the title of Light Equipment Operator, to the position of Heavy Equipment Operator in the Highway Department.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby recognizes the appointment of Thomas Maryanski of Lancaster, New York to the position of Heavy Equipment Operator in the Town of Lancaster Highway Department, effective August 22, 2023, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA Blue Collar Union and all applicable provisions of law, and

BE IT FURTHER,

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

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

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

August 21, 2023

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

WHEREAS, Bruce Stutz, Park Crew Chief, of the Town of Lancaster, by letter dated August 14, 2023, has recommended the appointment of Jeremy Ballistrea to the position of Laborer in the Town of Lancaster Parks, Recreation and Forestry Department, and

NOW, THEREFORE,

BE IT RESOLVED, that Jeremy Ballistrea of Lancaster, New York, be and is hereby appointed to the position of Laborer in the Town of Lancaster Parks, Recreation and Forestry Department, effective September 19, 2023, and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA White Collar Union and all applicable provisions of law, and

BE IT FURTHER,

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

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

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

August 21, 2023

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

WHEREAS, Eric Major, Patrolman & Agent of the Chief of Police, of the Town of Lancaster, has recommended the appointment of the following individual to the following part-time permanent position.

NOW, THEREFORE,

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

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Tamara L. Keysor Syracuse, NY	Asst.Dog Control Officer	\$18.00	August 21, 2023

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

August 21, 2023

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

WHEREAS, the Twin District Volunteer Fire Company, Inc., by letter
received August 17, 2023, has requested the deletion of one member from the active roster of
said fire association,

NOW, THEREFORE,

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

DELETION:

Jason Ford

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

August 21, 2023

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

WHEREAS, John Pilato, Highway Superintendent of the Town of Lancaster, by letter dated August 14, 2023, has appointed Gary Gallagher of Lancaster, New York, who previously held the title of Heavy Equipment Operator, to the position of Working Crew Chief in the Highway Department.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby recognizes the appointment of Gary Gallagher of Lancaster, New York to the position of Working Crew Chief in the Town of Lancaster Highway Department, effective August 22, 2023, contingent upon approval by Erie County Department of Personnel and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA Blue Collar Union and all applicable provisions of law, and

BE IT FURTHER,

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

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

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

August 21, 2023

COMMUNICATIONS & REPORTS

430. Jeffrey Rogacki to Town of Lancaster –
Letter of resignation from the position of laborer in the Town of Lancaster Parks & Recreation Department effective August 5, 2023.
Disposition = Received & Filed
431. Highway Superintendent to Town Board –
Request for resolution appointing Noah Speyer, Lancaster, NY to the position of Laborer Grade #1 in the Highway Department effective August 7, 2023. Disposition = Resolution 8/7/23
432. Town of Cheektowaga Planner to Town Clerk –
Request for recommendations and/or requirements related to Project Referral 4814 Transit, 14043. Disposition = Received & Filed
433. NYSDOT, Transportation Analyst to Town Clerk –
Comments regarding sub-division of a 23-acre parcel located at 5943 Genesee St.
Disposition = Planning Committee
434. Code Enforcement Officer to Town Board –
Renewal of Special Use Permit for 387 Schwartz Rd. Home – Occupation (Dog Kennel) is appropriate with original conditions permitted in 2021.
Disposition = Resolution 8/21/23
435. Park Crew Chief to Town Board –
Request for resolution to have electrical work done at various Town buildings by Anzalone Electrical Contracting, Inc., East Amherst, NY.
Disposition = Resolution 8/21/23
436. Town Clerk to Timothy Schmidt, Towne AVW, Inc. –
Reminder that Special Use Permit to operate an automobile dealership at 5255 Genesee St. needs to be renewed. Disposition = Received & Filed
437. Town Clerk to Diane M. D’Arcy –
Reminder that Special Use Permit for a Home Occupation (Dog Grooming) at 208 Ransom Rd. needs to be renewed. Disposition = Received & Filed
438. Town Clerk to Matthew Goehle, STEM Automotive –
Reminder that Special Use Permit to use existing building as a motor vehicle repair shop at 149 Gunnville Road needs to be renewed.
Disposition = Received & Filed
439. Chief Financial Officer, Lancaster Industrial Development Agency to Town Clerk–
2024 Proposed Budget for Lancaster Industrial Development Agency.
Disposition = Received & Filed
440. Planning Board Chair to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent and Building Inspector –
Draft copy of minutes from August 2, 2023 Planning Board Meeting.
Disposition = Received & Filed
441. Planning Board to Town Board –
Memo recommending approval of Site Plan for Empire GMQ Warehouse, 4401 Walden Avenue, Proj. #3211. Disposition = Planning Committee
442. Planning Board to Town Board –
Memo recommending approval of Site Plan for Tool Ranch, 3857 Walden Ave., Proj. # 0269; condition noted. Disposition = Planning Committee

