

Organizational Meeting of the Town Board of the Town of Clarence was held on Wednesday, January 8, 2014 at the Clarence Town Hall, One Town Place, Clarence, New York. Supervisor David Hartzell called the meeting to order at 7:00 p.m.

Pledge to the flag was led by Patrick and Adam Dussing and James DiCostanzo. Prayer was given by Lawlor Quinlan.

Installation of newly elected officials:

Councilman Patrick Casilio was installed by his wife Susan Casilio.

Councilman Peter DiCostanzo was installed by his wife Colleen DiDostanzo.

Highway Supt. James Dussing was installed by his wife Tracey Dussing and his father Donald Dussing.

Members of the Town Board present were Council Members Robert Geiger, Peter DiCostanzo, Patrick Casilio, Bernard Kolber and Supervisor Hartzell. Several other Town officials and employees were also present.

Motion by Councilman Casilio, seconded by Councilman Kolber to accept the minutes of the work session and regular meetings held December 18, 2013. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Supervisor Hartzell, seconded by Councilman Kolber to award the bid for the purchase of a 2014 One Ton Truck Dual Rear Wheel 4x4 Cab & Chassis w/9' Foot Dump Body for the Highway Department to West Herr Ford, 5025 Camp Road, Hamburg, NY for an amount not to exceed \$34,002.00.

On the question, Supervisor Hartzell said West Herr Ford was the lowest responsible bidder. Funds for the truck will be encumbered from the Highway Equipment Account for delivery in early 2014.

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

Motion by Councilman Kolber, seconded by Councilman Casilio to approve the transfer of funds from the 2013 Justice Court Budget as follows: \$700.00 from budget line 001.1110.470 – Expense and Travel to budget line 001.1110.469 – Drug Court Expenditures. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman Kolber said he wanted to thank James Dussing for the great job he is doing already being new to the position. He has had to deal with the flooding issue and a blizzard going through. Councilman Kolber said we appreciate all he and his crew have done. They did a super job.

Councilman Casilio said he agrees that they did a great job. He added that when he began his tenure, the Town Board made the move to get the Disaster Coordinator a better vehicle to do his job. The advantage to having the Yukon is it can move through some of the floodwaters much better than a car. David Bissonette and David Baumler did their best to keep everyone informed as to what was going on. The Highway Department did a good job. He also thanked Town Security for their help in blocking off the roads.

Motion by Councilman DiCostanzo, seconded by Councilman Geiger to approve the transfer of funds from the 2013 Recreation Department Budget as follows:

\$1,274.89 from budget line 001.7180.0250 – Equipment  
to budget line 001.7180.015 - Chemicals

\$2,687.56 from budget line 001.7180.0250 – Equipment  
to budget line 001.7180.0450 – Printing and Advertising

On the question, Councilman DiCostanzo said the transfers are being made due to the optimal summer weather, the pool was closed less than usual and the first time for the Fall Brochure printing and mailing.

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

Councilman Geiger said he would like to thank the Disaster Coordinators, Highway Department and Security Department.

Motion by Councilman Geiger, seconded by Councilman Casilio to approve the following budget line transfers from the 2013 Budget: \$358.00 from budget line 001-1680.0479 Computer Software/Maintenance to budget line 001.1680.0220 – Computer Equipment. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Geiger, seconded by Councilman Kolber to authorize Supervisor David Hartzell to sign the ESI Employee Assistance Program Renewal Agreement for the period of February 1, 2014 through January 31, 2015 subject to review and approval by the Town Attorney. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman Geiger said the new entrance project at the Senior Center is going well and thanked everyone who assisted in getting the grant.

Motion by Councilman Kolber, seconded by Councilman Casilio to approve the following items 1 – 10:

1. **Town Board Meetings:**

Regular Town Board meetings will be held on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday at 7:30 p.m., except as noted:

April	2 and 16
November	5 and 19
December	3 and 17

Work Session to start at 6:00 p.m.

Work Sessions may be held at 9:00 a.m. on the first Wednesday of each month, as called by the Supervisor.

2. **Agenda Format:**

1. Call to Order
2. Pledge to the Flag
3. Prayer
4. Roll Call
5. Minutes of Previous Meeting
6. Supervisor's Report
7. Council Reports
8. Public Announcements
9. Departmental Reports
10. Public Participation (Limit of 3 minutes on Town Board Member and Department Reports only.)
11. Balance of Agenda Items (Limit of 3 minutes for public participation on Agenda Items)
12. "For the Good of the Town" (Limit of one minute)

**NOTE:** Council members shall vote by reverse seniority, with the Supervisor voting last.

3.1 **Agenda Policy for all non-land use projects or items** - any person or entity wishing to be placed on the Agenda must notify the Town Clerk with subject matter by 4:30 p.m. on Wednesday prior to the Wednesday Board Meeting. The Supervisor upon consultation with the Town Board may make exceptions.

