

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

RESOLVED, that the minutes of the Regular Meeting of the Town Board held November 2, 2020 and the Special Meeting of the Town Board held November 9, 2020 be and are hereby approved.

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

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

November 16, 2020

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

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Assistant to the Supervisor, to wit:

Claim No. 63120 to Claim No. 63260 Inclusive

Total amount hereby authorized to be paid: \$2,106,049.05

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

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

November 16, 2020

File: Rclaims

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

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

- (SW) = Sidewalks as required by Chapter 12-1B of the Code of the Town of Lancaster are waived for this permit.
 (CSW) = Conditional sidewalk waiver
 (V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant	Village		
Name	Address	STRUCTURE			
31494		Steven Janczak	34 Ann Marie Dr	Er. Pool-In Grnd	
31530		Steven Janczak	34 Ann Marie Dr	Er. Fence	
31595		Elizabeth Reilly-Meegan	2129 Como Park Blvd	Er. Deck	(V/L)
31798		Melissa Fouchie	5737 Genesee St	Er. Fence	
31937		Tesla Energy Operations, Inc.	53 Tranquility Trl	Inst. Solar Panels	
31954		Alliance Homes	9 Kevwood Ln	Er. Dwlg.-Sin.	
31967		Reflections Pools LLC	29 Americo Ct	Er. Pool-In Grnd	
31971		Frank's Commercial & Home	99 Court St	Inst. Res. Plumbing	(V/L)
31973		James Maisano	29 Americo Ct	Er. Fence	
31975		Tod Dembik	185 Central Ave	Re-Roof	(V/L)
31980		Luther Enterprises	2 Silent Meadow Ln	Er. Pool-In Grnd	
31985		Schuster Donstruction LLC	200 St Marys St	Er. Porch Cover	(V/L)
31986		Tesla Energy Operations, Inc.	30 Hidden Meadow Cros	Inst. Solar Panels	
31989		Forbes Homes, Inc.	42 Squirrel Run	Er. Dwlg.-Sin.	
31990		Forbes Homes, Inc.	45 Deepwood Pl	Er. Dwlg.-Sin.	
31993		Brier Hill Construction, Inc.	69 Williamsburg Ln	Er. Res. Add.	
31994		D A W Home Improvement	8 Queen's Way	Er. Porch/Porch Cover	
31995		Donald Juliano	3800 Bowen Rd	Re-Roof	
31996		Norman Muck	10 Crabapple Ln	Er. Shed	
31997		Norman Muck	10 Crabapple Ln	Er. Fence	
31998		James Piedmont	93 Livingston St	Re-Roof	(V/L)
31999		LJ Construction WNY LLC	68 Livingston St	Re-Roof	(V/L)
32000		LJ Construction WNY LLC	179 Cemetery Rd	Re-Roof	
32002		CMK Builders of Alden, Inc.	90 Stony Rd	Er. Dwlg.-Sin.	
32003		DSS Enterprises Inc.	950 Townline Rd	Re-Roof	
32004		Expert Exteriors Inc.	34 Hillside Pky	Re-Roof	
32005		Edward Nemmer	54 Irwinwood Rd	Re-Roof	(V/L)
32006		Marrano/Marc Equity Corp.	66 Grambo Dr	Er. Patio Home	
32007		Frank's Commercial & Home	7 Old Schoolhouse Rd	Inst. Res. Plumbing	
32008		Kathleen Moore	14 Nicholas Ln	Er. Shed	
32009		Marrano/Marc Equity Corp.	69 Grambo Dr	Er. Patio Home	
32010		Marrano/Marc Equity Corp.	15 Sedge Run	Er. Patio Home	
32011		Marrano/Marc Equity Corp.	11 Henslow Way	Er. Patio Home	
32012		Home Suite Construction	52 Apple Blossom Blvd	Er. Deck	
32013		Mark Gozdalski	70 Lancaster Ave	Er. Fence	(V/L)
32014		Michelle Campbell	15 W Payne St	Er. Fence	(V/L)
32015		Crist Construction	226 Nathan's Trl	Er. Porch/Porch Cover	
32016		ZHS Enterprises Corp.	45 Hill Valley Dr	Inst. Generator	
32018		R & R Pros Inc.	169 Pleasant View Dr	Re-Roof	
32019		Timothy Danner	7 Americo Ct	Re-Roof	
32020		Maple Guy Construction Inc.	5 Overlook Ct	Re-Roof	
32021		Michael Rautenstrauch	178 Irwinwood Rd	Re-Roof	(V/L)
32022		AVA Roofing & Siding Inc.	37 Hemlock Ln	Re-Roof	
32023		William Skotnicki	149 Stony Rd	Er. Fence	
32025		Steven Metz	22 Lakeside Cres	Er. Fence	(V/L)
32026		Alison Parzych	20 Lakeside Cres	Er. Fence	(V/L)
32028		3-D Home Contractors LLC	51 Maple Dr	Er. Res. Alt.	
32030		John Roach	61 Middlebury Ln	Er. Shed	
32031		Gen-Tech Power Systems LLC	529 Aurora St	Inst. Generator	
32032		Chris Hess	5825 Genesee St	Er. Pole Barn	
32033		Buffalo's Exquisite Fencing	626 Lake Ave	Er. Fence	
32034		Ada Koestler	20 Parkside Dr	Inst. Generator	(V/L)

