

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
July 5, 2022 be and are hereby approved.

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

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

July 18, 2022

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:

Check Run #07182022

Total amount hereby authorized to be paid: \$1,161,281.65

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

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

July 18, 2022

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 310 of the Code of the Town of Lancaster are waived for this permit.
 (CSW) = Conditional sidewalk waiver
 (V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
20227617		Graffiti Grafix & Signs	1822 Como Park Blvd	Er. Sign	
20227754		Swimco Manufacturing Inc.	92 Southpoint Dr	Er. Pool-In Grnd	
20227917		First Buffalo Total Basement	21 Hidden Meadow Cros	Er. Res. Alt.	
20227919		Michael Shaw	104 Irwinwood Rd	Er. Deck	(V/L)
20227945		Aquatitec Pools Inc.	28 Northfield Ln	Er. Pool-In Grnd	
20227949		NEP Contracting, LLC	44 Bentley Cir	Er. Res. Add.	
20227952		Charles Tabone	68 Pleasant View Dr	Er. Shed	
20227982		Marrano/Marc Equity Corp.	21 Mary Rachel Pl	Er. Townhouses	
20227983		Marrano/Marc Equity Corp.	23 Mary Rachel Pl	Er. Townhouses	
20227984		Marrano/Marc Equity Corp.	25 Mary Rachel Pl	Er. Townhouses	
20227985		Marrano/Marc Equity Corp.	27 Mary Rachel Pl	Er. Townhouses	
20227988		Marrano/Marc Equity Corp.	20 Sedge Run	Er. Patio Home	
20227999		Eugene Jaworski Contracting	47 Lake Forest Pky E	Er. Pool-In Grnd	
20228003		Franks Commercial & Home	9 Creekwood Dr	Er. Res. Alt.	
20228006		Erich Boersch	6 Deepwood Pl	Er. Porch/Porch Cover	
20228007		Colley's Pool Sales Inc.	6 Sawgrass Ln	Er. Pool-In Grnd	
20228008		Broadway Construction Co.	5807 Broadway	Dem. Rear Struc.	
20228009		Emily Orlando	29 Sherborne Ave	Er. Fence	(V/L)
20228011		Michael Cutler	49 W Home Rd	Er. Fence	
20228012		Steven Abel	55 Southpoint Dr	Er. Shed	
20228013		Decmar Properties LLC	201 St Marys St	Re-Roof	(V/L)
20228015		1320 Military Road	18 Henslow Way	Inst. Generator	
20228018		JP Construction	1175 Penora St	Re-Roof	
20228019		Hidden Meadow Land LLC	11 Deepwood Pl	Er. Dwlg.-Sin.	
20228021		Andrew Doyle	22 Fox Hunt Rd	Er. Pool-Abv Grnd	
20228022		Mark Norton	71 Newberry Ln	Er. Shed	
20228023		Joseph Robison	715 Erie St	Er. Pool-Abv Grnd	
20228024		Peter Nastasi	14 Worthington Ln	Er. Deck	
20228027		Ryan Lanfear	53 Middlebury Ln	Er. Shed	
20228028		Stockmohr Co. Inc.	163 Pleasant View Dr	Re-Roof	
20228030		Zenner & Ritter Co. Inc.	7 Darien Ct	Inst. Generator	
20228031		Anderson Water Systems, Inc.	5 Sugar Mill Ct	Inst. Generator	
20228034		Brandon Lyles	33 St Anthony St	Er. Pool-Abv Grnd	
20228035		Bob Kirsch	90 Country Pl	Er. Fence	
20228038		Craig McGhee	28 Northfield Ln	Er. Fence	
20228039		Marsha Haas	21 Southwest Pky	Inst. Generator	(V/L)
20228040		Martin Szczublewski	18 Sagebrush Ln	Er. Shed	
20228041		Joseph Burton	5017 William St	Er. Fence	
20228042		B&A Heim Construction	74 Stutzman Rd	Re-Roof	
20228043		Paul Oczykto	59 Brunck Rd	Er. Shed	
20228044		Chautauqua Fence	173 Laverack Ave	Er. Fence	(V/L)
20228045		Karen Harp	5245 William St	Er. Fence	
20228046		Mark LaFratta	552 Pavement Rd	Er. Shed	
20228048		Adam Bistoff	12 Steinfeldt Rd	Er. Shed	
20228051		Neth & Son Inc.	33-35 Broezel Ave	Re-Roof	(V/L)
20228052		Mark Campanelli	20 Nicholas Ln	Re-Roof	
20228053		Gen-Tech Power Systems LLC	23 Pinetree Dr	Inst. Generator	
20228054		Gen-Tech Power Systems LLC	27 Parkedge Dr	Inst. Generator	
20228055		Gen-Tech Power Systems Inc.	12 Heritage Dr	Inst. Generator	
20228056		Gen-Tech Power Systems LLC	19 Fox Trace	Inst. Generator	
20228057		Gen-Tech Power Systems LLC	65 Michaels Walk	Inst. Generator	
20228058		Black Rock Roofing	15 Maple Ave	Re-Roof	(V/L)
20228059		Gen-Tech Power Systems LLC	14 Weathersfield Ln	Inst. Generator	
20228060		Walter Koneski	152 Hinchey Ave	Er. Pool-Abv Grnd	(V/L)