443. **Planning Board to Town Board –**
Memo recommending approval of subdivision for Cercone Minor Subdivision, 60 Pleasant View Drive, Proj. #5415; condition noted.
Disposition = Planning Committee
444. **Park Crew Chief to Supervisor and Town Board –**
Request for resolution to appoint Adam Bistoff, Lancaster, NY to the position of Laborer in the Parks, Recreation & Forestry Dept. effective September 5, 2023.
Disposition = Resolution 8/21/23
445. **Town Clerk to Premier Dog Sports & Event Center –**
Reminder that Special Use Permit to operate a dog training facility at 15 Lancaster Parkway needs to be renewed. Disposition = Received & Filed
446. **Highway Superintendent to Town Board –**
Request for resolution appointing Thomas Maryanski, Lancaster, NY to the position of Heavy Equipment Operator in the Highway Department effective August 22, 2023. Disposition = Resolution 8/21/23
447. **Highway Superintendent to Town Board –**
Request for resolution appointing Liam O’Brien, Lancaster, NY to the position of Light Equipment Operator in the Highway Department effective August 22, 2023. Disposition = Resolution 8/21/23
448. **Town Attorney to Erie County Dept. of Environment & Planning, Erie County Sewer Management, Erie County Dept. of Public Works, Erie County Health Dept., Erie County Water Authority, NY Permit Application Evaluation Section, NYSDOT and NY Planning & Program Management –**
Request for lead agency designation regarding 2-Lot Split at 324 Pavement Rd. Disposition = Planning Committee
449. **Stutzman Road residents to Town Board –**
Signed request for the speed limit on Stutzman Road to be reduced.
Disposition = Police
450. **Park Crew Chief to Supervisor and Town Board –**
Request for resolution to appoint Jeremy Ballistrea, Lancaster, NY to the position of Laborer in the Parks, Recreation & Forestry Dept. effective September 19, 2023. Disposition = Resolution 8/21/23
451. **Police Officer Eric Major to Supervisor and Town Board –**
Request for resolution appointing Tamara L. Keysor to the position of Asst. Dog Control Officer Part-time permanent in the Lancaster Dog Control Department effective August 21, 2023. Disposition = Resolution 8/21/23
452. **Twin District Fire Company To Town Clerk –**
Change in Roster. Disposition = Resolution 8/21/23
453. **Lt. Col. Matt Urban VFW Post No. 7275 –**
Information regarding a Pulled Pork Dinner at the Post on September 9, 2023
Disposition = Received & Filed
454. **Lt. Col. Matt Urba VFW Post No. 7275 –**
Information regarding Rock ‘n Roll Dance at the Post September 23, 2023 from 7 – 11 P.M. Disposition = Received & Filed
455. **Highway Superintendent to Town Board –**
Request for resolution appointing Gary Gallagher, Lancaster, NY to the position of Working Crew Chief in the Highway Department effective August 22, 2023.
Disposition = Resolution 8/21/23

- 456. Chief of Police to Town Clerk –
Articles and communications. Disposition = Received & Filed**
- 457. Code Enforcement Officer to Buscaglia Decks –
Deny Patio Roof Plans 3 Henslow Way & 13 Sedge Run.
Disposition = Received & Filed**

ADJOURNMENT:

MOTION WAS MADE BY COUNCIL MEMBER MAZUR AND SECONDED BY COUNCIL MEMBER LEARY AND CARRIED, to adjourn the meeting in memory of Heidi Delnuovo, Timothy Dwan, Velma Eicheldinger, Frank J. Fialkiewicz, Frank Gengo, Deacon David C. Rotterman and Alexander Stroka at 8:28 P.M.

ALL IN FAVOR, MOTION CARRIED, MEETING ADJOURNED.

August 21, 2023

Signed _____

Diane M. Terranova, Town Clerk