BE IT FURTHER,

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

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

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

November 16, 2020

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

4

WHEREAS, on November 2, 2020, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Section 17(F) of the Code of the Town of Lancaster, upon the application of **Joseph Czajka**, for a Special Use Permit for a Home Occupation (Vehicle Repair) on premises located at 151 Schwartz Rd., Lancaster, New York, and

WHEREAS, persons for and against such Special Use Permit have had an opportunity to be heard.

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

1. That pursuant to Chapter 50-Zoning, Section 17(F), entitled "Home Occupations" of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Joseph Czajka**, for a Home Occupation (Vehicle Repair) on premises located at 151 Schwartz Rd., Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50 Section 17(F), of the Code of the Town of Lancaster as long as the applicant continues to engage in the home occupation on the premises, namely:

a) Only persons residing on the premises shall be engaged in such an occupation.

b) There shall be no change to the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation.

c) Permit must be renewed every two (2) years at no additional cost to applicant. Renewal is considered upon the property owner submitting an application to the Town Clerk, on or before November 16, 2022.

d) A copy of the Business Certificate is submitted to the Town Clerk's Office.

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

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

November 16, 2020

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

WHEREAS, the Town of Lancaster in the State of New York celebrates our local small businesses and the contributions they make to our local economy and community, and

WHEREAS, the Town of Lancaster is committed to serving small business constituents, and

WHEREAS, small businesses employ 47.3 percent of the employees in the private sector in the United States, and

WHEREAS, Lancaster New York supports our local businesses that create jobs, boost our local economy, and preserve our neighborhoods, and

WHEREAS, SMALL BUSINESS SATURDAY, falling between Black Friday and Cyber Monday, on the Saturday after Thanksgiving, is essential in preserving neighborhoods that compose the landscape of our local economy and enrich its unique culture, and

WHEREAS, 95% of consumers who shopped on **SMALL BUSINESS SATURDAY** reported the day makes them want to shop or eat at small, independently-owned businesses all year long, and

WHEREAS, 97% of consumers who shopped on **SMALL BUSINESS SATURDAY** agree that small businesses are essential to their community.

NOW, THEREFORE,

BE IT RESOLVED, the Town Board of the Town of Lancaster hereby proclaims, November 28, 2020 as **SMALL BUSINESS SATURDAY**, and urges the residents of our community, to support small businesses and merchants on **SMALL BUSINESS SATURDAY** and throughout the year.