20228061	Erie Construction Mid-West Inc	83 Banner Ave	Re-Roof	(V/L)
20228062	Severyn Dev. Inc.	1076 Townline Rd	Er. Dwlg.-Sin.	
20228064	3987 Walden Avenue, LLC	3987 Walden Ave	Er. Sign - Pole	
20228067	716 Athletics, LLC	19 W Main St	Er. Comm. Add./Alt	(V/L)
20228068	Graves Bros. Inc.	57 Wayne St	Re-Roof	(V/L)
20228072	Oneida Fence	49 Southwest Pky	Er. Fence	(V/L)
20228077	Gabrielle Wilson	11 Southpoint Dr	Er. Fence	

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

July 18, 2022

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

4

WHEREAS, Diane Terranova, Town Clerk of the Town of Lancaster, by letter dated July 11, 2022, has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

NOW, THEREFORE,

BE IT RESOLVED, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Town Clerk's Office, for a period not to exceed five (5) months, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Elizabeth Bull Lancaster, NY	Clerk	\$18.05	July 12, 2022

BE IT FURTHER,

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

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

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

July 18, 2022

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

5

WHEREAS, Michelle Barbaro, Deputy Highway Superintendent of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated July 12, 2022 has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

NOW, THEREFORE,

BE IT RESOLVED, that the following individual(s) is hereby appointed to the following part-time temporary seasonal position(s) in the Parks, Recreation and Forestry Department, for a period not to exceed five (5) months, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Casey Mahony Lancaster, NY	Recreation Attendant	\$14.00	June 28, 2022

BE IT FURTHER,

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

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

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

July 18, 2022

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

6

WHEREAS, by resolution adopted on June 20, 2022 the Town Board of the Town of Lancaster deemed three (3) 2019 Dodge Chargers to be surplus vehicles and authorized Police Patrol Captain Laurienzo to place said vehicles up for public bid at an online auction with Auctions International, www.auctionsinternational.com, beginning June 23, 2022 and concluding July 10, 2022, and

WHEREAS, by letter dated July 1, 2022 patrol Captain Marco Laurienzo has notified the Town Board that due to unforeseen circumstances the aforementioned vehicles were not put up for auction on the dates specified and has requested that the June 20, 2022 resolution be rescinded.

NOW, THEREFORE,
BE IT RESOLVED, that the resolution adopted by the Town Board on June 20, 2022, deemed three (3) 2019 Dodge Chargers to be surplus vehicles and authorizing Police Patrol Captain Laurienzo to place said vehicles up for public bid at an online auction with Auctions International, www.auctionsinternational.com, beginning June 23, 2022 and concluding July 10, 2022 is hereby rescinded.

