

PRESENTATION OF PREFILED RESOLUTIONS:

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
February 6, 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
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

March 6, 2023

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 Supervisor's Office, to wit:

Check Run #03062023

Total amount hereby authorized to be paid: \$1,060,274.55

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

March 6, 2023

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			
20227937		James Punaro	351 Westwood Rd	Er. Garage
20228069		David Watson	747 Erie St	Er. Garage
20230002		Lancaster Highway Department	2-14 Muirfield Ln	Develop Floodplain
20238700		FASTSIGNS	515 Pavement Rd	Er. Sign
20238718		Severyn Dev. Inc.	58 Burwell Ave	Er. Res. Alt. (V/L)
20238720		Heritage Home Improv. Of WNY	132 Avian Way	Er. Res. Alt.
20238721		Solar Liberty Energy Systems I	4 Jonquille Ct	Inst. Solar Panels
20238751		Roy's Plumbing Inc.	22 Worthington Ln	Er. Res. Alt.
20238752		Buscaglia Decks	112 Avian Way	Er. Deck
20238754		DMR Contracting Inc.	41 Bentley Cir	Er. Res. Alt.
20238756		Homes Unlimited	111 Michaels Walk	Er. Res. Alt.
20238757		Essex Homes of WNY Inc.	20 Northfield Ln	Er. Dwlg.-Sin.
20238760		Erie Construction Mid-West Inc	29 Pearl St	Re-Roof (V/L)
20238762		James Guida	6425 Transit Rd	Er. Sign - Temp
20238763		Mechanical Serv. by Radiant	55 Fairfield Ave	Er. Res. Alt. (V/L)
20238764		The Vinyl Outlet Inc.	89 Wilkshire Pl	Er. Deck (V/L)
20238765		LJ Construction WNY LLC	27 St John St	Er. Res. Alt. (V/L)
20238766		Atlantic Garages	35 Pear Tree Ln	Er. Porch/Porch Cover
20238767		Sitzman's Appliance Center	5 Henslow Way	Inst. Generator
20238770		LJ Construction WNY LLC	4 Deerpath Dr	Re-Roof
20238771		Petschke Inc.	35 Sedge Run	Inst. Generator
20238772		Forbes Homes, Inc.	36 Deepwood Pl	Er. Dwlg.-Sin.
20238773		Airomsmith Development	6733 Transit Rd	Cell Tower - Alteration
20238774		Forbes Homes, Inc.	37 Deepwood Pl	Er. Dwlg.-Sin.
20238775		Anderson Water Systems, Inc.	17 Willow Ridge Ln	Inst. Generator
20238776		Beebe Construction Inc.	4899 Transit Rd	Er. Porch/Porch Cover
20238777		Niagara Lutheran	5949 Broadway	Er. Comm. Add./Alt.
20238778		LJ Construction WNY LLC	110 Michaels Walk	Er. Porch/Porch Cover
20238781		Sitzman's Appliance Center	21 Carlisle St	Inst. Generator
20238782		Hurricane Home Solutions Inc.	7 Tranquility Trl	Inst. Generator
20238783		Home Power Systems LLC	20 Hill Valley Dr	Inst. Generator
20238784		Home Power Systems LLC	4002 Walden Ave	Inst. Generator
20238785		Rambo Roofing	46 Stutzman Rd	Re-Roof
20238786		Shamrock Contracting	3568 Walden Ave	Re-Roof
20238787		Kenneth Walleshauser	39 Bentley Cir	Er. Fence
20238788		Marc Schlegel	44 Christen Ct	Dumpster - Temp. (V/L)
20238789		Gen-Tech Power Systems LLC	14 Blackstone Ct	Inst. Generator
20238790		Gen-Tech Power Systems LLC	4807 William St	Inst. Generator
20238792		Mark Gore	15 Hill Valley Dr	Er. Fence
20238794		Leubner Construction	21 Southpoint Dr	Er. Res. Alt.
20238796		Buffalo's Best Roofing	23 Southpoint Dr	Re-Roof
20238797		Anthony Vero	295 Enchanted Forest N	Er. Shed
20238798		Franks Commercial & Home	13 Cayuga Ave	Inst. Res. Plumbing (V/L)
20238799		Sitzman's Appliance Center	22 Logan Ln	Inst. Generator
20238800		Steven Konieczek	51 Hidden Meadow Cros	Inst. Generator
20238801		Sitzman's Appliance Center	5 Towne Square Dr	Inst. Generator
20238806		Iroquois Fence Inc.	47 Rose St	Er. Fence
20238807		E&M Remodeling, LLC	6114 Broadway	Er. Deck
20238808		Buffalo's Best Roofing	53 Old Post Rd	Re-Roof
20238810		Buscaglia Decks	3 Henslow Way	Er. Deck
20238813		Joshua Bemb	280 Enchanted Forest N	Inst. Generator
20238814		Stephanie Angel	29 Katelyn Ln	Er. Fence
20238817		City Fence	22 Summerfield Dr	Er. Fence

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

March 6, 2023

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

WHEREAS, William J. Karn, Jr., Chief of Police of the Town of Lancaster by letter dated February 7, 2023, has requested authorization for two (2) police officers from the Emergency Response Team of the Lancaster Police Department to attend the 2023 NY Tactical Officers Association Training Conference in Verona, New York from April 24-28, 2023.

NOW, THEREFORE,

BE IT RESOLVED, that Officer James Robinson, Jr. and Officer Brandon Monin of the Town of Lancaster Police Department, are hereby authorized to attend the 2023 NY Tactical Officers Association Training Conference in Verona, New York from April 24-28, 2023.