3.2 **Agenda Policy for Land Use Proposals** –All proposed land use projects or items to be placed on the Town Board agenda must have all appropriate applications or approvals completed and submitted, including appropriate fees, to the Planning & Zoning Department on or before 4:30 pm of the Wednesday the week before the Town Board meeting.

- If the item is a new application, then it may be placed on the Town Board's Work Session to determine an appropriate review process. The item may be placed on the next available Town Board Agenda.
- **Exceptions:**

- a. Any item on a Planning Board agenda the Wednesday before a Town Board meeting that receives a Planning Board recommendation, be it approval or denial, may be placed on the next Town Board Work Session.
- b. Case-by-case determination by the Town Supervisor in consultation with the Planning & Zoning Department.

**3.3 Agenda Policy for Town Board Notification Policy for Land Use Proposals:**

This policy is developed in accordance with Master Plan 2015, Chapter VIII, page 32, to allow for the public to have a voice in local land use decisions. This policy supersedes but does not replace any notice required by law.

- Unless required by law, an item’s first appearance on any Town Board agenda does not require any additional notification.
- Any and all items referred to the Planning Board shall be noticed for the Planning Board’s first agenda. All above-mentioned notices shall be sent by the Planning & Zoning Department by first class mail to property owners within five hundred feet (500’) from the subject property. Notification of an item on any other future meeting may be sent at the discretion of the Director of Community Development, the Planning Board Chairperson, or Planning Board Executive Committee.

After the Planning Board’s first meeting regarding the proposed project, all affected property owners may stay involved by visiting the Town’s Website, speaking with Town staff in the Planning and Zoning Department, or by reading the Clarence Bee, where such notices and agendas are published. Also, all meeting agendas are posted in Town Hall as required by Town Law.

**4. Town Hall Offices:**

Supervisor	-Week Days 8:30 a.m. – 4:30 p.m.
Town Board	-Week Days 8:30 a.m. – 4:30 p.m.
Town Clerk	-Week Days 8:30 a.m. – 4:30 p.m.

Town Attorney	-Week Days 8:30 a.m. – 4:30 p.m.
Court	-Week Days 8:30 a.m. – 4:30 p.m.

Note: Window Hours 8:30 a.m. – 4:00 p.m.

Administration & Finance	-Week Days 8:30 a.m. – 4:30 p.m.
Zoning Office	-Week Days 8:00 a.m. – 4:30 p.m.
Zoning Office – Clerical	-Week Days 8:30 a.m. – 4:30 p.m.
Assessor	-Week Days 8:30 a.m. - 4:30 p.m.

**Highway and Parks Departments:**

Office Hours - Clerical	-Week Days 8:00 a.m. – 4:00 p.m.
Shop Hours & All Others	-Week Days 7:00 a.m. – 3:30 p.m.

**Engineering and Building Departments:**

Office Hours - Clerical	-Week Days 7:30 a.m. - 3:30 p.m.
Hours for all Others	-Week Days 7:00 a.m. – 3:30 p.m.

**Youth & Recreation Departments:**

-Week Days 8:30 a.m. – 4:30 p.m.

- 5. All items which pertain to conditions of employment, pay, vacation and the like are applicable to employees not covered under collective bargaining agreement (except seasonal, part-time and temporary).
- 6. To amend the Town of Clarence Town Policy Manual making the following changes:
  - a. Section 500 -506 Expense Reimbursement
- 7. Adoption of Employee’s Salary Schedule as within the 2014 Adopted Budget except as noted in the Organizational Minutes.
- 8. New York State Retirement: The Town shall pay for all employees under the Retirement Plan Section 75-1.

9. All appointments are contingent upon completing and filing the annual Ethics Disclosure. Failure to do so will automatically revoke such appointment.

10. Holidays:

January 20, 2014	Monday	Martin Luther King Day
February 17, 2014	Monday	Presidents' Day
April 18, 2014	Friday	Good Friday
May 26, 2014	Monday	Memorial Day
July 4, 2014	Friday	Independence Day
September 1, 2014	Monday	Labor Day
October 13, 2014	Monday	Columbus Day
November 11, 2014	Tuesday	Veterans' Day
November 27, 2014	Thursday	Thanksgiving Day
November 28, 2014	Friday	Thanksgiving Holiday
December 24, 2014	Wednesday	Christmas Eve ½ Day
December 25, 2014	Thursday	Christmas Day Holiday
January 1, 2015	Thursday	New Year's Day Holiday

**NOTE:** Employee must work the day before and the day after the holiday to be paid unless on vacation or approved paid sick or personal leave.

\*Christmas Eve ½ day Holiday occurs only when Christmas falls on Tuesday thru Friday.

