

A Work Session of the Town Board of the Town of Clarence was held on Wednesday, February 10, 2016 at Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 6:00 PM. Members of the Town Board present were Councilmember's Peter DiCostanzo, Robert Geiger, Christopher Greene and Paul Shear. Other Town Officials present were Assistant to the Supervisor, Karen Jurek, Director of Community Development James Callahan, Junior Planner Jonathan Bleuer, Town Attorney Lawrence Meckler, Town Engineer Tim Lavocat, Highway Superintendent James Dussing, Senior Building Inspector David Metzger, Director of Administration and Finance Pamela Cuviallo and Deputy Town Attorney Steven Bengart.

Director of Community Development – James Callahan

Public Hearings:

Clarence Fire District #1 - 10355 Main Street

Applicant is proposing to enlarge the existing facility by adding 3+ additional bays and additional service space as well as rehabilitation of existing space. The existing building is located on the south side of Main Street east of Shisler Road in the TND within the Clarence Hollow Overlay. As the overall structure will exceed 10,000 square feet, a Special Exception Use Permit will be required. The Town Board has final approval authority for Special Exception Use Permits. SEQRA has been completed by the Fire District identifying that no significant environmental impacts are identified as a result of the project. The Planning Board has approved the Concept Plan and forwarded a recommendation to approve the Special Exception Use Permit. ***(Supervisor Casilio will recuse himself from all discussion on this project).***

Formal Agenda items:

Kenyon Brothers 8250-8274 Main Street

Applicant is proposing to demolish the existing structures and construct a new convenience store with Tim Horton's kiosk and drive-thru. The proposed site is located on the northeast corner of Main Street and Westwood Road in the Harris Hill TND and along a commercial corridor. Per the Zoning Law, the Town Board has final review and approval authority for drive-thru facilities that meet minimum criteria. The Planning Board has issued a Negative Declaration under SEQRA, approved the proposed Concept Plan and has forwarded a recommendation for a Special Exception Use Permit. ***(Applicant asked to be removed from the agenda indefinitely).***

Town Automotive Group - 8226 Main Street

Applicant is proposing to add on to the existing structure and utilize the site for a new Maserati and Alfa Romeo Automobile Dealership. The proposed site is located on the north side of Main Street west of Westwood Road, adjoining the Main-Transit Plaza in an existing commercial plaza located in the Commercial Zone. Per the Zoning Law, the proposed automotive use will require a Special Exception Use Permit as issued by the Town Board. The Planning Board has forwarded a recommendation to grant a Special Exception Use Permit for the proposed use as designed.

Natale Builders/Creekwood Meadows Open Space Design Subdivision

Applicant is proposing to amend the previously approved design. Existing wetlands on the project site have expanded and the applicant is seeking an amended design. The proposed site is located on the north side of Roll Road, west of Newhouse Road in a Residential Single Family Zoning classification. Per the Zoning Law, the Town Board has final review and approval authority for Open Space Design Developments. Referral to the Planning Board will initiate formal review of the project.

Dunn Tire - 6585 Transit Road

Applicant is proposing to renovate and add on to the existing commercial structure to accommodate a new Dunn Tire Store. The proposed site is situated on the east side of Transit Road north of Miles Road in existing commercial structure (former Pinnacle Automotive, former Belknap Heating & Cooling) located on 1.8+/- acres in the Commercial Zone. Per the Zoning Law, the Town Board has final approval authority for automotive uses via a Special Exception Use Permit. Referral to the Planning Board will initiate formal review of the project. A front yard setback variance will be required for the building addition. The new addition across the front will be brick, the applicant has suggested they will paint the block to match the color of the front of the building. Supervisor Casilio is concerned about the exposed block and suggested drivet over the block.

Work Session items for consideration February 24, 2016:

Stephen Development – Fountain Court Multiple Family Housing 9560 Main Street
Applicant is proposing to demolish the existing hotel and construct a new mixed use building in the Commercial Zone and to develop 3 large estate lots to the north of the property adjoining existing residential uses. The proposed site is located on the north side of Main Street, east of Gunnville Road intersection. Per the Zoning Law, the multiple family housing component will require a Special Exception Use Permit. The Town Board will act as Lead Agency on this review. The lack of public sewers will constrain the ultimate development of the site. Long term connections to a public sewer system is in the best interest of the community and any development on this site should identify this long term goal. Demolition of a structure built prior to 1950 should be referred to the Historic Preservation Commission for review and comment. This project will be considered a Type I Action under SEQRA.