BE IT FURTHER,

RESOLVED, that the cost of the training conference for two (2) officers at the above mentioned training course is \$399.99/person, the estimated cost of lodging is \$740.00, estimated cost of meals and gas is \$400.00 and is hereby authorized in an amount not-to-exceed \$1940.00 for actual and necessary expenses, for five (5) days on the specified dates of training, and

BE IT FURTHER,

RESOLVED, that all requests for reimbursement must be presented in the form of original, itemized receipts for actual and necessary expenses upon submission of proper documentation to the Finance Department 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

March 6, 2023

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

5

WHEREAS, William J. Karn, Jr., Chief of Police of the Town of Lancaster, by letter dated February 7, 2023, has recommended the appointment of Police Officer Kevin Tanski to the position of Police Lieutenant, and

WHEREAS, the current competitive civil service list for the position of Police Lieutenant has been duly canvassed by the Chief of Police, and Kevin Tanski qualifies for appointment to this position pursuant to the standards and procedures as set forth in the Civil Service Law.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby appoints Kevin Tanski to the position of Police Lieutenant for the Town of Lancaster effective March 7, 2023; and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the Cayuga Club Police Benevolent Association and all applicable provisions of law, and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take all necessary actions, including with the Personnel Officer of the County of Erie, 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

March 6, 2023

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

6

WHEREAS, William J. Karn, Jr., Chief of Police of the Town of Lancaster, by letter dated February 7, 2023, has recommended the appointment of Police Officer Brett Carcaci to the position of Police Lieutenant, and

WHEREAS, the current competitive civil service list for the position of Police Lieutenant has been duly canvassed by the Chief of Police, and Brett Carcaci qualifies for appointment to this position pursuant to the standards and procedures as set forth in the Civil Service Law.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby appoints Brett Carcaci to the position of Police Lieutenant for the Town of Lancaster effective March 7, 2023; and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the Cayuga Club Police Benevolent Association and all applicable provisions of law, and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take all necessary actions, including with the Personnel Officer of the County of Erie, 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

March 6, 2023

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

7

WHEREAS, Lucas James, 3439 Walden Avenue, Depew, New York 14043 has applied to the Town Board of the Town of Lancaster for a permit for Private Improvements upon real property in the Town of Lancaster within 5827 Broadway Street, and

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

NOW, THEREFORE,

BE IT RESOLVED, that Private Improvement Permit Application No. 847 for 5827 Broadway Street, Lancaster, New York 14086 which is a permit for Private Improvements for:

- Detention Basin and other improvements as per site plan approved by Town Board for 5827 Broadway Street.

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

March 6, 2023

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

WHEREAS, Michelle Barbaro, Deputy Highway Superintendent, of the Town of Lancaster, by letter dated February 10, 2023 has requested authorization for John Pilato, Highway Superintendent and Justen Wilczak, Laborer to attend the 2023 Turning Stone SiteOne Landscape Supply University and Trade Show in Verona, New York on March 7th & 8th, 2023.

NOW, THEREFORE,

BE IT RESOLVED, that Highway Superintendent John Pilato, of the Town of Lancaster Highway Department and Justen Wilczak, Laborer of the Town of Lancaster Parks, Recreation & Forestry Department, are hereby authorized to attend the 2023 Turning Stone SiteOne Landscape Supply University and Trade Show in Verona, New York on March 7th & 8th, 2023.

BE IT FURTHER,

RESOLVED, that the total cost of attendance for two (2) attendees at the above mentioned training course is hereby authorized in an amount not-to-exceed \$558.00 for actual and necessary expenses, including the cost of registration, \$150.00 per person and one night of lodging, \$129.00 per person for the two (2) days of training on the specified dates above, and

BE IT FURTHER,

RESOLVED, that all requests for reimbursement must be presented in the form of original, itemized receipts for actual and necessary expenses upon submission of proper documentation to the Finance Department 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:

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

March 6, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO,
MOVED ITS ADOPTION,
SECONDED BY

9
WHO
SECONDED BY
TO WIT:

WHEREAS, the Town of Lancaster is replacing existing water mains on Pleasant View Drive under contract TLN 9-A and Pavement Road and Stutzman Road under Contract TLN-8, and

WHEREAS, existing hydrant spacing within the project limits do not conform to current ECWA specifications and two (2) additional hydrants are required to be installed on Pleasant View Drive, four (4) additional hydrants are required on Pavement Road (ECWA Direct Service) and three (3) additional hydrants are required on Stutzman Road to provide for proper fire protection.

NOW, THEREFORE,

BE IT RESOLVED, that the Town of Lancaster shall be responsible for payment of annual hydrant rental charges to the ECWA for five (5) lease managed additional hydrants and four(4) additional Direct Service Hydrants being installed under these projects, which charges shall be funded by the respective hydrant district; and

BE IT, FURTHER,

RESOLVED, that the Town Clerk is directed to forward a certified copy of this resolution to Mr. Russell J. Stoll, P.E., Erie County Water Authority.

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

March 6, 2023

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

10

WHEREAS, the Town Board of the Town of Lancaster has held a public hearing on March 1, 2021, pursuant to Chapter 50-Zoning, Article XIV. Administration and Enforcement, §50-78 of the Code of the Town Lancaster, upon the application of Benderson Development Company, LLC on behalf of Transit-William Associates, LLC for a Special Use Permit to allow **Rachel's Mediterranean Grill** to operate a patio with outdoor seating on premises located at 4931 Transit Road, Building 4933 Suite 100, in the Town of Lancaster, Erie County, New York, and

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

WHEREAS, by letter dated December 21, 2022, **James A. Boglioli** has requested that the Town Board renew the Special Use Permit for an additional two (2) year term, and

WHEREAS, Code Enforcement Officer, Matt Fischione, has inspected the property and found it to be in conformance with §50-18 General Commercial (B)(1)(a) of the Town Code for this Special Use Permit per his letter dated December 28, 2022.

NOW, THEREFORE,
BE IT RESOLVED, as follows:

1. That pursuant to Chapter 50-Zoning, Article V. Commercial Districts, §50-18 General Commercial (B)(1)(a) of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a renewal of Special Use Permit to **Rachel's Mediterranean Grill** on premises located at 4931 Transit Road, Building 4933 Suite 100, in the Town of Lancaster, Erie County, New York, upon the conditions upon the terms and conditions as set forth in the Zoning Ordinance for the period March 14, 2023 through March 13, 2025.