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

Motion by Councilman Casilio, seconded by Councilman Kolber to approve the following items 11 – 20:

11. Designation of Trick or Treat Night on Friday, October 31, 2014 from 5:00 p.m. to 8:00 p.m.

12. March 11, 2014 is proclaimed Founder's Day in honor of Asa Ransom, the first settler and one of the founders of the Town of Clarence.

13. Longevity payments: Except for elected officials, longevity will be paid to full time employees in accordance with the following schedule in a lump sum payment in a separate check in the pay period of the employee's affected anniversary date.

5 – 9 years of full-time service	\$ 875.00
10 – 14 years of full-time service	\$ 1,000.00
15 – 19 years of full-time service	\$ 1,075.00
20 – 24 years of full-time service	\$ 1,175.00
25+ years of full-time service	\$ 1,325.00

14. Any employee who is an active Volunteer Fireman may, with Department Head approval, respond when needed, to any working fire, first aid or mutual aid call within the Town of Clarence and within their fire district. Log in/out procedures per Section 604 of the Town Personnel Policy Manual.

15. Residency Requirement as set forth in the Town of Clarence Local Law 1-2004, code 39.11-39.15.

16. Approval for all Elected Officials, Code Enforcement Officers, Town Engineer, Civil Engineer Provisional, Clerks to Town Justice, Director of Administration and Finance, Zoning Department, Town Attorney and Assessor's Office to attend their respective association meetings with reasonable and necessary expenses to be paid by the Town. All meetings must have Department Head approval prior to attending. Pursuant to General Municipal Law §77-c, a per diem allowance in accordance with the rates adopted for federal income tax purposes will be allowed and paid in lieu of actual and necessary expenses.

17. **Use of Vehicles:** Upon advance Town Board approval, employees using personal vehicles for official Town business shall be paid a mileage allowance in accordance with IRS rates. No Town vehicles will be allowed to leave the Town except when on official business and with prior Department Head approval. The only Town vehicles which may be taken home after regular working hours will be those used by the Supervisor, Parks Crew Chief, Highway Superintendent, Highway Deputy Superintendent, Parks and Highway General Crew Chiefs, Town Engineer, Civil Engineer Provisional, Dog Control Officer, Dog Control Officer RPT, Director of Community Development, Junior Planner, Code Enforcement Officers, Sr. Code Enforcement Officer and Plumbing Inspector.
18. **Use of Cell Phones:** The following positions may be provided a cell phone or have the option of receiving payment on a quarterly basis at the current average rate of the Town's billed rate for cell phones: Town Supervisor, Town Board Members, Director of Community Development, Town Attorney, Deputy Town Attorney, Town Engineer, Civil Engineer, Engineering Aide, Highway Superintendent, Deputy Highway Supt., Parks Crew Chief, Parks and Highway General Crew Chief, Code Enforcement Officers, Senior Code Enforcement Officer; Plumbing Inspector, Executive Director of Youth Board, Youth Department (1), Assessor, Dog Control Officer, Dog Control Department (1), Emergency Management (2), Security Officers (2) Security Department (1). The Town's cell phone policy Section 510 should be followed for the use of cell phones.
19. All mail will be distributed by the Supervisor's Office.
20. All appointments are for the year 2014 unless otherwise noted or unless otherwise set forth by law.

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

Motion by Councilman DiCostanzo, seconded by Councilman Casilio to approve the following items 21 - 34:

21. The Supervisor is the appointing officer for the Town of Clarence pursuant to the New York State Civil Service Law. The appointing officer's responsibilities include signing appointment and personnel change forms submitted to Erie County Department of Personnel, certifying the Civil Division payroll, making sure it is accurate and in accordance with Civil Service Law and canvassing candidate eligibility lists assuring all procedures under the Civil Service Law are followed.
22. The Town Board approves the recommendation of Judge Powers for the appointment of Mary Zimmerman as his Clerk to the Town Justice. The Town Board approves the recommendation of Judge Sillars for the appointment of Marilyn Taton as his Clerk to the Town Justice.
23. Appointment of David Wetzler, Guy Fleming, John Micciarelo, Thomas Fulton, Karl King, Kenneth Stevens and James Budniak as Security Officer PT in the court office at the rate of \$16.96 per hour – minimum pay of two (2) hours. Appointment of Guy Fleming, Security Officer-Court Office as Supervisor in charge of equipment and scheduling of officers at a stipend of \$250.00 per year.
24. Appointment of Shirley Moore, Amy Major, Diane Nardolillo, Kelly Klemann, Evelyn Messineo, and Theresa Casey as Clerks P/T at the rate of \$12.55 per hour. Appointment of Deborah Griffiths as Clerk PT at the rate of \$13.13 per hour.

Appointment of Robin Sendbeck as Clerk PT in the Supervisor/Town Board Office at the rate of \$14.61 per hour. Appointment of Diane Petrik-Huben as

Clerk PT in the Youth and Recreation Departments at the rate of \$13.13 per hour.

All Clerks-P/T will be called by the Supervisor's Office upon request from the Department Head. No payment will be authorized if this procedure is not followed.