Notorious DOG Pet Groomers – 8623 Main Street and Circle Court

Applicant is proposing to update the current façade and operate a retail pet sales and service business at 8623 Main Street in existing commercial plaza (former Emerling Insurance building) in the Traditional Neighborhood District. The proposed site is located on the south side of Main Street, west of Circle Court. Per the Zoning Law, architecture approval is the function of the Town Board in the Traditional Neighborhood District.

There is a Public Hearing February 24, 2015 at 7:15PM for the annual Master Plan Review.

Supervisor Patrick Casilio

Motions:

- Appoint Douglas Mutton as Van Driver RPT and Michael Nardolillo Van Driver PT for the Going Places Van
- Appoint Kathleen S. Pumm as Clerk PT effective February 11, 2016
- Set a bid date for Tuesday, March 8, 2016 at 10AM to accept sealed bids for the removal of leaf compost from the Town recycling area on Sheridan Drive
- Encumber funds from the 2015 Building Department budget

- Appoint Capital Markets Advisors, LLC as financial consultant to the Town Board for 2016 at their standard rate per their March 25, 2004 proposal
- Upon recommendation of Highway Superintendent James Dussing, approve the purchase of replacement vehicles per the Fleet Management Policy
- Approve the transfer of funds from the 2015 Law Budget
- Approve the transfer of funds from the 2015 Building Department Budget
- Approve the transfer of funds from the 2015 General Fund Budget
- Approve the transfer of funds from the 2015 Law Enforcement Budget

Director of Administration and Finance Pam CuvIELLO presented the LOSAP bill to Supervisor Casilio for Swormville and East Amherst VFC. The rates have dropped from last year. They will be billed ahead of time, previous times they waited for assessments.

Councilman Peter DiCostanzo

Motions:

- Declare Parks Department office equipment as surplus
- Authorize Supervisor to sign NYS Deferred Compensation Plan – Roth Contributions Participation Agreement
- Approve the Transfer of Funds from the 2015 Parks Department Budget
- Approve the Transfer of Funds from the 2015 Recreation Department Budget
- Appoint Auto Mechanic for Parks Department due to retirement of Gary George
- Approve increasing the current maximum deduction rate allowed for Town of Clarence employees by the Town of Clarence to contribute to the Flex spending (FSA) Reimbursement Account Plan for unreimbursed Medical Expenses from \$1,000 to the 2016 IRS maximum allowed contribution rate of \$2,250

Two members of the Ethic's Board will give a short presentation on Ethic's at the March 2, 2016 morning Work Session.

Councilman DiCostanzo attended the Grand Opening of Rockies in the former Dave and Busters location at Eastern Hills Mall.

Winterfest was well attended even though the weather did not cooperate.

Councilman DiCostanzo received a request from the group Let them Laugh Out Loud to use Town Place Park and Lion's Den Pavilion on May 1, 2016 for a 5K race/walk (using the same route as the Flight 3407 5K run). Highway Superintendent Dussing suggested notifying the residents in Martha's Vineyard and contacting the proper policing authorities. A formal motion will be presented at the next Town Board meeting.

Councilman Robert Geiger*Motions:*

- Post the position of Dog Control Officer FT
- Approve the transfer of funds from 2015 Animal Control Budget

Councilman Geiger asked the status of the property on Boyd Drive. Town Attorney Meckler discussed this with Director of Community Development James Callahan whether or not an in-house appraisal could be done so the town would not have to spend more money than what the property is worth.

Councilman Christopher Greene*Motions:*

- Authorize Supervisor Casilio to sign the agreement with Lasertron Interactive Entertainment Center for a field trip for the Youth Board
- Post the position of Youth Activities Leader PT for the Clarence Youth Bureau at the budgeted rate of pay
- Authorize the Supervisor to enter into and sign an agreement with Rotella Grant Management to provide grant writing services to the Town of Clarence for a one year term
- Approve the Transfer of Funds from the 2015 Youth Bureau Budget
- Appoint two additional agents to the Deer Management Assistance Program
- Approve and unpaid student intern for Clarence Youth Bureau

Councilman Paul Shear*Motions:*

- Approve the transfer of funds from the 2015 Planning and Zoning Department

At the August 12, 2015 Town Board meeting, the Board authorized the expenditure of \$88 for the purchase of four barn boards by the Historic Preservation Commission to be funded from the advertising account in the town budget. The advertising boards were never purchased and now the Historic Preservation Commission is once again requesting the funding to purchase the boards. Supervisor Casilio requested that the Historic Preservation Commission submit the bill and the money will be taken out of the budget.