2. That the applicant will continue in compliance with conditions as set forth Special use permits, of §50-18 General Commercial (B)(1)(a) of the Code of the Town of Lancaster as long as the applicant continues to engage in said business, and to any additional conditions listed herein, 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 an application to the Town Clerk, on or before March 13, 2025.

B. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.

C. Applicant will provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided.

D. The hours of operation will be limited to New York State open business hours.

E. No amplified sound to be transmitted to the outside dining area (including music and sporting events).

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

March 6, 2023

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

11

WHEREAS, Ransom Auto Parts, Inc., by Dennis Haniszewski, DBA Ransom Auto Parts, Inc., has a renewal license application pursuant to the provisions of Chapter 275 of the Code of the Town of Lancaster to operate a salvage yard on premises located at 867 Ransom Road, Lancaster NY 14086 (SBL No. 106.000-2-36), in the Town of Lancaster, New York, and

WHEREAS, Chapter 275-11 of the Lancaster Town Code requires that the Town Board conduct a public hearing on any renewal application in the event that the Town Board is in receipt of information that the Applicant has not complied with this Chapter; and

WHEREAS, by letter dated February 14, 2023, Town of Lancaster Senior Codes Enforcement Officer Matthew Fischione advised that Ransom Auto Parts is not in compliance as required for automatic renewal; and

WHEREAS, a public hearing must be conducted prior to Town Board consideration of the renewal request.

NOW, THEREFORE,

BE IT RESOLVED, that pursuant to Chapter 275-11 of the Code of the Town of Lancaster, a Public Hearing on the proposed Application for Renewal of License by Dennis Haniszewski, owner of 867 Ransom Rd., Lancaster, New York (SBL No. 106.000-2-36), to operate a salvage yard on said premises will be held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the 20th day of March, 2023, at 7:05 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 BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

March 6, 2023

**LEGAL NOTICE
PUBLIC HEARING**

**RENEWAL OF LICENSE – RANSOM AUTO PARTS, INC, by DENNIS
HANISZEWSKI, dba RANSOM AUTO PARTS, INC.**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 275 of the Code of the Town of Lancaster entitled Salvage Yards and §§ 275-10 (Renewal) and 275-11 (Renewal Hearing), and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 6th day of March, 2023 the said Town Board will hold a Public Hearing on the 20th day of March, 2023, at 7:05 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application Dennis Haniszewski dba Ransom Auto Parts, Inc. to continue operating a salvage yard located at 867 Ransom Road, Lancaster NY (SBL No. 106.000-2-36) 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.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF LANCASTER**

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

March 6, 2023

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 duly advertised for bids for furnishing to the Town of Lancaster the necessary trees for the 2023 Tree Planting Program in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, two (2) bids were duly received, opened and reviewed on February 7, 2023, and

WHEREAS, SCHICHTEL'S NURSERY, INC., 7420 Peters Road, Springville, New York 14141, has submitted the lowest responsible bid in the amount of \$8,979.00 for furnishing said trees to the Town of Lancaster, and

WHEREAS, by letter dated February 16, 2023, Town of Lancaster Deputy Highway Superintendent, Michelle Barbaro, has recommended awarding the bid for furnishing trees for the Town's 2023 Tree Planting Program to Schichtel's Nursery, Inc., and

WHEREAS, by same letter, the Deputy Highway Superintendent has requested that she be authorized to purchase additional trees at the 2023 bid prices from SCHICHTEL'S NURSERY, INC., at her discretion, for whatever other tree plantings the Town may require in 2023.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for furnishing to the Town of Lancaster the necessary trees for the 2023 Tree Planting Program to SCHICHTEL'S NURSERY, INC., 7420 Peters Road, Springville, New York 14141, being the lowest responsible bid in conformance with the specifications on file, in the amount of \$8,979.00 which will be paid for with funds from the Town's 2023 Tree Planting Fee Fund, Home and Community Services (Budget Line Item 33-8000-400); and

BE IT FURTHER,

RESOLVED, that the Deputy Highway Superintendent be and is hereby authorized to purchase additional trees at the 2023 bid prices from SCHICHTEL'S NURSERY, INC., at her discretion, for other tree planting needs the Town may require in 2023.

The question of the adoption of the following 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

March 6, 2023

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

13

WHEREAS, the Town Board of the Town of Lancaster has previously held public hearings, pursuant to Chapter 400-Zoning Article XIV-Administration and Enforcement, Section 78 of the Code of the Town of Lancaster, upon the applications of **Gregory A. Sojka, Owner of Greg's Tree Service**, for Special Use Permits to **operate a contractor's storage yard with storage of tree grind and firewood** on premises locally known as 1230 Town Line Road (SBL. No. 95.00-3-22.1), currently zoned General Industrial (GI), and the Board issued such Special Use Permits on December 19, 2016, and annually since, which are subject to a yearly renewal upon application by the property owner, and

WHEREAS, by letter dated November 9, 2022 **Gregory A. Sojka**, has requested that the Town Board renew the Special Use Permit for the remainder of the 2022 calendar year (six months), and

WHEREAS, Matt Fischione, the Town's Code Enforcement Officer, by letter dated February 1, 2023 has indicated conformance with the 2016 Special Use Permit conditions.

**NOW, THEREFORE,
BE IT RESOLVED, as follows:**

1. That pursuant to Chapter 400 Zoning, Article VI Industrial Districts, Section 400 21(B)(1)(h) of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a renewal of the Special Use Permit to **Gregory A. Sojka, Owner of Greg's Tree Service**, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning January 1, 2023, and ending December 31, 2023, and

2. That the applicant will continue in compliance with conditions as set forth in § 400-21 Industrial Districts and § 400-78 Special use permits of the Code of Town of Lancaster and with the following conditions:

- A. No more than 200 cubic yards of tree grind and firewood are to be stored at one time on the site.
- B. Permit shall expire on December 31, 2023. The original applicant can renew the permit at no additional cost provided it is for the same location that the original permit was issued under.
- C. Renewal is considered upon the applicant submitting a request in writing to the Town Clerk, on or before December 31, 2023.
- D. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.