Appointment of Vincent Delgato as Van Driver, RPT, Donald Marinelli Van Driver PT and Camille O'Reilly as Substitute Van Driver at the rate of \$12.18 per hour.

Appointment of Camille O'Reilly as Laborer-RPT at the rate of \$13.98. Appointment of Robert Dickinson as Laborer PT at the rate of \$13.98.

Appointment of Anne Cimato, Donna Giezycki and David Mathis as Dog Control Officers-RPT at the rate of \$13.58 per hour.

25. Town Clerk Nancy Metzger appoints Darcy Snyder and Gayle Brace as Deputy Town Clerks. Appointment of Nancy Metzger as Registrar of Vital Statistics, Records Management Officer and FOIL Records Officer, Darcy Snyder as Deputy Registrar of Vital Statistics and Gayle Brace as Sub Registrar of Vital Statistics with all fees for registrar services remitted to the Town of Clarence General Fund.
26. Appointments in the Legal Department as follows:
  - a. Lawrence M. Meckler as Town Attorney for two-year term to expire 12/31/2015 at an annual salary of \$29,500.00. *(Note this is the first year of another two-year term).*
  - b. Steven Bengart as Deputy Town Attorney with a term to expire 12/31/2014 at an annual salary of \$45,000.00.
  - c. Peter Vasilion as Town Prosecutor PT with a term to expire 12/31/2014 at an annual salary of \$12,000.00.
  - d. Jonathan Hickey as Town Prosecutor PT with a term to expire 12/31/2014 at an annual salary of \$11,000.00.
  - e. Cynthia Rosel as Paralegal.  
*(Note: Both the Town Attorney and Deputy Town Attorney are also registered with the District Attorney's Office to be a prosecutor as needed).*
27. Appointment of Timothy Lavocat, P. E. as Town Engineer - Department Head for the Engineering and Building Departments and Administrator of Flood Plain and Town Sewer Districts for a two year term to expire 12/31/2015.  
*(Note: This is the first year of another two-year term).*
28. Appointment of Joseph Lancellotti, Civil Engineer Provisional as Deputy Flood Plain Administrator.
29. Appointment of Lauri Plis as Accountant RPT in the Accounting Department.
30. Appointment of David Bissonette as Natural Disaster Services Coordinator and David Baumler as Area Director of Civil Defense to coordinate emergency services.
31. Appointment of Joseph Meacham and Anthony Haas as Security Officer PT at the rate of \$15.80 per hour. Appointment of William O'Donnell, Alan Wolbert, Roseanne Goetz, Rita Savage, Ronald Kline, George Brown, James Schmigiell, Robert Sugg, Adam Muchow, Phillip Montante, III, Donald Linde, Michael Small, Andrew Smith, Evan Biddlecom, Erick Biddlecom and Todd Trapper as Security Officer PT at the rate of \$14.00 per hour.
32. Appointment of School Crossing Guards for the terms of March 3, 2014 through June 24, 2014 *(end of school year and start back first day of school)* September 3, 2014 through November 26, 2014: Rhonda Carpenter and Lorraine Hunt. Appointment of Arnold Castren and as Substitute Crossing Guard.

33. The Town Board approves the recommendation of the Highway Superintendent James Dussing to appoint Charles McNiff as Deputy Highway Superintendent, Paul Englert as General Crew Chief, Gail Englert as Confidential Secretary to Highway Superintendent and Camille O'Reilly Laborer-RPT.
34. The Deputy Highway Superintendent, General Crew Chiefs, Deputy Town Clerks, Secretary to the Superintendent of Highways, Secretary to the Supervisor, Junior Planner, Court Clerks, and Program Leader-Youth shall be compensated at time and a half for all hours worked over normal work week. At the discretion of the Department Head, the above employees would be eligible for four (4) hours call-in pay at the applicable straight or overtime rate for each call-in that occurs following the employees' normal work day. In the event a call-in occurs two (2) hours or less before the employee's normal starting time, the minimum pay at the discretion of the Department Head could be two (2) hours of pay at the applicable straight or overtime rate. Flex Time may be used in lieu of overtime for the above listed non-union employees during the week in which the employee worked over their normal work day schedule.