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

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

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

6

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of local laws, and

WHEREAS, a proposed Local Law of the year 2020 has been introduced, entitled “**Zoning-Agricultural Residential Districts Revision**” which will amend **Chapter 50. Zoning, Article IV. Residential Districts, §50-9 Agricultural Residential Districts (A-R), B. Permitted structures and uses, (1) Principal structures and uses, (g) Forestry.**” by adding the temporary seasonal sale of trees, shrubs, wreaths and flowers with the issuance of a permit from the Town of Lancaster’s Building Department, and

WHEREAS, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required on the proposed Local Law;

NOW, THEREFORE,

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

1. A public hearing for the proposed Local Law is hereby set for the 7th day of December 2020 at 7:15 o'clock P.M.
2. The Town Clerk is directed to provide notice of the public hearing as required by law.
3. This resolution is effective immediately.

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

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

November 16, 2020

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution adopted by the Town Board of the Town of Lancaster on November 16, 2020, the said Town Board will hold a Public Hearing on the 7th day of December, 2020 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly adopting a Local Law to amend the Town Code of the Town of Lancaster's Chapter 50. Zoning, Article IV. Residential Districts, §50-9 Agricultural Residential Districts (A-R), B. Principal Structures and uses, (g) Forestry to amend the Permitted Principal Structures and Uses. Copies of the proposed Local Law can be reviewed at the Lancaster Town Hall, 21 Central Avenue, during normal business hours. All interested members of the public shall be heard.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

November 19, 2020

Town of Lancaster
Local Law No. ____ of 2020

A Local Law Amending the Permitted Principal Structures and Uses in the Town of Lancaster's Agricultural Residential Districts.

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

Section 1: Chapter 50. Zoning, Article IV. Residential Districts, §50-9 Agricultural Residential Districts (A-R), B. Permitted structures and uses, (1) Principal structures and uses, (g) Forestry, within the Town Code of the Town of Lancaster is amended to read as follows:

B. Permitted structures and uses.

(1) Principal structures and uses.

(g) Forestry.

i) The temporary seasonal sale of trees, shrubs, wreaths and flowers with the issuance of a permit from the Town of Lancaster's Building Department.

Section 2: Severability. Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

Section 3: Effective Date. This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

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

7

WHEREAS, Timothy Schmitt, on behalf of Franklin G. Downing, Jr., of **Towne AVW, Inc. d/b/a/ Audi Buffalo and Towne Volkswagen**, in the Town of Lancaster, has submitted an application for a Special Use Permit to operate an automobile dealership to include mechanical servicing and body repairing of motor vehicles on premises located at 6501 Transit Rd (SBL No. 93-05-1-1.111) Bowmansville, in accordance with provisions of Chapter 50-Zoning, Section 20 (B)(1)(j) of the Code of the Town of Lancaster, and

WHEREAS, the Zoning Code of the Town of Lancaster requires that the Town Board conduct a public hearing before the issuance of a special use permit for a use as proposed.

NOW, THEREFORE,

BE IT RESOLVED, that pursuant to Chapter 50-Zoning, Section 46, entitled "SPECIAL USE PERMITS" of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for **Towne AVW, Inc. d/b/a/ Audi Buffalo and Towne Volkswagen**, to operate an automobile dealership which includes mechanical servicing and body repairing of motor vehicles on premises located at 6501 Transit Rd, Bowmansville, in the Town of Lancaster, New York, will be held via teleconference (1-716-800-4267 Access Pin 1232) on the 7th day of December, 2020, at 7:15 o'clock P.M., Local Time, and that Notice of the time and place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

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

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

November 16, 2020

**LEGAL NOTICE
PUBLIC HEARING
SPECIAL USE PERMIT-
TOWNE AVW, INC. D/B/A/ AUDI BUFFALO AND TOWNE VOLKSWAGEN
6501 TRANSIT, BOWMANVILLE**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 50-Zoning, Section 46 "SPECIAL USE PERMITS" of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 16^h day of November, 2020 the said Town Board will hold a Public Hearing on the 7th day of December 2020, at 7:15 o'clock P.M., Local Time, via teleconference (1-716-800-4267 Access Pin 1232) at the regularly scheduled Town Board meeting, to hear all interested persons upon the application of Timothy Schmitt, on behalf of Franklin G. Downing, Jr., of **Towne AVW, Inc. d/b/a/ Audi Buffalo and Towne Volkswagen** to operate an automobile dealership which includes mechanical servicing and body repairing of motor vehicles on premises located at 6501 Transit Rd., Bowmansville in the Town of Lancaster, County of Erie, State of New York.