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

March 6, 2023

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

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning, Article XIV-Administration and Enforcement, Section 78 of the Code of the Town of Lancaster, upon the application of James Basil, of **JBC Properties, LLC/Basil Chevrolet**, to authorize the selling and servicing of new and used motorized vehicles on premises located at 5077 Transit Road, in the Town of Lancaster, New York, and the Board issued such Special Use Permit on March 3, 2008, this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, Megen Schiffler, Controller for **Joe Basil Chevrolet, Inc.**, by letter dated January 20, 2023, has requested that the Town Board renew the Special Use Permit for an additional two (2) year period, and

WHEREAS, the Code Enforcement Officer has recommended the approval of this Special Use Permit renewal and authorized a change in use for this application based on site-plan approval of project # 2031, from the selling and servicing of new and used motorized vehicles' to the 'inventorying and parts storage, in his letter dated February 26, 2023.

**NOW, THEREFORE,
BE IT RESOLVED, as follows:**

1. That pursuant to Chapter 50-Zoning, Section 18 (B)(1)(a), entitled "General Commercial District (GC)", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit Renewal to **JBC Properties, LLC/Basil Chevrolet**, authorizing the inventorying and parts storage use on premises located at 5077 Transit Road in the Town of Lancaster, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning March 3, 2023 and ending March 2, 2025; and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Article XIV-Administration and Enforcement, Section 78, of the Code of the Town of Lancaster, as long as the applicant continues to engage in inventorying and parts storage on the premises; and

3. Pending site plan approval currently under consideration, this Special Use Permit shall also apply to classic car sales and storage, and to any additional conditions listed herein, 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 March 2, 2025.
- B. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.
- C. Applicant to provide a copy of their business' New York State Tax Employer Identification Number and, where required, a copy of a valid State License issued by the appropriate regulatory agency for the service being provided.
- D. Property address and Building Numbers to be posted.

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

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

15

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning, Article XIV Administration and Enforcement, Section 78 of the Code of the Town of Lancaster, upon the application of **Ronald M. Fronckowiak**, for a Special Use Permit for a Home Occupation (Mortgage Broker Office) on premises located at 10 Sussex Lane, Lancaster, New York, and the Board issued such Special Use Permit on March 2, 2009, this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, by letter dated January 16, 2023, Ronald M. Fronckowiak has requested that the Town Board renew the Special Use Permit for an additional two (2) year period, and

WHEREAS, the Supervising Code Enforcement Officer has recommended approval of this Special Use Permit Renewal in his letter dated January 20, 2023.

NOW, THEREFORE,

BE IT RESOLVED, as follows:

1. That pursuant to Chapter 50-Zoning, Article IV Residential Districts, §50-16 (F), entitled "Home Occupation", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant the renewal of a Special Use Permit to **Ronald M. Fronckowiak**, for a Home Occupation (Mortgage Broker Office) on premises located at 10 Sussex Lane, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning March 2, 2023 and ending March 1, 2025, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Article IV Residential Districts, §50-16 (F) and Article XIV, Section 78, 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 home occupation on the premises, namely:

- A. This Special Use Permit terminates when the applicant no longer resides on the premises.
- B. 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 March 1, 2025.
- C. Provide a copy of the business' New York State Tax/Federal Employer Identification Number and, where required, a copy of a valid State License issued by the appropriate regulatory agency for the service being provided.

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

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

March 6, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY
MOVED ITS ADOPTION,
COUNCIL MEMBER

WHO
SECONDED BY
TO WIT:

WHEREAS, the Town Board is considering the Petition by M&A United, Inc., DBA M.P. Caroll Hardwood, for a proposed rezone and site plan approval of approximately 3.7 of 44 acres in furtherance of Project Number 2158, located at 6130 Broadway, Lancaster, New York 14086 with SBL # 116.00-3-3.1, 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 January 18, 2023, and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the renovation project, using 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 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 a “Type I” action under SEQRA.

NOW, THEREFORE,

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

1. Based upon the Town Board’s thorough and careful review, the proposed rezone and site plan review of approximately 3.7 of 44 acres in furtherance of Project Number 2158 located at 6130 Broadway, Lancaster, New York 14086 with SBL # 116.00-3-3.1, will not result in any significant environmental impacts and hereby issues a negative declaration pursuant to SEQRA 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
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

March 6, 2023

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: March 6, 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 both the proposed site plan and rezone of approximately 3.7 of 44 acres in furtherance of Project Number 2158 located at 6130 Broadway, Lancaster, New York 14086 with SBL # 116.00-3-3.1 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: M.P. Caroll Hardwood

Location of Action: 6130 Broadway, (SBL No. 116.00-3-3.1) Lancaster, New York 14086, Erie County.

SEQR Status: Type I Action.

Description of Action: Rezone approximately 3.7 of 44 acres.

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. Impact on Geological Features – **No impact.**
3. Impacts on Surface Water – **No impact.**
There are Federal wetlands on the property.
4. Impact on Groundwater – **No impact.**
5. Impact on Flooding – **No impact.**
6. Impact on Air – **No impact.**
7. Impact on Plants and Animals – **No impact.**
8. Impact on Agricultural Resources – **No impact.**
Impact is limited to 1 acre of land, the remainder of the lot is zoned AR – Agricultural Residential.
9. Impact on Aesthetic Resources – **No impact.**
10. Impact on Historic and Archeological Resources – **No impact.**
11. Impact on Open Space and Recreation – **No impact.**
12. Impact on Critical Environmental Areas – **N/A**
 - **The Town of Lancaster has not established a Critical Environmental Area (CEA).**

- 13. Impact on Transportation – No impact.**
- 14. Impact on Energy – No impact.**
- 15. Impact on Noise, Odor and Light – No impact.**
- 16. Impact on Human Health – No impact.**
- 17. Consistency with Community Plans – No impact**
- 18. Consistency with Community Character – 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 17
BY WHO
MOVED ITS ADOPTION, SECONDED BY
SECONDED BY, TO WIT:

WHEREAS, M&A United, Inc., DBA M.P. Carroll Hardwood, owner of 6130 Broadway, Lancaster, New York, has submitted an application for property rezone and site plan approval of premises located at 6130 Broadway (SBL No. 116.00-3-3.1), in the Town of Lancaster, New York, in accordance with provisions of Chapter 400-Zoning, Section 18 (B)(1)(a) of the Code of the Town of Lancaster, from Agricultural Residential (AR) to General Commercial (GC), and

WHEREAS, in Chapter 400-Zoning, Sections 74-75 of the Zoning Chapter of the Town Code of the Town of Lancaster requires that the Town Board conduct a public hearing before the consideration of amending the Zoning Code and issuing the site plan approval.