The Transit Road cell tower was approved by the ZBA at last night's meeting.

The Planning and Zoning Department put together a Draft Code for a Lifestyle Center overlay. This has to do with Eastern Hills Mall and Transitown Plaza which gives them the opportunity to allow for mixed use on a piece of property greater than twenty-five acres. Both these locations would qualify for this (outbuildings, retail, restaurants, offices, medical, etc., including a certain amount of residential). Residential is limited to a maximum of twenty-five percent, there are some restrictions. This overlay is something for the Town Board to consider and decide whether or not to go forward with.

Director of Administration and Finance – Pamela CuvIELLO

At the end of 2015, the former Supervisor spoke with Troy & Banks Inc. They are a company located in Buffalo that audits the utility and phone bills of businesses and municipalities for overcharges. They only get paid if we receive a refund or savings. The Town has had this done multiple times in the last several years. Pam inquired as to whether or not the Town Board was interested in having another audit done. She will forward the agreement to Town Attorney Meckler for review. Since there are multiple companies that do these type audits, Town Attorney Meckler suggested doing a RFP. Troy & Banks Inc. did not do the last audit. Councilman DiCostanzo questioned whether or not this company could get the town a refund from all the street lights in town that do not work.

Pamela CuvIELLO received a letter from Joseph Floss (Floss Insurance Agency) regarding a non-renew letter to NYMIR that must be signed by the Supervisor for liability insurance.

Town Engineer Tim Lavocat

The Police and Court Facilities Project received site plan approval from the Planning Board last Wednesday. The bid date is set for March 31, 2016.

Motion by Supervisor Casilio, seconded by Councilman Green to enter into Executive Session pursuant to § 105(1) H of the Open Meetings Law to discuss the proposed lease of real property and one Attorney-Client item. Upon roll call – Ayes: All; Noes: None. Motion carried.

There being no further business, the Work Session adjourned at 7:38PM.

Darcy A. Snyder
Deputy Town Clerk

Motion by Supervisor Casilio, seconded by Councilman Geiger to adjourn the Executive Session at 6:59PM. Upon roll call – Ayes: All; Noes: None. Motion carried. No action taken.

Regular meeting of the Town Board of the Town of Clarence was held on Wednesday, February 10, 2016 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 7:00 p.m. Pledge to the flag was led by Councilman Robert Geiger, followed by a prayer given by Doris McLean of Community of Christ Church.

Members of the Town Board present were Councilmembers J. Paul Shear, Christopher Greene, Robert Geiger, Peter DiCostanzo and Supervisor Casilio. Other Town officials present were Director of Community Development James Callahan, Town Attorney Lawrence Meckler and Town Engineer Timothy Lavocat.

Supervisor Casilio announced that item 12, a request from Kenyon Brothers has been removed from the agenda at the request of the applicant indefinitely.

Motion by Councilman DiCostanzo, seconded by Councilman Geiger to accept the minutes of the special meetings held December 15, 2015, January 2 & 4, 2016. On the question, Councilman Shear said he will abstain as he was not a member of the Town Board at that time. Upon roll call – Ayes: Councilmembers Greene, Geiger, DiCostanzo and Supervisor Casilio; Noes: None. Abstain: Councilman Shear. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Geiger to accept the minutes of the work session and regular meetings held January 20, 2016. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Geiger to appointment Douglas Mutton as Van Driver RPT and Michael Nardolillo Van Driver PT for the Going Places Van at the budgeted rate of pay effective February 11, 2016 and subject to receipt of all pre-employment paperwork and pre-employment requirements being met. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Geiger to appoint Kathleen S. Pumm as Clerk PT effective February 11, 2016 at the budgeted rate of pay and subject to receipt of all pre-employment paperwork and pre-employment requirements being met. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo to set a bid date for Tuesday, March 8, 2016 at 10:00 a.m. to accept sealed bids for the removal of leaf compost from the Town recycling area on Sheridan Drive. The bid price submitted will be per cubic yard loaded and hauled offsite by the successful bidder within 60 days. The volume of material consists of piles totaling 2,290 cubic yards.

