

A Special Meeting of the Town Board of the Town of Clarence was held on Thursday, October 18, 2012 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor David C. Hartzell, Jr. reconvened the meeting from October 11, 2012 at 3:00 p.m. Members of the Town Board present were Councilmembers Patrick Casilio, Peter DiCostanzo and Robert Geiger. Town Attorney Lawrence Meckler and Pamela Smith, Director of Administration and Finance were present.

Joseph Schoellkopf, attorney for Clarence Center Vol. Fire Company said in regard to their cash reserves, they have two accounts. One is for vehicles and the other is for buildings for a total of about \$850,000. The replacement of the aerial truck is around \$550,000 saved so far. They cost about a million and is due for replacement in 4 or 5 years. The building reserve is for roof replacement of the parts of the building that are old. The bridge needs to be replaced. They also need to replace breathing apparatus. There is just a little bit over the amount of a one year budget in reserve. That seems to be the rule of thumb in all of the fire companies he represents.

Mr. Schoellkopf said they put in a request for a 4% budget increase with a 0% tax increase. They would like the Board to look at the LOSAP, which is going down \$18,000 this year. The VFBL is going down by \$8,000 this year. The assessed valuation for their district is going up. He asks that the Town consider giving them the extra money. The tax rate would be lower. They are good citizens and they try their best. The costs of everything are going up.

Supervisor Hartzell said he does not understand why the used equipment cannot be used here but it can go to other places. We only buy new equipment in this Town.

Mr. Schoellkopf said we use this equipment to the end of their lives. There are some places that do not get much money and that is where they are sold. They are mostly traded in and stripped down. We cannot use the same pumps that were manufactured years ago.

Councilman Kolber arrived at 3:10 p.m.

Supervisor Hartzell said Karen Jurek put all the numbers together on a spreadsheet and color coded the changes.

Supervisor Hartzell said the department heads, at their meeting held yesterday, asked for a pool of interns basically of \$10,000 that they could pull from. The first request came from Jim Burkard who would like to have an architectural intern to design a bathroom facility. The intern could do 90% of the project and we could hire a professional to do the last 10%. The idea would be to use interns to save a lot of money.

Councilman Kolber asked how much they get paid. Supervisor Hartzell said they get \$15 to \$25 per hour.

Supervisor Hartzell said there is a line item in the Assessor's budget that he could take \$10,000 and they would not be affected at all. We would not have to increase the tax rate to do it.

Councilman Kolber said in looking at the fire company numbers, what is the benevolent money going to.

Councilman DiCostanzo said he thinks they kept the picnic money separate for years. He believes the benevolent fund is that picnic money.

Town Attorney Meckler asked if there is an independent auditor that determines if the money in reserves is excessive or not.

Councilman DiCostanzo said an auditor from the State Comptroller's office is the one that said the reserves were high. He does not know if there is a rule for fire companies.

Mr. Meckler said we should not have to guess whether it is or not.

Councilman Kolber said if they can justify it for specific reasons, then he can understand it.

Councilman DiCostanzo said he is not in the business of running fire companies but they need to explain what they are doing.

Councilman Kolber said today's taxpayers are not getting the benefit. Is it fair to tax them to benefit someone else in the future?

Councilman DiCostanzo said the only way to avoid that is to finance the purchases.

Councilman Casilio said 20 to 25 years is the lifespan of these trucks.

Supervisor Hartzell said that seems like a lot of money to spend for two fires or less per year.

Councilman Casilio said you can simplify it to two fires or less per year unless it is your house or your kid in trouble. The equipment was at the accident on Transit Road that involved the loss of two people. It was not a fire but that equipment was still out there.

Councilman DiCostanzo said he wants to look at what they are asking for in 2013 and what did it cost them. If it is more expensive then it is, but the numbers are not showing that.

Councilman Casilio said we are guessing at these numbers. We should wait and ask them.

Supervisor Hartzell said he will have Karen call the State Comptroller and ask what the standards are for reserve funds.

Town Attorney Meckler said they could approve the budgets for now and then once it is determined what the appropriate amounts for reserve funds is, they could adjust next year.

Councilman Casilio said the State does not tell them what is appropriate.

Councilman DiCostanzo said Clarence Center is in the same situation as the Lancaster Fire Company.

Councilman Kolber said we do not have to enter into the contracts. They are asking for raises and we have almost the identical situation as Lancaster.

Councilman Casilio said they did not have contracts until after the first of the year the last time.

Town Clerk Nancy Metzger said all of them have asked for multi-year contracts and the Board needs to let them know how many years they would consider. The legal notice said for 2013 at the current contract amounts. All of this really should be worked out sooner.

Councilman Casilio said he really would like something from the State.

Councilman DiCostanzo asked if the trucks could be upgraded to meet new standards.

Councilman Kolber said sometimes that is too costly.

Councilman Casilio said he would like to talk to the fire companies again. The question is if we should wait until the public hearings on the 24th. We have never given them guidelines to work with. Do we know where the Town should be?

Supervisor Hartzell said we should get something from the State and have the fire companies in again before the public hearings.

Pam Smith said the Comptroller's Office never gave a definitive number. They are saying the 10 – 15 % is a standard from town to town of next year's appropriations. If you get above 30 or 40% and sustain that for a number of years, they could do an audit and knock you for it.

Councilman Casilio said is that cash or including saving money for a capital project.

Pam said the Town has \$1million in unrestricted funds.

Councilman Kolber said that is about 20%, and he thinks that is reasonable. They allow Highway funds more because they are seasonal. He would like to reduce it a little so the tax rate would not go up. They may not realize that they should not have that much money.

Supervisor Hartzell said he would like to have them come in again before the public hearing.

Councilman Casilio said during the October storm Ted spent \$1million. We did get reimbursed but how do you say what is too much when you do not know what could happen.

Councilman Casilio will contact all of the fire companies to meet with the Town Board on Monday, October 22nd at 6:00 p.m.

Supervisor Hartzell asked if anyone had anymore changes they would like to make to the budget from the last time.

Councilman Casilio said he would like to review some of the salaries of some of the employees.

Motion by Supervisor Hartzell, seconded by Councilman Kolber to enter into Executive Session at 4:25 p.m. pursuant to Section 105(1)(f) of the Open Meetings Law to discuss the salaries of specific individual employees. Upon roll call – Ayes: All; Noes: None. Motion carried.

Nancy C. Metzger
Town Clerk

Motion by Supervisor Hartzell, seconded by Councilman Geiger to adjourn the Executive Session at 4:50 p.m. and recess the special meeting until October 22, 2012 at 6:00 p.m. No action was taken. Upon roll call – Ayes: All; Noes: None. Motion carried.