NOW, THEREFORE,

BE IT RESOLVED, that pursuant to Sections 130 and 265 of the New York Town Law, a Public Hearing on the proposed rezone and site plan approval will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 20th day of March 2023, at 7:05 o'clock P.M., Local Time, and that Notice of the Time and Place of such Hearing be published in the local newspaper of general circulation in said Town and be on the Town Bulletin Board, and that Notice of such 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 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 BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

March 6, 2023

**LEGAL NOTICE
PUBLIC HEARING**

**REZONE AND SITE PLAN APPROVAL – M&A UNITED, INC., DBA M.P. CAROLL
HARDWOOD, OWNER OF 6130 BROADWAY, LANCASTER, NEW YORK**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 400-Zoning, Sections 74-75 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 6th day of March, 2023 the said Town Board will hold a Public Hearing on the 20th day of March, 2023, at 7:05 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of M&A United, Inc., DBA M.P. Caroll Hardwood, owner of 6130 Broadway, Lancaster, New York, (SBL No. 116.00-3-3.1), in the Town of Lancaster, New York, in accordance with provisions of Chapter 400-Zoning Sections 74-75 of the Code of the Town of Lancaster, from Agricultural Residential (AR) to General Commercial (GC).

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

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF LANCASTER**

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

March 6, 2023

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

WHEREAS, by letter dated February 16, 2023 from Michelle Barbaro, the Town of Lancaster Deputy Highway Superintendent, has requested the Town Board approve expenditures for removal and replacement of ceiling tile throughout the Lancaster Youth Bureau, 200 Oxford Avenue, Lancaster NY, due to water damage to the building, for which she has obtained three (3) quotes, and

WHEREAS, by letter dated February 16, 2023, Michelle Barbaro, has recommended that the Town of Lancaster authorize said expenditure to Schafer Construction, Inc., the provider of the lowest quote, located at 7727 Tonawanda Creek Road, Lockport NY 14094 in an amount not to exceed Twenty-Eight Thousand Three Hundred Dollars (\$28,300.00), and

WHEREAS, this project will be funded from the insurance proceeds, to be deposited into Account 01-7310-4261.

NOW, THEREFORE,

BE IT RESOLVED, that The Town Board of the Town of Lancaster hereby approves the expenditure of funds as requested by Deputy Highway Superintendent Michelle Barbaro to Schafer Construction, Inc., the provider of the lowest quote, located at 7727 Tonawanda Creek Road, Lockport NY 14094 in an amount not to exceed Twenty Eight Thousand Three Hundred Dollars (\$28,300.00) per its quote dated February 9, 2023 and to be paid for with funds allocated in the Account 7310-4261.

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

March 6, 2023

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

19

WHEREAS, by letter dated February 17, 2023 from Michelle Barbaro, the Town of Lancaster Deputy Highway Superintendent, has requested the Town Board approve expenditures for painting throughout the Lancaster Youth Bureau, 200 Oxford Avenue, Lancaster NY, due to flood damage, for which she has obtained two (2) quotes, and

WHEREAS, by letter dated February 17, 2023, Michelle Barbaro, has recommended that the Town of Lancaster authorize said expenditure from the N. Choops Painting, Inc., the provider of the lowest quote, located at 4404 Walden Avenue, Lancaster NY, 14086, in an amount not to exceed Nine Thousand Nine Hundred Seventy-Five Dollars (\$9,975.00) per its quote dated February 17, 2023, and

WHEREAS, this project will be paid for with funds coming in from the insurance company, which will be deposited into Account 01-7310-4261.

NOW, THEREFORE,

BE IT RESOLVED, that The Town Board of the Town of Lancaster hereby approves the expenditure of funds as requested by Deputy Highway Superintendent Michelle Barbaro, to N. Choops Painting, Inc., located at 4404 Walden Avenue, Lancaster NY, 14086, in an amount not to exceed Nine Thousand Nine Hundred Seventy-Five Dollars (\$9,975.00) per its quote dated February 17, 2023 and to be paid for with funds allocated in the Account 7310-4261.

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

March 6, 2023

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

WHEREAS, by letter dated February 24, 2023 from Michelle Barbaro, the Town of Lancaster Deputy Highway Superintendent, has requested the Town Board approve expenditures for the purchase of ten (10) eight foot metal picnic tables; two (2) eight foot metal ADA picnic tables; and ten (10) six foot wooden A-Frame picnic tables, for which she has obtained three (3) quotes, and

WHEREAS, by letter dated February 24, 2023, Michelle Barbaro, has recommended that the Town of Lancaster authorize said expenditure to the provider of the lowest quote, Uline, POB 88741, Chicago, IL 606801741, for an amount no to exceed Fifteen Thousand Six Hundred Twenty-One Dollars and Thirty-Two cents (\$15,621.32), per its quote dated February 15, 2023, and

WHEREAS, this project will be paid for with funds allocated in the Town's 2023 Recreation Filing Fees Budget, Line Item 37-700-260.

NOW, THEREFORE,

BE IT RESOLVED, that The Town Board of the Town of Lancaster hereby approves the expenditure of funds as requested by Deputy Highway Superintendent Michelle Barbaro the provider of the lowest quote, Uline, POB 88741, Chicago, IL 606801741, for an amount no to exceed Fifteen Thousand Six Hundred Twenty-One Dollars and Thirty-Two cents (\$15,621.32), per its quote dated February 15, 2023 and to be paid for with funds allocated in the Account 7310-4261.