On the question, Supervisor Casilio said bid packages will be available in the Office of the Town Clerk and the Highway Department.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Geiger to encumber funds from the 2015 Building Department budget as follows:

\$749.56 from account no. A3620.220 - Books for purchase order 050775.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo to appoint Capital Markets Advisors, LLC as Financial Consultant to the Town Board for 2016 at their standard hourly rate as per their March 25, 2004 proposal.

On the question, Supervisor Casilio said the standard hourly rate has not changed in 12 years.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Geiger that upon the recommendation of Highway Superintendent James Dussing, the Clarence Town Board approves the purchase of 2 – 2016 Jeep Patriots from Dave Warren Chrysler, Jamestown NY at a cost not to exceed \$20,467.00 each for a total of \$40,934.00.

On the question, Supervisor Casilio said the purchase is a piggy back price from the Chautauqua County bid as the most reasonable cost and the funds are available in the Vehicle Replacement Account.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Shear to approve the transfer of funds from the 2015 Law Budget as follows:

\$2,709.00 from account no. 001.1420.0100 Personal Services to account no. 001.1420.0471 - Legal and Professional Services.

\$2,532.00 from account no. 001.1420.0100 Personal Services to account no. 001.1420.0423 – Books and Supplements.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Shear to approve the transfer funds from the 2015 Building Department Budget as follows:

\$5.39 from account no. 001.3620.0220 – Equipment to account 001.3620.0403 – Uniforms, Shirts, and Shoes.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Shear to approve the transfer of funds from the 2015 General Fund Budget as follows:

\$107.50 from account 001.1620.0438 - Light Heat and Power to account 001.1620.0402 - Janitorial Supplies.

\$310.48 from account 001.1620.0438 Light Heat and Power to account 001.1620.454 - Stationary Plant and Equipment Maintenance.

\$165.21 from account 001.1620.0438 Light Heat and Power to account 001.1620.0480 - Going Places Van Maintenance.

\$266.84 from account 001.1620.0438 Light Heat and Power to account 1954.0400 Physicals and Testing.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Geiger to approve the transfer of funds from the 2015 Law Enforcement Budget as follows:

\$99.90 from Account No. 001.3120.0250 – Misc. Equipment to Account No. 001.3120.0272 – Security, Uniforms.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Greene to declare the following Parks Department office equipment as surplus no longer needed for Town purposes: 1-Canon AP250 electronic typewriter.

On the question, Councilman DiCostanzo said this equipment is outdated and will be disposed of at a designated electronics recycling center.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to authorize Supervisor Patrick Casilio to sign the New York State Deferred Compensation Plan - Roth Contribution Participation Agreement effective February 11, 2016. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Greene to approve the transfer of funds from the 2015 Parks Department Budget as follows:

\$5,300.00 from account No. 001.7110.0450 – Maintenance of Buildings and Grounds to 001.7110.0265 - Permanent Improvements

\$ 20.00 from account No. 001.7110.0450 – Maintenance of Buildings and Grounds to account No. 001.7450.450-0017 – Historical Building.

\$ 180.00 from account No. 001.7110.0450 – Maintenance of Buildings and Grounds to account #001.5182.1450- Street Lights Supplies.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Geiger to approve the transfer of funds from the 2015 Recreation Department Budget (Swimming Pools) as follows:

\$ 3,736.27 from account no. 001.7180.0100 - Personal Services to account no. 001.7180.0438 – Light, Heat, Power and Water.

\$ 663.50 from account no. 001.7180.0250 – Tables, Benches, & Umbrellas to account no. 001.7180.0403 – Uniforms – Swim & Gm Suits.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Shear that upon the recommendation of James Burkard, Park Department Crew Chief, Douglas E. Moore is appointed to the position of Auto Mechanic for the Parks Department at Step 1 of the Blue Collar Unit Contract effective February 22, 2016.