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

July 18, 2022

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

7

WHEREAS, Town of Lancaster Patrol Captain, Marco Laurienzo, by letter dated July 1, 2022, has advised the Town Board that the Police Department no longer has use for the following vehicles and has therefore requested that the Town Board deem these vehicles to be surplus and permit them to be placed on an online auction, and

<u>Vehicle</u>	<u>VIN#</u>	<u>Mileage (approx.)</u>
2019 Dodge Charger	2C3CDXKT2KH647259	117,176
2019 Dodge Charger	2C3CDXKT0KH647261	110,100
2019 Dodge Charger	2C3CDXKT9KH647257	101,500, and

WHEREAS, the Town Board has given due consideration to the request of Captain Laurienzo and deems it in the public interest to declare the three (3) 2019 Dodge Chargers to be surplus and permits placement of said vehicles on an online auction for public bid.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby declares the three (3) aforementioned 2019 Dodge Chargers to be a surplus vehicles and authorizes Police Patrol Captain Laurienzo to place said vehicles up for public bid at an online auction with Auctions International, www.auctionsinternational.com, 11167 Big Tree Road, East Aurora, New York 14052, beginning July 21, 2022 and concluding July 31, 2022, with the funds received from said auction to be made payable to the Town of Lancaster and delivered to the Town Supervisor'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 BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

July 18, 2022

PUBLIC AUCTION
OF TOWN OWNED SURPLUS EQUIPMENT

Notice is hereby given that the Town Board of the Town of Lancaster has deemed the following 2019 Dodge Chargers surplus:

<u>Vehicle</u>	<u>VIN#</u>	<u>Mileage (approx.)</u>
2019 Dodge Charger	2C3CDXKT2KH647259	117,176
2019 Dodge Charger	2C3CDXKT0KH647261	110,100
2019 Dodge Charger	2C3CDXKT9KH647257	101,500

This vehicle will be auctioned at an online auction with Auctions International, <http://www.auctionsinternational.com> , 11167 Big Tree Road, East Aurora, New York 14052, beginning July 21, 2022, and concluding on July 31, 2022.

Successful bidders must provide a payment of 100% of the bid price offered payable to the Town of Lancaster prior to taking possession of the equipment.

The surplus equipment may be inspected at the Town of Lancaster's Police Department, 525 Pavement Road, Lancaster, New York by contacting Captain Marco Laurienzo at 683-2800 to make an appointment.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF LANCASTER

By: DIANE M. TERRANOVA
TOWN CLERK

July 21, 2022

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

WHEREAS, the Town of Lancaster (the “Town”) has received a performance bond posted on behalf of Delta Sonic to ensure the successful completion of the project (#1614) located at 4116 Transit Road, approved by resolution dated May 7, 2018 (the “Project”), and

WHEREAS, the Town’s Consulting Engineer, Edward Schiller, has advised the Town Board by letter dated July 8, 2022 that the Project is complete, up to specifications, and in compliance with Project approvals, and

WHEREAS, considering the compliance noted by the Town’s Consulting Engineer, the Town Board believes it is appropriate to release the performance bond previously posted by Delta Sonic for the Project.

NOW, THEREFORE,

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

1. The performance bond posted by Delta Sonic (project #1614) pertaining to a condition of their May 7, 2018 site approval, shall be released to the applicant.
2. This resolution shall take effect immediately.

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

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

July 18, 2022

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

9

WHEREAS, MGR Constructors, Inc., P.O. Box 61, Bowmansville, New York 14026, the company awarded the contract for the construction of **the Lancaster 2020 Dog Shelter Project**, has submitted Change Order No. 5 to **increase** the amount by \$9,262.00 to the Town Board for their approval, based on the description previously provided by the Town's Consulting Engineer.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves Change Order No. 5 from MGR Constructors, Inc., with respect to the outlined description provided to the Town Board by the Town's Consulting Engineer's letter dated July 13, 2022.