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

Motion by Councilman Geiger, seconded by Councilman Kolber to approve the following items 35 – 58:

35. Appointment of Clifford O. Trapper as Recreation Director II P/T. Appointment of Christopher Durr as Deputy Recreation Director P/T.
36. Appointment of James Burkard as Parks Crew Chief and Administrator of Street Lights. Appointment of Robert Linde as General Crew Chief in the Parks Department.
37. Appointment of James Callahan as Director of Community Development. Appointment of Jonathan Bleuer as Junior Planner.
38. Appointment of James Callahan as Affirmative Action Officer for the Town of Clarence for a three-year term, to expire 12/31/2015. *(Note: The Affirmative Action Officer is a person who should be knowledgeable of Federal and State Fair Housing Laws, be available to respond to local housing discrimination complaints, and when appropriate, refer such complaints to Housing Opportunities Made Equal (HOME), or U.S. Department of Housing Urban Development).* *(Note: this is the second year of a three year appointment).*
39. Appointment of Pamela CuvIELLO as Director of Administration and Finance.
40. Appointment of Dawn Kinney as Executive Director-Youth Board, Jessica Notarius as Program Leader-Youth, Provisional, Deanna Brace as Youth Activities Leader RPT, Provisional at the rate of 11.09 per hour and Chelsea Venditti, Youth Activities Leader PT at the rate of \$9.79 per hour.
41. Petty cash allowed for Town Clerk - \$300.00; Justice Court - \$50.00 for each Judge and Engineer - \$50.00.
42. Grant a one year leave of absence to Karen Jurek from the Civil Service Senior Clerk position in the Parks Department effective 1/1/2014 to continue as Confidential Secretary to the Supervisor.
43. Appointment of Karen Jurek as in-house Computer Network Coordinator and Web Site Coordinator with a stipend per the 2014 Budgeted rate.
44. Appointment to the Arboretum Advisory Committee for a one year term: Stephen Murtaugh, James Burkard, Roy McCready, Todd Norris, Peter Wolfe and Robert Fogelsonger.

45. Appointment to the Audit Committee for a one-year term: Councilman Peter DiCostanzo, as a member of the Town Board, Margaret Weglarski and Richard Forrestel Jr.
46. Appointment to the Avoidable Alarm Committee for a one-year term: David Metzger, Building Department Representative, Nancy Gugino and David Stengel.
47. Appointment to the Cable Television Advisory Committee for a one-year term: Julie Ann McCullough, Chuck Eckert and Henry Becker. *(There are currently two openings)*.
48. Appointment to the Capital Projects Committee for a one-year term: Town Supervisor, Director of Community Development, Town Engineer, Highway Superintendent, Parks Crew Chief, Director of Administration & Finance and Patrick Casilio, member of the Town Board.
49. Appointment to the Clarence Hollow Community Character Protection Board for a one-year term: William Henderson, Scott Kreher and Robert Lenz.
50. Appointment to the Clarence Center Community Character Protection Board for a one-year term: David Hallock, David Mosher and Mary Schutte.
51. Appointment to the Community Residence Committee for a one-year term: Eileen McCallister, Lynette McConnell, David D'Amato and Jeff Wang. *(There is currently one opening)*.
52. Appointment to the Conservation Advisory Council for a term to expire 12/31/2016: Linda Costanzo, Dennis Londos and Margaret Walker. Appointment of Peter Wolfe as Chairperson for a one-year term. *(There are currently two openings with terms to expire 12/31/2015 & 12/31/2016)*.
53. Appointment to the Ethics Board with a term to expire 12/31/2018: David D'Amato and Albert Schultz. *(There are currently two openings on the Ethics Board, one with a term to expire 12/31/2015 and one with a term to expire 12/31/14 for a non-democrat)*.
54. Appointment to the Fire Advisory Board for a one-year term: The elected year 2014 Fire Chiefs from Clarence, Clarence Center, East Amherst, Harris Hill, Rapids and Swormville Volunteer Fire Companies.
55. Appointment to the Historic Preservation Commission for a four-year term to expire on 12/31/2017: Thomas Steffan and Mark Woodward. Appointment of Andrea Sammarco to an opening, with a term to expire 12/31/2014. Appointment of Linda Mosher as Chairperson for a one-year term and Carol Cornwall as Vice Chairperson/Secretary for a one-year term.
56. Appointment to the Clarence Industrial Development Agency for a one-year term: Clayton Ertel, Mary Powell, Christopher Kempton, Michael Buettner, David Schuster, Elaine Wolfe and David Hartzell.
57. Appointment to the Landscape Review Committee for a one-year term: Robert Sackett, as member of the Planning Board, and James Burkard. *(There is currently one opening)*.
58. Appointment to the Clarence Library Board for a five-year term to expire 12/31/2018: Joan Schultz.