On the question, Councilman DiCostanzo said Mr. Moore is currently a Town of Clarence Highway Department Employee as Auto Mechanic and is the most highly qualified applicant with the extensive credentials necessary to fill the position left vacant by the recent retirement of Gary George.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Geiger to approve increasing the current maximum deduction rate allowed for Town of Clarence Employees by the Town of Clarence to contribute to the Flex Spending (FSA) - Reimbursement Account Plan for unreimbursed Medical Expenses from \$1,000 to the 2016 IRS maximum allowed contribution rate of \$2,550.00. There is a one-time charge to NOVA in the amount of \$250.00 to make the change to the plan.

On the question, Councilman DiCostanzo said the Town Employees currently signed up for this benefit may increase their contribution amount up to the maximum deduction allowed if they wish to, and the payroll deduction will be adjusted. Employees are asked to notify the Director of Administration by February 24, 2016 if they want to make this change. In the future, The Director of Administration is directed to adjust the plan to the yearly IRS Rates for both Medical and Dependent Care Flex Spending Accounts.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman DiCostanzo said he went to the opening at Rocky's at Eastern Hills Mall. It is similar to Dave and Busters, but they will have comedy acts and live music in addition to the games.

Motion by Councilman Geiger, seconded by Councilman Shear to post the position of Dog Control Officer FT at Step 1 per the White Collar Union Contract. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Geiger, seconded by Councilman Greene to approve the transfer of funds from the Animal Control Budget as follows:

\$ 15.95 from account no. 001.3510.0475 – SPCA to account no. 001.3510.416 – Gas and Oil.

\$267.64 from account no. 001.3510.0475 – SPCA to account no. 001.3510.451 – Repairs and Maintenance of Vehicles.

\$ 9.37 from account no. 001.3510.0475 – SPCA to account no. 001.3510.474 – Kennel Expenses.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Geiger, seconded by Councilman DiCostanzo that the Clarence Town Board hereby approves the proposal by Crown Castle to amend the current Lease Agreements for the cell towers located on Town property at 8490 County Road and 6185 Goodrich Road and authorizes Supervisor Patrick Casilio to sign the amended agreements, subject to Town Attorney review and approval.

On the question, Councilman Geiger said the terms and conditions of the amendments to the agreements have been agreed upon by both parties.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman Geiger announced that we received a check from Time Warner for franchise fees in the amount of \$132,346.66.

Councilman Geiger recognized Jan Reicis from the Chamber of Commerce.

Supervisor Casilio added that the annual Chamber Citizen of the Year Dinner is next Thursday, February 25th.

Motion by Councilman Greene, seconded by Councilman DiCostanzo to authorize Supervisor Patrick Casilio to sign the Agreement with Lasertron Interactive Entertainment Center for a Field Trip for the Youth Board that will take place on Saturday, April 16, 2016 from 1:30 a.m. until 7:30 a.m. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Greene, seconded by Councilman DiCostanzo to post the position of Youth Activities Leader PT for the Clarence Youth Bureau at the budgeted rate of pay.

On the question, Councilman Greene said the position is due to the resignation of Laura Grande who will be leaving at the end of February.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Greene, seconded by Councilman Geiger to authorize the Supervisor to enter into and sign an agreement with Rotella Grant Management to provide grant writing services to the Town of Clarence for a one year term commencing January 1, 2016 and ending December 31, 2016 at a cost not to exceed \$1,800 per month, subject to review and approval by the Town Attorney's Office.

On the question, Councilman Greene said this contract is for one year and is not automatically renewed at the end of the term.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Greene, seconded by Councilman Geiger to approve the transfer of funds from the 2015 Youth Bureau Budget as follows:

\$ 34.73 from account A7310.0450 – Maintenance of Buildings & Grounds to account A7310.0423 – Books and Supplements.

\$100.00 from account A7310.0450 - Maintenance of Buildings & Grounds to account A7310.432 – Dues and Subscriptions.

\$1,233.44 from account A7310.450 – Maintenance of Buildings & Grounds to account A7310.0435 – Special Programs.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Greene, seconded by Councilman Geiger that the Clarence Town Board recognizes the following to be added to the list of agents for Taking of Deer Management Assistance Program for the 2015-2016 Season: Martin Bronisz of 4611 Shisler Road, Clarence NY and Daniel C. Gamin of 5287 Shadyside Drive, Clarence, NY. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Greene, seconded by Councilman Geiger that at the request of Dawn Kinney, Executive Director of the Clarence Youth Bureau, to approve an unpaid internship for Lauren S. Fish, a student at Erie Community College for the period of February 11, 2016 to and including May 17, 2016 for the Clarence Youth Bureau and to authorize the Supervisor to sign an agreement with the County of Erie and Erie Community College for the internship subject to review and receipt of all the required documentation to be reviewed and approved by the Town Attorney and receipt of a certificate of insurance naming the Town as an additional insured.