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

**TOWN BOARD OF THE
TOWN OF LANCASTER**

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

November 19, 2020

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

WHEREAS, by resolution adopted on December 12, 2019, the Town Board of the Town of Lancaster approved a Dumping Permit Application submitted by Pelican Lake Trust, 3803 Bowen Road, and

WHEREAS, the Supervising Code Enforcement Officer, Matthew Fischione, has requested that said Dumping Permit be revoked due to the observance of excessive material and continued storm water runoff pollutant leaving the site in violation of Town Code and previously agreed upon court approved conditions, and

WHEREAS, pursuant to Chapter 22 Sanitary Landfills and Dumping, §22-9(B) of the Town of Lancaster's Code a Public Hearing on the proposed revocation was held November 2, 2020 to elicit comments from all parties of interest.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby revokes the Dumping Permit issued to Pelican Lake Trust, 3803 Bowen Road on December 2, 2019 and may further order the removal of the fill placed there at no cost to the Town or otherwise be subject to the penalties under § 22-10.

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

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

November 16, 2020

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

9

WHEREAS, the Lancaster Fire Protection District is a political subdivision of the state of New York pursuant to Town Law section 175(7) and is the sponsor of the length of service award program (“LOSAP”) pursuant to Article 11-A of the General Municipal Law, and

WHEREAS, a state disaster emergency as defined in Executive Law section 20 was declared by the Governor of the State of New York on March 7, 2020, and

WHEREAS, pursuant to General Municipal Law section 217(p) established by Chapter 113 of the laws of 2020 and effective June 17, 2020 whereby an active volunteer firefighter service award program may provide for the crediting of up to five additional points per month, prorated for periods of less than one month, to each active volunteer firefighter for each month that special emergency response rules were in place restricting firefighter responses to emergency responses and/or restricting the holding of activities for which points could be earned due to guidelines related to the state disaster emergency, and

WHEREAS, pursuant to such amendment of the General Municipal Law (“GML”) the Town Board, upon electing to provide the additional points authorized under GML 217(p), shall adopt a resolution by April 30, 2021 determining the number of additional points to be credited per month, provided that any additional points credited pursuant to GML 217(p) shall be in addition to any other points earned pursuant to GML 217 during the state disaster emergency.

NOW THEREFORE,

BE IT RESOLVED, that the Lancaster Fire Protection District does hereby elect to provide an additional five (5) points credited per month for every active volunteer firefighter under the jurisdiction of the Fire Protection District pursuant to this Resolution and the provisions of GML 217(p) and otherwise provided by law, and

BE IT FURTHER,

RESOLVED, that such additional points shall be credited beginning March 7, 2020 and prorated for the month of March in the amount of four (4) points, that being 77% of March 2020 remaining from March 7 through March 31, 2020, and

BE IT FURTHER,

RESOLVED, that such additional points shall be credited in the full amount of five (5) points for the months of April, May and June 2020 and any full months, and prorated for any partial months, thereafter until such time the state disaster emergency special emergency response rules in place restricting firefighter responses to emergency responses and/or restricting the holding of activities for which points could be earned due to guidelines related to the state disaster emergency are ended and the further Resolution of the Town Board, and

BE IT FURTHER,

RESOLVED, that any additional points credited pursuant to GML 217(p) and this Resolution shall be in addition to any other points earned pursuant to GML 217 during the state disaster emergency commencing on March 7, 2020, and

BE IT FURTHER,

RESOLVED, that this Resolution shall remain in effect until further Resolution and determination by the Town Board as provided in GML 217(p) and as otherwise provided by law, and

BE IT FURTHER,

RESOLVED, that the Town Clerk is directed to provide a copy of this Resolution to the named Plan Administrator for filing with the Plan, and said Administrator will be responsible for posting same in the respective fire stations and make copies available for all active volunteer members.