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

March 6, 2023

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

21

WHEREAS, by letter dated January 26, 2023 from Michelle Barbaro, the Town of Lancaster Deputy Highway Superintendent, has requested the Town Board approve expenditures for emergency replacement of the Variable Speed Drive for the B & G Pump at the Highway Garage located at 525 Pavement Road, Lancaster, and

WHEREAS, by letter dated January 26, 2023, Michelle Barbaro, has recommended that the Town of Lancaster authorize said expenditure from the Mollenberg-Betz, Inc., 300 Scott St., Buffalo NY 14204, in an amount not to exceed Two Thousand Nine Hundred Ninety-Eight dollars (\$2,998.00) per its quote dated January 24, 2023, and

WHEREAS, this project will be paid for with funds from the Account 01-1620-0426, Building Repairs and Maintenance.

NOW, THEREFORE,

BE IT RESOLVED, that The Town Board of the Town of Lancaster hereby approves the expenditure of funds as requested by Deputy Highway Superintendent Michelle Barbaro, to Mollenberg-Betz, Inc., 300 Scott St., Buffalo, NY 14204, in an amount not to exceed Two Thousand Nine Hundred Ninety-Eight Dollars (\$2,998.00), per its quote dated January 24, 2023, and to be paid for with funds allocated in the Account 01-1620-0426, Building Repairs and Maintenance.

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

March 6, 2023

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

WHEREAS, the Town of Lancaster and the Lancaster Dispatchers Employee Association wish to enter into a Memorandum of Understanding defining the return of an employee who temporarily left Town service.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute, on behalf of the Town of Lancaster, the Memorandum of Understanding by and between the Town and the Lancaster Dispatchers Employee Association for reinstatement of Dispatcher Stephen Rozler, as presented; and

BE IT FURTHER,

RESOLVED, that the terms and conditions of reinstatement are retroactive to January 1, 2023.

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

March 6, 2023

WHEREAS, Purple Acquisitions, LLC, dba Take 5 Oil, by Alex Deitch, Designee of Thomas Manko, property owner has submitted an application for a Special Use Permit to use the existing building located at 4885 Transit Road (SBL# 115.03-1-44.2), as an automotive oil change facility within the Village of Depew, Town of Lancaster, Erie County, State of New York, in accordance with provisions forth in Chapter 400-78 entitled Special Use Permits of the Code of the Town of Lancaster, as permitted by GC Zoning District, TC Chapter 400-18-B(1)(a); and

WHEREAS, Chapter 400-78 entitled Special Use Permits of the Code of the Town of Lancaster, as permitted by GC Zoning District, TC Chapter 400-18-B(1)(a) of the Town of Lancaster requires that the Town Board conduct a public hearing before the issuance of a special use permit for the proposed use.

NOW, THEREFORE,

BE IT RESOLVED, that pursuant to §400-78 Special Use Permits of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for **Purple Acquisitions, LLC, dba Take 5 Oil, by Alex Deitch, Designee of Thomas Manko, property owner** to use the existing building located at 4885 Transit Road (SBL# 115.03-1-44.2), as an automotive oil change facility within the Village of Depew, Town of Lancaster, Erie County, State of New York, within the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 20th day of March, 2023, at 7:05 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 BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

March 6, 2023

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER SPECIAL USE PERMIT**

**PURPLE ACQUISITIONS, LLC, BY ALEX DEITCH, DESIGNEE OF THOMAS
MANKO, PROPERTY OWNER DBA TAKE 5 OIL
4885 TRANSIT ROAD, DEPEW NY 14043**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 400-78 entitled Special Use Permits of the Code of the Town of Lancaster, as permitted by GC Zoning District, TC Chapter 400-18-B(1)(a) authorizing the operation of an Automotive Oil Change Facility, and pursuant to a resolution of the Town board of the Town of Lancaster adopted on the 6th day of March, 2023 the said Town Board will hold a Public Hearing on the 20th day of March, 2023, at 7:05 o'clock PM, Local Time, at the Town Hall, 21 Central Avenue, Lancaster NY, to hear all interested persons upon the application of **Purple Acquisitions, LLC, dba take 5 Oil, by Alex Deitch, Designee of Thomas Manko, property owner**, for a Special Use Permit to use the existing building located at 4885 Transit Road, Village of Depew (SBL No. 115.03-1-44.2), Town of Lancaster, County of Eric, State of New York, as an automotive oil change facility.

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

BY ORDER OF THE TOWN BOARD OF THE TOWN
OF LANCASTER

BY: DIANE M. TERRANOVA
Town Clerk

March 9, 2023

THE FOLLOWING RESOLUTION WAS OFFERED 24
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

WHEREAS, Diane Terranova, Lancaster Town Clerk, on behalf of the Town Clerk's Office, is requesting authorization for a mandatory upgrade of the Edmunds Web Portal System to mitigate security risks such as cyberattacks and ransomware, and

WHEREAS, the Town previously entered into an agreement with Edmunds GovTech, Inc., to provide annual website support and maintenance services for the Town's website, and

WHEREAS, the Town Clerk received a letter dated February 23, 2023 about the mandatory upgrade from Edmunds GovTech, Inc., for the Web support and professional services increasing the annual fee, and

WHEREAS, by updated Sales Order #00005692 dated February 27, 2023 from Edmunds GovTech, Inc. there will be an increase for services as follows:

1. Five Thousand Dollars (\$5,000) annual Website Support and Maintenance Services.
2. Five Thousand Dollars (\$5,000) Framework, Server Update and Website Migration Services.

WHEREAS, per the terms and conditions contained within the proposal, this service agreement will automatically renew annually at the then-current applicable fees, unless written notice requesting to terminate the agreement is provided ninety (90) days prior to the renewal.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the request made by the Town Clerk on behalf of her department to accept the mandatory upgrade for the Edmunds Web Portal System to mitigate security risks such as cyberattacks and ransomware; and provide annual website support and maintenance services for the Town's website, and

BE IT FURTHER,

RESOLVED, that the Town Board of the Town of Lancaster hereby accepts and authorizes the Town Clerk to execute the Sales Order (Order # 00005692) as presented, between the Town of Lancaster and Edmunds GovTech, Inc., 301 Tilton Road, Northfield, NJ 08225 dated February 27, 2023, to provide the aforementioned services paid for with funds from the Town's Budget (Line Item B1480.0410).