DESCRIPTION OF CHANGE ORDER NO. 5:

The increase represents the tasks required by the NYS Department of Agriculture and Markets during their inspection on April 20, 2022, which included: correcting sloping on Kennel floors, adding a dog wash station with water and sanitary connection in garage, addition of Hose Bib in garage for hot water, and raising floor tub in Kennel area.

CHANGE ORDER NO. 5:

The original Contract Bid Sum was	\$	603,444.00
The Contract Bid Sum decreased by Change Order #1 in the amount of....	\$	(128,044.00)
The Contract Bid Sum changed by Change Order #2 in the amount of....	\$	0.00
The Contract Bid Sum changed by Change Order #3 in the amount of....	\$	13,261.00
The Contract Bid sum increased by Change Order #4 in the amount of...	\$	1,400.00
The Contract Bid sum <i>increased</i> by Change Order #5 in the amount of...	\$	9,262.00
The NEW Contract Bid Sum including this Change Order will be....	\$	499,323.00

BE IT FURTHER,
RESOLVED, that the Supervisor be and is hereby authorized to execute this Change Order on behalf of the Town of Lancaster.

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

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

July 18, 2022

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

10

WHEREAS, by letter dated June 22, 2022, and received July 12, 2022, Highway Superintendent of the Town of Lancaster, John Pilato, has requested the Town Board to approve expending funds to rent a SCM-75 Vibroscreen Screener to screen topsoil in the Highway Departments yard which will be used for various drainage and Highway projects, and

WHEREAS, the Highway Superintendent obtained a price quote from Alta Construction Equipment New York, LLC, for a weekly rate not to exceed \$2, 950.00 in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, funding for this equipment rental is available in the Town's 2022 Highway Appropriations, Contractual Expenses, Rentals and the Town's 2022 Drainage, Contractual Expenses, Rentals Budgets.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the expenditure of funds within the Highway Appropriations, Contractual Expenses, Rentals and the Drainage, Contractual Expenses, Rentals Budgets as requested by Superintendent, John Pilato, to rent a SCM-75 Vibroscreen Screener to screen topsoil in the Highway Departments yard which will be used for various drainage and Highway projects from Alta Construction Equipment New York, LLC, 5985 Court Street Road, Syracuse, New York, for a weekly rate not to exceed \$2,950.00 per their quote dated June 22, 2022 and which will be paid for with funds available in the Town's 2022 Highway Budget Line 13-5110-0490 and Drainage Budget Line 01-8540-0409.

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

July 18, 2022

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

11

WHEREAS, Jean Karn, Dog Control Officer for the Town of Lancaster Dog Control Department, by letter dated July 11, 2022, has recommended the appointment of the following individual(s) to the following part-time permanent position(s).

NOW, THEREFORE,
BE IT RESOLVED, that the following individual(s) are hereby appointed to the following part-time permanent position(s) in the Town of Lancaster Dog Control Department, working not more than nineteen and three-quarter hours per week, and that these being part-time position(s), provide 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>
Mackenzie Chapman Depew, NY	Dog Control Officer	\$16.00	July 19, 2022

BE IT FURTHER,
RESOLVED, that this individual shall be compensated for any scheduled work shift for the actual number of hours worked but shall be compensated for any unscheduled call-ins for a minimum of four hours.