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

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

November 16, 2020

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

WHEREAS, Kevin E. Loftus, Town Attorney for the Town of Lancaster, by letter dated November 9, 2020, has recommended the appointment of Leza Braun to the position of Principal Clerk Typist in the Town of Lancaster Town Attorney’s Office, and

WHEREAS, Leza Braun is eligible for appointment to this position pursuant to the standards and procedures as set forth in the Civil Service Law.

NOW, THEREFORE,

BE IT RESOLVED, that Leza Braun of Lancaster, New York, be and is hereby appointed to the position of Principal Clerk Typist in the Town of Lancaster Town Attorney’s Office, effective November 30, 2020 at an annual salary of \$49,960.00, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of law and shall be governed by the same terms and conditions as apply to other non-represented, full-time permanent Town employees, and

BE IT FURTHER,

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

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

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

November 16, 2020

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

11

WHEREAS, the Town Board of the Town of Lancaster recognizes that due diligence should be used in representing the taxpayers of the Town of Lancaster and that it should be consistently apprised of all financial and budgetary matters within the Town; and

WHEREAS, pursuant to New York State Town Law Section 51(3) a Town Board can require reports from the Supervisor's office concerning the conduct of the official business of the Town and the performance by Town officers and employees of their functions, powers, and duties.

NOW, THEREFORE,
BE IT RESOLVED, as follows:

The Town Board of the Town of Lancaster hereby requires that the Supervisor's Office provide the Council Members monthly budget summaries listing all Fund balances, department expenses, and remaining appropriated funds, overtime and compensatory time reports in order to be properly apprised of the state of the Town's finances, and

BE IT FURTHER,
RESOLVED, that any request for reports from the Supervisor's Office on any Town related business be responded to in a timely matter no later than 48 hours from the initial request.

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

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

November 16, 2020

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

12

WHEREAS, the Town Board is considering the site plan prepared and submitted by Nick Kwasniak to repair and enclose the drainage ditch on the East side of the Greenfields property located on a 52 acre parcel at 5953 Broadway (SBL No.116.00-2-25.122) in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was recommended for approval at their November 4, 2020 meeting, and

WHEREAS, the Town, acting as Lead Agency has completed an environmental review on October 21, 2020, in conformance with the SEQRA (State Environmental Quality Review Act) regulations and on October 21, 2020 a Negative Declaration was issued.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan prepared and submitted by Nick Kwasniak to repair and enclose the drainage ditch on the East side of the Greenfields property located on a 52 acre parcel at 5953 Broadway (SBL No.116.00-2-25.122) in the Town of Lancaster.

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

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

November 16, 2020

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

13

WHEREAS, the Town Board is considering the site plan prepared and submitted by John Garas, of The Garas Law Firm, LLP. for the subdivision of a 36 +/- acre parcel and a 5.2 +/- acre parcel, located at 5335 William Street, (SBL No. 127.00-3-1.11) in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was recommended for approval at their November 4, 2020 meeting, and

WHEREAS, the Town, acting as Lead Agency has completed an environmental review on October 21, 2020, in conformance with the SEQRA (State Environmental Quality Review Act) regulations and on October 21, 2020 a Negative Declaration was issued.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan prepared and submitted by John Garas, of The Garas Law Firm, LLP. for the subdivision of a 36 +/- acre parcel and a 5.2 +/- acre parcel, located at 5335 William Street, (SBL No. 127.00-3-1.11) in the Town of Lancaster.