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

March 6, 2023

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

WHEREAS, by letter dated February 16, 2023 from Michelle Barbaro, the Town of Lancaster Deputy Highway Superintendent, has requested the Town Board approve expenditures for insulation and drywall repairs made throughout the Lancaster Youth Bureau, 200 Oxford Avenue, Lancaster NY, due to flood damage to the building, for which she has obtained three proposals, and

WHEREAS, by letter dated February 16, 2023, Michelle Barbaro, has recommended that the Town of Lancaster authorize said expenditure to Schafer Construction, Inc., the provider of the lowest quote, located at 7727 Tonawanda Creek Road, Lockport, NY 14094 in an amount not to exceed Twenty-Seven Thousand Nine Hundred Eighty-Two Dollars (\$27,982.00), and

WHEREAS, this project will be paid for with funds from the insurance company that will be deposited into Account 7301—4261.

NOW, THEREFORE,

BE IT RESOLVED, that The Town Board of the Town of Lancaster hereby approves the expenditure of funds as requested by Deputy Highway Superintendent Michelle Barbaro, to Schafer Construction, Inc., the provider of the lowest quote, located at 7727 Tonawanda Creek Road, Lockport, NY 14094 in an amount not to exceed Twenty Seven Thousand Nine Hundred Eighty-Two Dollars (\$27,982.00) per its quote dated February 9, 2023 , and to be paid for with insurance funds that will be deposited into the Account Number 7310-4261.

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

March 6, 2023

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

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing on January 17, 2023, pursuant to Chapter 400-78 of the Code of the Town of Lancaster, upon the application **Gerald and Deborah Litwiller, owners** for a Special Use Permit to operate Commercial Catering Kitchen on premises located at 272 Erie Street, in the Town of Lancaster, Erie County, New York in accordance with the provisions of Chapter 400 Zoning, Article IV Residential Districts, §400-16(F) Supplementary Regulations for A-R, R and MFMU districts, Home Occupations of the code of the Town of Lancaster, and

WHEREAS, 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 400-78 Zoning of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant the Special Use Permit to **Gerald and Deborah Litwiller**, owners of real property located at located at **272 Erie Street, (SBL No.105.03-1-5)** in the Town of Lancaster, to operate a Commercial Catering Kitchen on premises upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning January 18, 2023 and ending January 17, 2025; and

2. That the applicant will continue in compliance with conditions as set forth in §400-19 Supplementary regulations 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 commercial catering operation listed above on the premises namely:

- A. Only persons residing on the premises shall be engaged in such an occupation.
- B. There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation.
- C. A copy of the entity Business Certificate/Erie County Health Dept. License is submitted to the Town Clerk's Office.
- D. Permit must be renewed every two (2) years at no additional cost to applicant. Permit renewal is considered upon the property owner submitting a written request to the Town Clerk, on or before January 16, 2025.
- E. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.
- F. Provide a copy of a valid New York State License issued by the appropriate regulatory agency for the service being provided.

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

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

March 6, 2023

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

WHEREAS, the Town Board is considering the application of Anthony J. Pandolfe, of Carmina Wood Design, as designee for Joe Basil Chevrolet, for the proposed construction of an approximately 15,000 square foot vehicle storage building with fifteen (15) parking spaces, at 5077 Transit Road, in the Town of Lancaster (SBL # 115.09-1-27) in conformance with a site plan prepared by GPI Engineering, LLP, dated March 19, 2020, and received April 9, 2020, with revisions dated April 4, 2022, September 21, 2022, and October 4, 2022, 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 February 15, 2023, and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the renovation project, using 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 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. Based upon the Town Board’s thorough and careful review, the proposed construction of an approximately 15,000 square foot vehicle storage building with fifteen (15) parking spaces, at 5077 Transit Road, in the Town of Lancaster (SBL # 115.09-1-27), will not result in any significant environmental impacts and hereby issues a negative declaration pursuant to SEQRA 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
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: March 6, 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 an approximately 15,000 square foot vehicle storage building with fifteen (15) parking spaces, at 5077 Transit Road, in the Town of Lancaster (SBL # 115.09-1-27). 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: Basil Car Storage Building

Location of Action: 5077 Transit Road, in the Town of Lancaster (SBL # 115.09-1-27), Erie County.

SEQR Status: Unlisted Action.

Description of Action: Construction of an approximately 15,000 square foot vehicle storage building with fifteen (15) parking spaces.

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 use or zoning | No impact. |
| 2. | Change in land use or intensity | No impact. |
| 3. | Character of community | No impact. |
| 4. | Impact on Critical Environmental Areas | N/A |
| | • The Town of Lancaster has not established a Critical Environmental Area (CEA). | |
| 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 | No impact. |
| 8. | Impact on historic, archeological, 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

WHEREAS, Anthony J. Pandolfe, of Carmina Wood Design, as designee for Joe Basil Chevrolet, has submitted a site plan prepared by GPI Engineering, LLP, dated March 19, 2020, and received April 9, 2020, with revisions dated April 4, 2022, September 21, 2022, and October 4, 2022, for the proposed construction of an approximately 15,000 square foot vehicle storage building with fifteen (15) parking spaces, at 5077 Transit Road, in the Town of Lancaster (SBL # 115.09-1-27), and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their February 15, 2023, meeting, and

WHEREAS, a SEQR Review of this project was held March 6, 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 Anthony J. Pandolfe, of Carmina Wood Design, as designee for Joe Basil Chevrolet, prepared by GPI Engineering, LLP, dated March 19, 2020, and received April 9, 2020, with revisions dated April 4, 2022, September 21, 2022, and October 4, 2022, for the proposed construction of an approximately 15,000 square foot vehicle storage building with fifteen (15) parking spaces, at 5077 Transit Road, in the Town of Lancaster (SBL # 115.09-1-27), subject to the following conditions:

1. Submission of fully executed and filed Cross Access Agreement, approved by the Town Attorney's Office, to the Town Attorney and Town Clerk.
2. Approval is for the revised site plan with Sheets C-100 and additional Sheet LP-100.