On the question, Councilman Greene said Lauren Fish will be interning at the Clarence Youth Bureau under the supervision of Executive Director Dawn Kinney. Ms. Fish is a Social Sciences student who will be seeking work in the Human Services field after earning her degree. Lauren will be shadowing and assisting Ms. Kinney and the Staff in various capacities working with the Youth of the Town of Clarence.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Shear, seconded by Councilman Geiger to approve the transfer of funds from the 2015 Planning and Zoning Department as follows:

\$100.00 from account no. 001.8010.0472 - Master Plan Expenses to Account # 001.8010.0471 - Training and Education.

Upon roll call – Ayes: All; Noes: None. Motion carried.

Town Clerk Nancy Metzger stated for the record that the annual reports of fees and taxes collected in her office were submitted to the Town Board.

Supervisor Casilio said she collected \$77.7 million last year in taxes.

Town Clerk Nancy Metzger added that she also collected \$844,333.15 in fees.

Supervisor Casilio thanked the Highway Supt. James Dussing and Deputy Town Attorney Steven Bengart for attending. He also recognized Jan Reicis from the Chamber of Commerce.

Public Participation

Daniel Gamin thanked the Town Board for the appointment as an agent in the Deer Management Program.

Supervisor Casilio said he will recuse from all discussion on item 11 as he is a member of Clarence Fire Company.

A Public Hearing was held to consider the request for a Special Exception Use Permit for a proposed addition to the existing fire hall that will exceed 20,000 sq. ft. at 10355 Main Street.

James Callahan said the location is on the south side of Main Street east of Strickler Road consisting of the existing fire house in the Clarence Hollow Traditional Neighborhood District. An action under SEQRA has been completed and the Planning Board has forwarded a recommendation.

Bob Shepardof Stieglitz Snyder Architecture and James Schlabach, Commissioner of Clarence Fire District No. 1 were present.

Councilman Shear said this was reviewed by the Planning Board.

With no one speaking to the subject, motion was made by Councilman DiCostanzo, seconded by Councilman Geiger to close the public hearing. Upon roll call – Ayes: Councilmembers Shear, Greene, Geiger and DiCostanzo; Noes: None. Recuse: Supervisor Casilio. Motion carried.

Motion by Councilman Geiger, seconded by Councilman Shear to adopt the following resolution:

RESOLVED, that after a public hearing duly held on February 10, 2016 and after all interested parties having been heard, the Clarence Town Board grants a Special Exception Use Permit to allow for an addition to the existing fire hall located at 10355 Main Street that will exceed 20,000 sq. ft. subject to the following conditions: 1. Waive Open Space Fees.

On the question, Councilman DiCostanzo said this project does not include recreation fees. We have waived the fees for other fire hall projects.

Upon roll call – Ayes: Councilmembers Shear, Greene, Geiger and DiCostanzo; Noes: None. Recuse: Supervisor Casilio. Motion carried.

Supervisor Casilio said as mentioned earlier, Kenyon Brothers is removed from the agenda.

Towne Automotive Group requests a Public Hearing to consider a Special Exception Use Permit for an automotive dealership for Towne Maserati/Alfa Romeo at 8226 Main Street. James Callahan said the location is the north side of Main Street, west of Westwood Road in an existing commercial plaza in the Commercial Zoning classification. The applicant is proposing modifications to accommodate the dealership. The Planning Board has forwarded a recommendation on the project.

Bill Wincott of DR Chamberlin Corp. was present representing Towne Automotive Group. They have met with the Planning Board and went over some changes. It will be setback in line with Towne Mini next to it.

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo to set a Public Hearing for March 2, 2016 at 7:15 p.m. to consider the request for a Special Exception Use Permit for an automotive dealership for Towne Maserati/Alfa Romeo at 8226 Main Street. Upon roll call – Ayes: All; Noes: None. Motion carried.