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

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

November 16, 2020

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

WHEREAS, the Town of Lancaster Highway Department has recommended the purchase of the following item for the Town's recycling program and the hauling of material collected to a fully registered Department of Environmental Conservation (DEC) facility in New York for the processing of leaf compost:

1. M2-106 Freightliner Truck with a permanently mounted DCL800SM OBD Leaf Collector with automated self-contained debris collector attachment. \$199,948.00, and

WHEREAS, the New York State Department of Environmental Conservation (DEC) currently has funding available for the purchase of such equipment up to 50% of the total cost.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board authorizes the submission to the DEC Municipal Waste Reduction and Recycling Program to request funding for the purchase of an M2-106 Freightliner Truck DCL800SM OBD Leaf Collector for the total project amount of \$199,948, and

BE IT FURTHER,

RESOLVED, that the Town Board acknowledges that it is responsible for at least 50% (\$99,974), of the above total project cost, and

BE IT FURTHER,

RESOLVED, that the Supervisor is hereby authorized and directed to file an application for funding from the DEC Municipal Waste Reduction and Recycling Program to purchase the M2-106 Freightliner Truck DCL800SM OBD Leaf Collector.

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

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

November 16, 2020

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

15

WHEREAS, the Town Board of the Town of Lancaster (the “Town Board”) is considering Local Law No. 1 of 2020 to amend its Zoning Code and Zoning Map (the “Local Law” or the “Action”), and

WHEREAS, the Town Board hereby determines that the Action is a Type I action under 6 N.Y.C.R.R. 617.1 *et seq.*, the State Environmental Quality Review Act (“SEQRA”), and

WHEREAS, the Town Board is the Lead Agency pursuant to SEQRA, as it is the only agency that has discretionary approval authority over this Action, and

WHEREAS, the Town Board has duly considered the Local Law, Parts 1, 2, and 3 of the Full Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c), the draft Negative Declaration, and such other information deemed appropriate, 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 Town Board referred the proposed amendments to the Town of Lancaster Planning Board as required by Town Code, and

WHEREAS, it has been more than 30 days since the Town Board referred the proposed amendments to the Erie County Department of Environment and Planning for a recommendation as required by General Municipal Law § 239-m and the Town Board has not received a response, and

WHEREAS, a public hearing was held before the Town Board on the 24th day of August, 2020 at 6:00 P.M. for the purpose of considering the Local Law, and all interested parties were given an opportunity to be heard at such hearing.

NOW, THEREFORE,

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

1. Based upon a thorough review and examination of the known facts relating to the Action and its careful review of all potentially adverse environmental impacts, and the entire record and proceedings relating to the Action, the Town Board finds that the Action will not have a significant adverse impact on the environment and that a draft environmental impact statement will not be prepared.
2. The attached Negative Declaration, incorporated herein by reference, is issued and adopted for the reasons stated therein.
3. The Town Supervisor and/or Town personnel are hereby authorized and directed to distribute copies of the resolution as necessary and to publish the requisite notice in the ENB.
4. Local Law No. 1 of 2020 is hereby adopted.
5. This resolution is effective immediately.

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

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

November 16, 2020

NEGATIVE DECLARATION
Determination of Non-Significance

Lead Agency: **Town of Lancaster Town Board**

Date: **November 16, 2020**

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”) is the sole Involved Agency review of the proposed action (the “Action”) and determined that it will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Update to Town of Lancaster Zoning Code and Map

Location of Project Site: The amended Zoning Code and Map apply to the entirety of the Town of Lancaster

SEQR Status: Type I

Description of Action: The Town of Lancaster has undertaken a comprehensive revision of its Zoning Code, related schedules, and zoning map. The purpose of these changes is to modernize the Code, address current issues within the Town, and better achieve the goals of the Town’s Comprehensive Plan.

Reasons Supporting this Determination:

The Town Board has identified the relevant areas of environmental concern and has taken a hard look at each of the identified areas as required by the State Environmental Quality Review Act (“SEQRA”). The Town Board compared the proposed Action with 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 in the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Action will not have a significant adverse impact on the environment.