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

March 6, 2023

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

WHEREAS, the Town Board is considering the application of H. Christopher Streng, of Kulbacks, Inc., as designee for the Town Line Volunteer Fire Department for the proposed construction of a 4420 Square foot addition to the rear of the existing building located at 6503 Broadway, in the Town of Lancaster (SBL # 117.11-2-10.1), 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 February 1, 2023, and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the renovation project, using 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 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. Based upon the Town Board’s thorough and careful review, the proposed construction of a 4420 Square foot addition to the rear of the existing building located at 6503 Broadway, in the Town of Lancaster (SBL # 117.11-2-10.1), will not result in any significant environmental impacts and hereby issues a negative declaration pursuant to SEQRA 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
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

March 6, 2023

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: March 6, 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 4420 Square foot addition to the rear of the existing building located at 6503 Broadway, in the Town of Lancaster (SBL # 117.11-2-10.1). 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: Townline Volunteer Fire Department

Location of Action: 6503 Broadway (SBL # 117.11-2-10.1) Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted Action.

Description of Action: Construction of a 4420 Square foot addition to the rear of the existing building.

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 use or zoning | No impact. |
| 2. | Change in land use or intensity | No impact. |
| 3. | Character of community | No impact. |
| 4. | Impact on Critical Environmental Areas | N/A |
| | • The Town of Lancaster has not established a Critical Environmental Area (CEA). | |
| 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 | No impact. |
| 8. | Impact on historic, archeological, 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, TO WIT:

30

WHEREAS, H. Christopher Streng, of Kulbacks, Inc., as designee for the Town Line Volunteer Fire Department, has submitted a site plan prepared by Tredo Engineers, dated December 7, 2022, and received December 29, 2022 for the proposed construction of a 4420 Square foot addition to the rear of the existing building located at 6503 Broadway, in the Town of Lancaster (SBL # 117.11-2-10.1), and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their February 1, 2023, meeting, and

WHEREAS, a SEQR Review of this project was held March 6, 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 H. Christopher Streng, of Kulbacks, Inc., as designee for the Town Line Volunteer Fire Department, prepared by Tredo Engineers, dated December 7, 2022, and received December 29, 2022 for the construction of a 4420 square foot addition to the rear of the existing building located at 6503 Broadway, 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 BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

March 6, 2023

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

31

WHEREAS, by resolution adopted on June 18, 2018 the Town Board of the Town of Lancaster approved a Special Use Permit Application submitted by Timothy Packman, on behalf of Lancaster Speedway Properties, LLC d/b/a **New York International Raceway Park/Lancaster National Speedway**, to operate a motorsport speedway/drag-way which was amended on September 7, 2021 to allow a venue for small outdoor concerts on premises located at 57 Gunnville Road (SBL No. 83.00-5-4), in the Town of Lancaster, New York, and

WHEREAS, Lancaster Speedway Properties, LLC, and real property located at 57 Gunnville Road, has been bought by **Lancaster Motorplex, LLC** who has submitted an application requesting that the Special Use Permit issued to New York International Raceway Park/Lancaster National Speedway, be transferred to **Lancaster Motorplex, LLC**, and

WHEREAS, Matt Fischione, Town Code Enforcement officer, has inspected the site and found conditions to be in compliance with the originally approved Special Use Permit, and

WHEREAS, §400-78 of the Town Code of the Town of Lancaster requires that the Town Board conduct a public hearing before the issuance or transfer of a special use permit for the uses proposed, and

WHEREAS, the Town Board of the Town of Lancaster has, on January 17, 2023, heretofore held a public hearing pursuant to the Town Code of the Town of Lancaster upon said application, and

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

WHEREAS, the Town Board of the Town of Lancaster has reviewed this request and consulted with legal counsel and has determined that the Special Use Permit issued, as amended, on September 7, 2021 to New York International Raceway Park/Lancaster National Speedway, for location 57 Gunnville Road (SBL No. 83.00-5-4), is allowed to be transferred to **Lancaster Motorplex, LLC**, at the same location.

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

1. That pursuant to Chapter 400 Zoning, Article VI Industrial Districts, §400-20 Light Industrial District (LI), (B)(2)(q) of the Code of Town of Lancaster the Town Board hereby approves and authorizes the Special Use Permit, issued as amended, on September 7, 2021 to New York International Raceway Park/Lancaster National Speedway, for location 57 Gunnville Road (SBL No. 83.00-5-4), be transferred to **Lancaster Motorplex, LLC**, at the same location for the period beginning March 7, 2023, and ending March 6, 2025, and
2. That the applicant will continue in compliance with conditions as set forth in §400-20 Light Industrial District, §400-22 Supplementary regulations for LI District and §400-78 Special use permits, of the Code of the Town of Lancaster, and to any additional conditions listed herein, as long as the applicant continues to engage in the occupation listed above on the premises namely:
 - A. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal is considered upon the property owner submitting a request in writing to the Town Clerk, on or before March 6, 2025.

- B. Provide plans and details for crowd management as specified in the 2020 FCNYS, Section 403 Emergency Preparedness, and any updated versions thereafter.
- C. Provide proof of adherence to all New York State Department of Transportation rules, requirements and regulations pertaining to such activity.
- D. Provide a copy of the business' New York State Tax Employer Identification Number.
- E. Provide an activity schedule to the Town Clerk and Town Police Department each year prior to the opening of the speedway.
- F. Adhere to the provided activity schedules and provide advance notification of any schedule changes to the Town Clerk and the Town Police Department.
- G. Strictly conform to the specified hours of operation as stated in Chapter 221-Noise (Section 7(D) for motor sport raceway events and Section 7(G) for concerts) of the Code of the Town of Lancaster. Failure to comply will result in penalties as outlined in Chapter 221, Section 8 being imposed.

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

March 6, 2023