Natale Builders requests Amended Concept Approval to allow for an amended design to a previously approved Open Space Design Development known as Creekwood Meadows Subdivision. James Callahan said the location is on the north side of Roll Road, west of Newhouse Road for a previously approved Open Space Design Subdivision.

Ken Zollitsch of Greenman Pederson, Angelo Natalie and Larry LaDuca of Natale Builders were present. Ken said this is a 30-lot subdivision that was previously approved for a different owner. The wetlands have expanded on the site causing them to reduce the footprint. They have also reduced the lot sizes to better meet the product that they want to build. There is over 50% open space as required. The density includes 32 lots.

James Callahan said the previous plan was approved under the current subdivision and zoning laws for open space design. It complies with current standards.

Supervisor Casilio asked if this is going to be built as a normal subdivision or with energy saving characteristics.

Mr. Natale said it will have all of the energy efficiencies without a windmill. They will introduce the solar and green standards similar to Rivera Greens off of County Road.

Councilman Shear said from prior discussions regarding the single entrance and the large cul-de-sac, they were going to seek emergency access from the street behind to the north.

Mr. Natale said they have been actively pursuing that access. He feels confident that they will obtain the access.

Councilman Shear said based on comments from Harris Hill Fire Department, they have a concern with house numbers and trying to find them.

Mr. Natale said they will work on that.

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo to refer the request for Amended Concept Approval to allow for an amended design to a previously approved Open Space Design Development known as Creekwood Meadows Subdivision to the Planning Board. Upon roll call – Ayes: All; Noes: None. Motion carried.

Dunn Tire requests Preliminary Concept Review of a proposed addition/remodel to an existing commercial structure to allow for a new Dunn Tire Store at 6585 Transit Road. James Callahan said the location is the east side of Transit Road, north of Miles Road consisting of an existing commercial structure in the Commercial Zone. The applicant will also require a setback variance.

Sean Hopkins representative and Dave Simons of Dunn Tire were present. This property was previously used for automotive use. They propose to incorporate the existing building into the plan with an addition. They would like to cover the front façade to improve the look of the building. That requires a 70 ft. setback. The lot is 1.87 acres and they have no plan for the rear portion. They will reduce one curb cut and keep as much parking away from the front as possible.

Supervisor Casilio said there was discussion about getting away from painted block, especially on the south elevation. He would like to see something done different with the block.

Sean Hopkins said they can certainly look at it. The first thought was to improve the façade facing Transit Road.

Motion by Supervisor Casilio, seconded by Councilman Shear to refer the request for a proposed addition/remodel to an existing commercial structure to allow for a new Dunn Tire Store at 6585 Transit Road to the Planning Board with consideration to do something with the block other than just painting. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Geiger to approve the following: Clubhouse Applications - A. Clarence Fillmore Cemetery – Feb. 17, 2016; B. Clarence American Legion Auxiliary Unit 838 – Feb. 26 – 28, 2016; C. Clarence Girl Scouts – March 5 & 6; May 15, 2016; Legion Hall Applications - A. Karen Jurek – March 5, 2016; B. Girl Scout Troop 31498 – March 11, 2016; C. Tracie Henderson – March 20, 2016; D. Jennifer Pusloskie – April 9, 2016; E. Sally Moore - April 23, 2016; F. Jean Ranney – May 15, 2016. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Geiger that after proper audit and review by the Town Board, the following bills of January 28, 2016 are approved for payment: General Fund - \$184,057.88; Highway Fund - \$106,415.03; Water District - \$1,333.29; Fire Protection Districts - \$1,460.62; Drainage District - \$207.18; Lighting Districts - \$564.43; Sewer Districts - \$270.87; Capital Fund - \$140,148.70; and Trust and Agency 203 - \$16,006.25 for a total amount of \$450,464.25. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Shear that after proper audit and review by the Town Board, the following bills of February 11, 2016 are approved for payment: General Fund - \$146,355.10; Highway Fund - \$65,196.78; Water District - \$1,768.80; Drainage District - \$251.75; and Capital Fund - \$145,930.56 for a total amount of \$359,502.99. Upon roll call – Ayes: All; Noes: None. Motion carried.

There being no further business, Supervisor Casilio adjourned the meeting at 7:55 p.m. in honor of Paul McCarthy who held many positions in the Town, including Town Supervisor.

Nancy C. Metzger
Town Clerk