As set forth above, this Action involves a legislative amendment to the Zoning Code rather than authorizing any specific activity or development within the Town. The Action has been carefully evaluated by the Town Board and will not have significant negative impacts on community character, public safety, and aesthetics, and will be more consistent with the community’s plans and goals than the existing Zoning Code. The Action will not have a significant environmental impact.

(i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;

a. Traffic Impacts

The Local Law will not have a significant adverse impact upon traffic or transportation because the Local Law does not approve a specific construction or development project.

b. Noise Impacts

The Local Law will not have a significant adverse impact upon noise. The Local Law does not approve a specific construction or development project.

b. Air Quality Impacts

The Local Law will not have a significant adverse impact upon air quality. The Local Law does not approve a specific construction or development project.

c. **Wetland Impacts**

The Local Law will not have a significant adverse impact upon wetlands. The proposed action does not contemplate any construction of any kind. The Local Law does not approve a specific construction or development project.

d. **Erosion, Flooding and Drainage Impacts**

Because no construction is contemplated, there will be no adverse impacts resulting from erosion, flooding, or drainage. The Local Law does not approve a specific construction or development project.

e. **Solid Waste Production**

There will be no increase in intensity of use or construction; thus, the proposed Local Law will not increase solid waste production.

(ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;

No construction is contemplated. Thus, there will be no removal or destruction of large quantities of vegetation or fauna as the result of the Local Law.

(iii) the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;

The proposed action does not contemplate any construction of any kind; thus there will be no significant adverse impacts to any Critical Environmental Area as a result of this Action.

(iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted;

The proposed Local Law creates a Zoning Code that is consistent with the Town's current plans and goals, including but not limited to the goals of resource protection, smart flexibility, clarification of language and requirements, and allowing development of diverse housing types.

(v) the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;

The proposed Local Law does not contemplate any construction of any kind and will have no adverse impact on the surrounding community character. The Action conforms to officially adopted plans or goals of the Town, and will help to carry forth the Town Board's stated goals.

(vi) a major change in the use of either the quantity or type of energy;

No increase in intensity of use or construction is contemplated as part of this Action; thus, the proposed Local Law will not result in a major change in the quantity or type of energy used.

(vii) the creation of a hazard to human health;

There will be no such impacts.

(viii) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;

No increase in intensity of use or construction is contemplated as part of this Action; thus, the proposed Local Law will not result in any such impacts.

(ix) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;

There will be no such impacts.

(x) the creation of a material demand for other actions that would result in one of the above consequences;

There will be no such impacts.

(xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or

There will be no such impacts.

(xii) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

There will be no such impacts.

For Further Information:

Contact Person: Diane Terranova, Town Clerk

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

Telephone Number: (716) 683-9028

TOWN OF LANCASTER, NEW YORK
Local Law No. 1 of 2020

A Local Law Amending the Town of Lancaster Zoning Code and Map

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

Section 1. Chapter 50, Zoning, of the Town of Lancaster Code, including any and all attachments, is hereby amended in its entirety. The full amended Chapter 50, Zoning, with Schedules A and B, is fully incorporated herein and appended hereto as Attachment 1.

Section 2. The Zoning Map of the Town of Lancaster is hereby amended in its entirety. The full amended Zoning Map is fully incorporated herein and appended hereto as Attachment 2.

Section 3. Severability Clause. If any part of this local law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this local law. The Town Board of the Town of Lancaster hereby declares that it would have passed this local law and each section and subsection thereof, irrespective of the fact that any one or more of these sections, subsections, sentences, clauses, or phrases may be declared unconstitutional or invalid.

Section 4. Effective Date. This local law shall be effective immediately upon filing with the New York Secretary of State.

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

WHEREAS, the Town Board of the Town of Lancaster has considered and reviewed the 2021 budget estimates and assessment roll for Special Districts spreading the costs on a benefit basis, and

WHEREAS, a public hearing on said 2021 Special Districts Budget estimates and assessment roll was held by the Town Board of the Town of Lancaster on October 19, 2020.