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

Motion by Supervisor Hartzell to approve items 59 – 77: (see motion below)

59. Appointments to the Planning Board: Appointment of Robert Sackett as Chairperson, Paul Shear as 1<sup>st</sup> Vice Chairperson, and Wendy Weber-Salvati as

- 2<sup>nd</sup> Vice Chairperson for a one-year term. Appointment of Steven Dale as Alternate for a one-year term. *(There is currently one opening with a term to expire 12/31/2020).*
60. The Sign Review Board shall consist of the Planning Board Chairperson and two members of the Planning Board.
  61. Appointment to the Municipal and Farmland Protection Committee for a one-year term: Daniel Corbett, Keith Dawydko, Melvyn Hedges, Joanne Jackson, Brett Kreher, John Leamer, Hans Mobius. *(There are currently two openings)*
  62. Appointment to the Plumbing and Drainage Board for a one-year term: Larry Merkle, Richard Haag, Daniel Loudenslager, Joseph Lancellotti (as representative of Engineering Dept.), and Timothy Lavocat as Chairperson.
  63. Appointment to the Recreation Advisory Committee for a one-year term: Michael Powers, Peter Wolfe, Margaret Walker, Joel Radder and James Burkard. *(There are currently two openings).*
  64. Appointment to the Senior Center Board for a three-year term to expire 12/31/2016: Henry Becker, Violet Oldenski, Paul Schulz and Daniel Bobbett. Appointment of George Gardner and Carolyn Giovini to fill openings, with a term to expire 12/31/2014.
  65. Appointment to the Traffic Safety Advisory Board for a one-year term: John Wind and Joseph Nemmer. *(There is currently one opening).*
  66. Appointment to the Youth Board for a three-year term to expire 12/31/2016: Brendan Biddlecom, Karen Montelenone, Darlene Schaefer. *(There is currently one opening with a term to expire 12/31/2016).*
  67. Appointment to the Zoning Board of Appeals for a five-year term to expire 12/31/2018: Daniel Michnik. Appointment of Gregory Thrun to fill an opening with a term to expire 12/31/2016. Appointment of Daniel Michnik as Chairperson for a one-year term and Ryan Mills as Vice-Chairperson for a one-year term. *(There is currently one opening for an Alternate for a one year term to expire 12/31/2014).*
  68. Approval of the Investment Policy, Procurement Policy and Policy Manual for the Town of Clarence, which are available from the Offices of the Supervisor or the Town Clerk. *(Note the Procurement Policy is attached with 1/1/14 update.. The Policy Manual updates for 1/1/14 are noted in item number 6 of the organizational minutes).*
  69. Appointment of Supervisor as 504/ADA Officer for Erie County Community Development Program.
  70. Appointment of Lumsden & McCormick, LLP as Auditors and Drescher & Malecki and Capital Markets Advisor, LLC. as Financial Consultants to the Town Board at their standard hourly rates.
  71. The Town Board authorizes:
    - a. The Assessor to bill, and the Supervisor's office to collect for the Town's PILOT agreements for all IDA inducements.
    - b. The Town Clerk to bill and collect for Avoidable Alarm charges.
    - c. The Engineering Department to bill and the Town Clerk's Office to collect for Property Maintenance charges. If payments are not made, the charges will be added to the tax rolls.
    - d. The Dir. of Administration and Finance to bill and the Town Clerk's Office to collect for sewer district charges as necessary. If payments are not made, the charges will be added to the tax rolls.

72. Appointment of Manufacturers and Traders Trust Co., Key Bank/Clarence Office, Bank of America/Transit Road Branch, Bank of Akron/Clarence Center and Main Street Branches, Citizens Bank, JP Morgan Chase Bank, First Niagara Bank, Northwest Savings Bank, Lake Shore Savings and Evans Bank as depositories for the Town of Clarence.
73. Minutes of the Town Board meetings will be on the Town's website at the Town Clerk's discretion.
74. All Boards and Committees are reminded that they are subject to the Open Meetings Provisions of the Public Officers Law.

For all meetings scheduled at least one week in advance, public notice of the time and place of the meeting must be given to the news media and posted on the Town Hall /bulletin board at least 72 hours in advance. Whenever possible, the meeting schedule for the entire year shall be posted in January.

Minutes of all Meetings subject to the Open Meetings Law must be filed with the Town Clerk within 2 weeks.

Minutes of Executive Sessions must be filed with the Town Clerk within one week.

75. Committee and Board appointments made during the year shall be brought up at a work session and then acted upon at the next Town Board Meeting after thorough review.
76. Set Public Hearing date of February 26, 2014 at 7:45 pm for the Annual review of the Master Plan.

**77. Adopt the following resolutions pertaining to the Highway Department:**

**Resolved**, that pursuant to the provisions of section 284 of the Highway Law, Town Board agrees that the monies levied and collected for the repair and improvement of highways, and received from the state for the repair and improvement of highways, shall be expended as follows:

The sum of \$1,759,437 may be expended for general repairs upon 122.82 miles of Town Highways including sluices, culverts, and bridges (having a span of less than five (5) feet and boardwalks or the renewal thereof.

Miscellaneous road resurfacing: Bryant & Stratton Way, Gott Creek Lane and various roads in the Little Garden area in Harris Hill.

**Resolved**, that pursuant to Section 143 of Highway Law, the Town Board authorizes the Town Superintendent of Highways to rent or hire equipment within the approved 2014 budgetary appropriations.