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

July 18, 2022

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

WHEREAS, in 2018 the Town of Lancaster applied for and received grant monies from the Dormitory Authority State of New York through the State and Facilities Program which included \$10,000.00 in funding appropriated for making safety and security upgrades to the Lancaster Dog Control Facility, secured by NYS Representative Monica Wallace, and

WHEREAS, the Town of Lancaster Dog Control Facility is in need of new fencing, and

WHEREAS, the Town's Consulting Engineer, Edward Schiller, has solicited five (5) proposals for the purchase and installation of fencing for the Lancaster Dog Control Facility in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, by letter dated June 25, 2022, Edward Schiller has recommended that the Town Board award Lancaster Dog Control Facility fencing project to Iroquois Fence, Inc., in the amount of \$12,350.00 (\$12,785.00 if paid by credit card) per their quote dated June 24, 2022, and

WHEREAS, the balance remaining, after the Grant funding is applied, for the fencing purchase and installation will be paid from the Town's 2022 General Fund Account.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the purchase and installation of fencing for the Town of Lancaster's Dog Control Facility from Iroquois Fence, Inc., 51 North America Drive, West Seneca, New York, in accordance with their quote dated June 24, 2022 for an amount not to exceed \$12,350.00 (\$12,785.00 if paid by credit card) and which will be paid for with funding provided by the Dormitory Authority State of New York through the State and Facilities Program Grant secured by NYS Representative Monica Wallace and the Town's 2022 General Fund Account, and

BE IT FURTHER,

RESOLVED, that the Supervisor is hereby authorized to execute the above referenced proposal as presented.

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

July 18, 2022

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

13

WHEREAS, Diane Terranova, Town Clerk for the Town of Lancaster, by letter dated June 27, 2022 has recommended the appointment of Karen Loecher to the position of Clerk Typist in the Tax Department of the Office of the Town Clerk, and

WHEREAS, Karen Loecher 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 Karen Loecher of Lancaster, New York, be and is hereby appointed to the full-time position of Clerk Typist, in the Tax Department of the Office of the Town Clerk, effective August 1, 2022, 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 White Collar Union and all applicable provisions of law.

BE IT FURTHER,

RESOLVED, that the Town Board hereby approves, as presented, the Memorandum of Agreement between the Town and the CSEA White Collar Unit regarding Ms. Loecher's employment, 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
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

July 18, 2022

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

14

WHEREAS, the Lancaster Youth Foundation (“LYF”) has requested to use the Town of Lancaster’s Youth Bureau’s Lawn and Parking Lot for a Chicken Barbecue fundraiser, presented by Chiavetta’s Chicken Barbecue, to be held on Monday, July 25, 2022 from 12:30 P.M.to 6:30 P.M., and

WHEREAS, the Town Attorney’s Office has prepared a Release of Liability and Assumption of Risk which provides the terms and conditions for use of the lawn and parking lot, which the LYF is required to execute and submit with the required proof of insurances to the Town Attorney’s Office, in advance of the event taking.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby grants the Lancaster Youth Foundation’s request to use Town of Lancaster’s Youth Bureau’s Lawn and Parking Lot for a Chicken Barbecue fundraiser, presented by Chiavetta’s Chicken Barbecue to be held on Monday, July 25, 2022 from 12:30 P.M.to 6:30 P.M, pending receipt of the required document and insurances by the Town Attorney’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 BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

July 18, 2022

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

15

WHEREAS, by letter dated July 12, 2022, Deputy Highway Superintendent, Michelle Barbaro, has requested the Town Board to approve expending funds to rent a Topsoil Screener to screen approximately 750 yards of topsoil which will be used for the Brickyard Baseball Field within the Town's Westwood Park, and

WHEREAS, the Deputy Highway Superintendent obtained a price quote from RE Lorenz Construction, for a fee not to exceed \$3,000.00 in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, funding for this equipment rental is available in the Town's 2022 Parks Contractual Services Budget.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the expenditure of funds within the Parks Contractual Services Budget as requested by Deputy Highway Superintendent, Michelle Barbaro, to rent a Topsoil Screener to screen approximately 750 yards of topsoil which will be used for the Brickyard Baseball Field within the Town's Westwood Park from RE Lorenz Construction, 1200 Ransom Road Lancaster, New York, for a fee not to exceed \$3,000.00 per their quote dated July 10, 2022 and which will be paid for with funds available in the Town's 2022 Parks Contractual Services Budget (Line Item 01-7110-0411), and

BE IT FURTHER,

RESOLVED, that the Supervisor is hereby authorized to accept and execute the quote from RE Lorenz Construction dated July 10, 2022 on behalf of the Town of Lancaster.