NOW, THEREFORE,

BE IT RESOLVED, that the 2021 budget estimates and assessment roll for Special Districts, spreading costs on a benefit basis, as filed with the Town Clerk on September 15, 2020 be and are hereby adopted as the Final 2021 Budget for Special Districts for the Town of Lancaster for the fiscal year beginning on January 1, 2021 and ending December 31, 2021, and that such Budget, as adopted, and as summarized below, be entered in detail in the minutes of the proceedings of this Town Board:

	APPROPRIATIONS	ESTIMATED REVENUES	APPROPRIATED FUND BALANCE	APPROPRIATED RESERVE	AMOUNT TO BE RAISED BY TAXATION
Refuse District	2,681,628	41,000			2,640,628
Lighting Districts	278,392	2,300			276,092
Fire Protection District	4,054,181	9,650			4,044,531
Water Districts	<u>809,618</u>	<u>9,500</u>	—	—	<u>800,118</u>
Subtotal-Special Districts	7,823,819	62,450	00	00	7,761,369

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

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

November 16, 2020

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

WHEREAS, the Town Board of the Town of Lancaster has reviewed the 2021 Preliminary Town Budget, and

WHEREAS, a public hearing on said 2021 Preliminary Town Budget was held by the Town Board of the Town of Lancaster on October 19, 2020.

NOW, THEREFORE,
BE IT RESOLVED, as follows:

Section 1. That the 2021 Preliminary Budget, as modified as shown on Schedule A, be and is hereby adopted as the 2021 Final Budget of the Town of Lancaster for the fiscal year beginning on January 1, 2021 and ending December 31, 2021, and that such Budget, as adopted, be entered in detail in the minutes of the proceedings of this Town Board:

	APPROPRIATIONS	ESTIMATED REVENUES	APPROPRIATED FUND BALANCE	APPROPRIATED RESERVE	AMOUNT TO BE RAISED BY TAXATION
General Fund -Townwide	\$10,093,816	\$1,960,121	\$260,000	\$0	\$7,873,695
General Fund -					
Town Outside Villages	1,200,193	815,050	220,000	--	165,143
Police Fund	10,862,858	6,327,362	200,000	--	4,335,496
Highway Fund -Townwide	476,326	24,000	50,000	--	402,326
Highway Fund -					
Town Outside Villages	4,700,443	563,700	175,000	--	3,961,343
Misc. Special Revenue-					
Tree Planting Fee	20,000	12,000	8,000	--	--
Misc. Special Revenue-					
Police Asset Forfeitures	16,000	13,500	2,500	--	--
Misc. Special Revenue-					
Recreation Filing Fee	135,000	88,800	46,200	--	--
Misc. Special Revenue-					
Memorial Garden Fund	<u>1,800</u>	<u>500</u>	<u>1,300</u>	<u>--</u>	<u>--</u>
Subtotal-General Budget	27,506,036	9,805,033	963,000	00	16,738,003
Other Items:					
Delinquent Water Bills - Erie County Water Authority					926.
Unpaid Refuse Charges					0
Property Cleanup Charges					36,937.
Grand Total					\$16,775,866.

Section 2. That the Town Clerk of the Town of Lancaster prepare and certify in duplicate copies of said Annual 2021 Budget, as adopted by the Town Board, together with the assessment rolls for benefit improvements, if any, adopted pursuant to Section 202-A of the Town Law and deliver one (1) copy thereof to the Supervisor.

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

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

TOWN OF LANCASTER

NOTICE OF ADOPTION OF
2021 BUDGET OF THE
TOWN OF LANCASTER

NOTICE TO THE CITIZENS OF THE TOWN OF LANCASTER

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Lancaster has adopted the 2021 Budget of the Town of Lancaster, which includes a summary of the entire proposed 2021 Budget of the Town of Lancaster, and that said Budget is on file with the Town Clerk, 21 Central Avenue, Lancaster, New York, and available for public inspection from 8:00 A.M. TO 5:00 P.M. on Monday through Friday.

TOWN OF LANCASTER

DIANE M. TERRANOVA
Town Clerk

November 16, 2020