**Whereas**, Section 103 of the General Municipal Law requires public bidding for purchases of equipment in excess of \$10,000.00 and

**Whereas**, the Highway Superintendent of the Town of Clarence makes numerous purchases from time to time throughout the year in total amount not to exceed the annual budget, and

**Whereas**, pursuant to Section 142 of the Highway Law it is desirable for the Town Board to authorize the Highway Superintendent to purchase said equipment, tools and other implements in excess \$1,000.00 and

**Now therefore be it resolved**, that the Highway Superintendent is hereby authorized to purchase without prior approval of the Town Board, equipment, tools and other implements to be used for highway maintenance, construction, or reconstruction, snow plows or other devices for the removal of snow from highways in a sum not to exceed the limitations as prescribed under 103 of the General Municipal Law as amended from time to time.

The Town Board has adopted a purchasing procedure in accordance with section 104B of the General Municipal Law. The Highway Superintendent will comply with that procedure.

The Town Board authorizes the Highway Superintendent and/or the Deputy Highway Superintendent to attend all functions of Erie County Highway Superintendent's Association, New York State Highway Superintendent's Association 2014, along with the Town Engineer. All reasonable expenses will be covered by the Town of Clarence.

Councilman Casilio said he would like to second the motion if the Supervisor would amend item 59. to reappoint Tim Pazda as a member to the Planning Board with term to expire 12/31/2020.

Supervisor Hartzell said he will not amend his motion. One of the things they talked about at a work session is to interview. We have been asking for the last four weeks for people to send in resumes to see if they would like to be on the Planning Board. To appoint him to a seven year term and throw the resumes in the garbage would be disrespectful to the residents who applied. He would be happy to appoint Tim Pazda after they review the applications and if he is the best candidate.

Councilman Casilio said he will rescind his second. They talked about accepting applications for possible alternate seats that may open up, and not for people with current positions on the board.

Councilman Geiger said he thinks there is a misunderstanding about that meeting. It was discussed that they would solicit applications for future openings. It was his understanding that all members who wished to stay on would be reappointed.

Supervisor Hartzell said he will withdraw his motion.

Motion by Councilman Casilio, seconded by Councilman Kolber to approve items 59 – 77 as read with the addition to item 59. appointment of Tim Pazda as a member to the Planning Board with term to expire 12/31/2020. On the question, Supervisor Hartzell said he disagrees with this and feels bad for everyone who sent in their resume. Upon roll call – Ayes: All; Noes: None. Motion carried.

Supervisor Hartzell made the following appointments for 2014: Karen Jurek, Confidential Secretary; Lawrence Meckler, Deputy Supervisor; Mark Woodward, Town Historian and Hans Mobius to serve on the Right-to-Farm Resolution Committee for a term of one year.

Supervisor Hartzell asked each Councilman to read their liaison assignments for 2014.

Councilman Kolber said he will be liaison to the following: Clergy Association, Community Residences, Computers, Historical Preservation, Law-Legislation; Library and Service Organizations.

Councilman Casilio said he will be liaison to the following: Arboretum Committee; Avoidable Alarms; Building/Engineering; Emergency Services; Fire Companies; Labor Management; Parks Security; Public Safety Issues & Recycling; Public Utilities/Street Lights; Master Sewer; Sewer District; Sidewalk Task Force; and Traffic Safety.

Councilman DiCostanzo said he will be liaison to the following: Accounting Department; Assessors; Ethics; Insurance; Parks Department; Planning; Recreation Department; and Zoning Board of Appeals.

Councilman Geiger said he will be liaison to the following: Animal Control; Cable TV; Clarence Educational & Farm Market Association, Inc.; Clarence Hollow Character Protection Board; Clarence Hollow Association; Clarence Senior Center; Environmental Management Council; Historical Society; Municipal & Farmland Protection Plan Committee; and Youth.

Supervisor Hartzell said he will be liaison to the following: Capital Projects; Clarence Center Character Protection Board; Clarence Chamber of Commerce; Clarence School Board; Conservation Advisory Council; Grants; Industrial Development Agency; Highway Department; Meet in the Center; Recreation Advisory Committee; and Town Hall.

Motion by Councilman Kolber, seconded by Councilman Casilio that after proper audit and review by the Town Board, the following bills of January 2, 2014 are approved for payment: General Fund - \$56,157.33; Highway Fund - \$50,136.78; Capital Fund - \$3,943.00; Trust & Agency 203 - \$1,072.50; and Trust & Agency 205 - \$18.08 for a total amount of \$111,327.69. On the question, Councilman Kolber said the bills were reviewed and paid last week. This is our first meeting to be able to make the formal resolution. Upon roll call – Ayes: All; Noes: None. Motion carried.

“For the Good of the Town”

Councilman Kolber congratulated Councilman Casilio and Councilman DiCostanzo on their reelection. He looks forward to working with them over the next few years. He also congratulated James Dussing, our new Highway Superintendent on his election to office.

Councilman Kolber thanked all of our volunteer board and committee members who put a lot of time and effort into making Clarence a great place to live.