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

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

July 18, 2022

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

16

WHEREAS, the Town Board of the Town of Lancaster has held a public hearing on July 5, 2022, pursuant to Chapter 400-Zoning, Article XIV. Administration and Enforcement, § 400-78 of the Code of the Town Lancaster, upon the application of Joseph David, of Thorny Events, LLC of **The Angry Buffalo** to operate a restaurant with outdoor patio seating on premises located at 2753 Wehrle Drive (SBL# 82.03-2-3.11), in the Town of Lancaster, Erie County, New York, and

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

WHEREAS, Matt Fischione, Code Enforcement Officer of the Town of Lancaster, has recommended the approval of this Special Use Permit per his letter dated April 28, 2021.

NOW, THEREFORE,

BE IT RESOLVED as follows:

1. That pursuant to Chapter 400-Zoning, Article V. Commercial Districts, § 400-17 Light Commercial (LC), subsection (B)(1)(v) of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to Joseph David, of Thorny Events, LLC of **The Angry Buffalo** to operate a restaurant with outdoor patio seating on premises located at 2753 Wehrle Drive (SBL# 82.03-2-3.11) in the Town of Lancaster, New York, upon the conditions as set forth in the Zoning Ordinance for the period beginning July 18, 2022 and ending July 17, 2024, and
2. That the applicant will continue in compliance with conditions as set forth in § 400-17 Light Commercial (LC), § 400-19 Supplementary regulations for LC and GC, and §400-78 Special use permits, of the Code of the Town of Lancaster, and to any additional conditions listed herein, as long as the applicant continues to engage in the occupation listed above on the premises namely:
 - A. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal request is considered upon the property owner submitting a request in writing to the Town Clerk, on or before July 17, 2024.
 - B. Applicant will provide a copy of the business' New York State/Federal Tax Employer Identification Number and when applicable, a License from the appropriate regulatory agency for the service being provided.
 - C. Hours of operation for outdoor seating and athletic fields' activities shall be limited to no later than 10:00 P.M.
 - D. Amplified sound to the outdoor seating and athletic fields is prohibited.

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

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

July 18, 2022

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

17

WHEREAS, by resolution dated July 5, 2022, the Town Board of the Town of Lancaster appointed Mr. Marc Accurso to the part-time permanent position of Dog Control Officer within the Town of Lancaster's Dog Control Department, and

WHEREAS, due to a typographical error the appointee's first name was spelled incorrectly as 'Marc', and should have been spelled 'Mark', and

WHEREAS, in order to have all official employment documents correct the Supervisor's office has requested that the July 5, 2022 resolution be amended to accurately reflect the spelling of Mr. Accurso's first name.

NOW, THEREFORE,

BE IT RESOLVED, as follows:

that the Town Board of the Town of Lancaster hereby amends the July 5, 2022 resolution to correct the spelling of the Mr. Accurso's first name from Marc to Mark to maintain the integrity of his employment documents.

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

July 18, 2022

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

18

WHEREAS, Elliot Lasky of Pleasant View Gardens, LLC, 4430 Walden Avenue, Lancaster, NY, has heretofore applied for approval of a 6 lot single family home development to be known as “Cross Creek Phase 9 Subdivision” located at 538 Pavement Road (SBL No. 94.15-1-23) in the Town of Lancaster, and

WHEREAS, the Preliminary Plat was approved by the Planning Board at their June 15, 2022 meeting, and approved by the Town Board at their July 5, 2022 meeting, and

WHEREAS, the Planning Board, has completed an environmental review on June 15, 2022, in conformance with SEQR (State Environmental Quality Review) regulations and the Town Board acting as Lead Agency issued a Negative Declaration on July 5, 2022, and

WHEREAS, the Town Board of the Town of Lancaster has duly reviewed and considered the proposed subdivision.