Councilman Casilio thanked the Town for reelecting him to office. He has held this office for eight years and he enjoys it. He always looks to do what is right for the Town.

There being no further business, Supervisor Hartzell adjourned the meeting at 7:55p.m.

Nancy C. Metzger  
Town Clerk

Attachment to Organizational Meeting of January 8, 2014

**PROCUREMENT POLICY FOR TOWN OF CLARENCE**

*(Revised January 8, 2014)*

WHEREAS, Section 104-b of the General Municipal Law (GML) requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML, § 103 or any other law; and

WHEREAS, comments have been solicited from those officers of the town involved with procurement; NOW THEREFORE, be it

RESOLVED; that the Town of Clarence does hereby adopt the following procurement policies and procedures:

- GUIDELINE 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, § 103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter Purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. The information gathered and conclusions reached shall be documented and kept with the voucher or other documentation supporting the purchase activity.
- GUIDELINE 2. All purchases of a) supplies or equipment, where it can reasonable by determined based on the facts and circumstances, will exceed \$20,000 in the fiscal year or, b) public works contracts over \$35,000 shall be formally bid pursuant to GML, § 103.
- GUIDELINE 3. All estimated purchases of:
- Less than \$20,000 but greater than \$10,000 require a written request for a proposal and written/fax quotes from 3 vendors.
- Less than \$10,000 are left to the discretion of the purchaser.
- All estimated public works contracts of:
- Less than \$35,000 but greater than \$20,000 require a written Request for Proposal and fax/proposals from 3 contractors.
- Less than \$15,000 but greater than \$5,000 require a written Request for Proposal and fax proposals from 2 contractors.
- Less than \$5,000 but greater than \$1,000 are left to the discretion of the purchaser.
- Any written Request for Proposal shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes offered.
- All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.
- GUIDELINE 4. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall be documented and filed with the record supporting the procurement.
- GUIDELINE 5. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals.

- GUIDELINE 6. Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:
- a) Acquisition of professional services;
  - b) Emergencies;
  - c) Sole source situations;
  - d) Goods purchased from agencies for the blind or severely handicapped;
  - e) Goods purchased from correctional facilities;
  - f) Goods purchased from another governmental agency;
  - g) Goods purchased at auction;
  - h) Goods purchased for less than \$500;
  - i) Public works contracts from less than \$1,000;
  - j) Purchases pursuant to State or County bid.
- GUIDELINE 7. This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable.
- GUIDELINE 8. Pursuant to the provisions of GML §104-b(f), effective January 1, 2009, those employees authorized for purchases on behalf of the Town and their respective titles shall be listed in Appendix 1 of this policy and said listing shall be updated biennially.

## APPENDIX 1

EMPLOYEETITLE

Jonathan Bleuer	Junior Planner
James Burkard	Parks Crew Chief
James Callahan	Director of Community Development
Pamela Cuvillo	Director of Administration & Finance
Christopher Durr	Deputy Recreation Director
James Dussing	Highway Superintendent
Paul Englert	General Crew Chief
Christine Fusco	Town Assessor
Anthony Haas	Security Officer
David Hartzell	Supervisor
Karen Jurek	Secretary to the Town Supervisor
Dawn Kinney	Director Youth Board
Joseph Lancellotti	Civil Engineer
Timothy Lavocat	Town Engineer
Robert Linde	General Crew Chief
Charles McNiff	Deputy Highway Superintendent
Joseph Meacham	Security Officer
Lawrence Meckler	Town Attorney
David Metzger	Senior Code Enforcement Officer
Nancy Metzger	Town Clerk
Jessica Notarius	Program Youth Leader
Michael B. Powers	Judge
Cynthia Rosel	Paralegal
Jerome Schuler	Animal Control Officer
Robert Sillars	Judge
Darcy Snyder	Deputy Town Clerk
Marilyn Taton	Clerk to the Town Justice
Clifford Trapper	Director of Recreation
Albert Weber	Real Property Appraiser
Mark Woodard	Town Historian
Mary Zimmerman	Clerk to the Town Justice

## Encumbrance Procedure Policy

1. Must have a signed Purchase Order or Proposal dated on or before December 31 of the current year to encumber funds.
2. Purchase Order must be submitted to Accounting Department by the Monday of the last bill pay that is set for the previous year's bills.  
  
(Ex: Thursday January 31, 2013 was the last check date for 2012 bills to be paid, so Monday January 28<sup>th</sup> would be the last date for a Purchase Order or Proposal to be given to the Accounting office to encumber funds from 2012.)
3. Reasonable expectation that the product/service is to be received/performed or completed within 90 days of year end, i.e. March 31<sup>st</sup>.
4. Applicable dates for the above will be set by the Accounting Department and emailed to all Department heads by year end.
5. A resolution will be made by the Town Board to approve encumbering funds.