NOW, THEREFORE,

BE IT RESOLVED as follows:

1. That the Town Board of the Town of Lancaster hereby approves the proposed 6 single family home development Final Plat as prepared by GPI Engineering, Landscape Architecture & Surveying, LLP, dated March 31, 2022; and filed with the Town on June 14, 2022, for said development to be known as the “Cross Creek Subdivision Phase 9” for filing in the Erie County Clerk's office with the following conditions:

- A.** Required topsoil volume computations shall be provided per the Town's adopted Subdivision Regulations.
- B.** All Easements to be shown on individual lot surveys when lots are sold.
- C.** Prior to acceptance of any Public Improvement Permits the contractor shall provide a 2-Year Maintenance guarantee as required per Town Code §206-10(D).
- D.** Prior to construction the contractor is to provide a Performance guarantee when PIP applications are submitted with an amount equal to construction costs.
- E.** Contractor to provide an “As-built” survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.
 - 1) As-built survey will identify the Stormwater System and shall be provided to the Town prior to the Town's acceptance of said system.
- F.** Seven (7) copies of the Filed Map Cover with proof of filing delivered to the Town Clerk's Office.
- G.** Proof of Erie County Water Authority, Erie County Department of Environment and Planning Division of Sewerage Management, and Erie County Department of Public Works approvals be provided to the Town.
- H.** Public Sidewalk on the National Fuel Pipeline Easement must be addressed.

2. That the Town Clerk be and is hereby directed to properly endorse the approval of the Town Board of the Town of Lancaster on the mylar copy thereof and to confirm the filing of said six (6) single family home subdivision map with the Erie County 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 BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

July 18, 2022

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

19

WHEREAS, the WNY Stormwater Coalition is requesting letters of support from its members to obtain grant funding from the New York State Department of Environmental Conservation for additional storm sewer water system mapping that will directly impact our community, and

WHEREAS, in addition to mapping, the project will target post-construction stormwater management practices back to 2003 which will include, but not be limited to, the type and location of practice, receiving waterbody, date of installation, ownership, and maintenance responsibility, and

WHEREAS, the funds and services provided by the Coalition will offset significant costs the Town would incur for Stormwater Management requirements and assist the Town to be compliant with the State SPEDES standards.

NOW, THEREFORE

BE IT RESOLVED, that the Town Board of the Town of Lancaster is on record as supporting the WNY Stormwater Coalition submitting a grant application to the New York State Department of Environmental Conservation for additional storm sewer mapping and data collecting, and

BE IT FURTHER,

RESOLVED, that the Town Board of the Town of Lancaster hereby directs the Supervisor's Office to have the letter of support provided by the Drainage Committee printed on municipal letterhead and further authorizes the Supervisor to sign said letter and submit it via email to Mary C. MacSwan at Mary.MacSwan@erie.gov by July 22, 2022.

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

July 18, 2022

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

WHEREAS, Michelle Barbaro, Deputy Highway Superintendent, of the Town of Lancaster, has requested authorization to purchase approximately 750 yards of topsoil for use by the Parks & Recreation Department, and

WHEREAS, the Highway Superintendent, obtained a quote for the purchase of 750 yards of topsoil from RE Lorenz at five dollars (\$5.00) per yard in accordance with the Town of Lancaster's Procurement Policy, and

WHEREAS, by letter dated July 12, 2022, Michelle Barbaro has recommended that the Town of Lancaster purchase 750 yards of topsoil from RE Lorenz at five dollars (\$5.00) per yard per their quote dated July 2022, and

WHEREAS, funding for the purchase of the topsoil is available from the Town's 2022 Recreation Filing Fee Fund.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the purchase of 750 yards of topsoil from RE Lorenz, 1200 Ransom Road, Lancaster, New York, in accordance with their quote dated July 2022 for an amount not to exceed five dollars (\$5.00) per yard, and which will be paid for with funds available in the Town's 2022 Recreation Filing Fee Fund.

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

July 18, 2022