

A Work Session of the Town Board of the Town of Clarence was held on Wednesday, January 4, 2012 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor David Hartzell called the meeting to order at 6:34 P.M. Members of the Town Board present were Councilmember's Robert Geiger, Peter DiCostanzo, Patrick Casilio and Bernard Kolber. Other Town officials present were Director of Community Development James Callahan, Assistant Planner Brad Packard, Town Attorney Steven Bengart, Town Engineer Timothy Lavocat, Confidential Secretary to the Supervisor Karen Jurek and Planning Board Chairman Al Schultz and Director of Administration and Finance Pam Smith.

The Town Board reviewed the program for the Organizational meeting.

Councilman Geiger has several line item transfers in the amount of \$13,337.97 to the General Fund.

Councilman Casilio will make a motion authorizing Supervisor Hartzell to sign the renewal agreement between U & S Services Inc. and the Town of Clarence for preventative maintenance for the HVAS system at Clarence Town Hall and the Clarence Library.

Motion by Councilman Bernard Kolber, seconded by Councilman Patrick Casilio to enter into Executive Session pursuant to § 105(1) F of the Open Meetings Law to discuss matters leading to the appointment of a particular person. Upon roll call – Ayes: All; Noes: None. Motion carried.

There being no further business, the Work Session adjourned at 6:45 PM.

Darcy A. Snyder  
Deputy Town Clerk

Motion by Councilman Bernard Kolber, seconded by Councilman DiCostanzo to adjourn the Executive Session at 6:58 PM. Upon roll call – Ayes: All; Noes: None. Motion carried. No action taken.



The Inauguration Program for elected officials of the Town of Clarence was held on Wednesday, January 4, 2012 at the Clarence Town Hall, One Town Place, Clarence, New York. Installation of the following officials took place: David C. Hartzell Jr., Supervisor; Bernard J. Kolber, Councilman; Robert A. Geiger, Councilman; Nancy C. Metzger, Town Clerk; Robert G. Sillars, Town Justice; and Edward A. Rath, III, Erie County Legislator for District 6.

Town Justice Robert Sillars served as master of ceremony, convocation was given by Pastor Randy Milleville of Zion Lutheran Church, and pledge to the flag was led by American Legion Post 838 and Girl Scout Troop 30943. The Star Spangled Banner was played by The Bells of Zion and God Bless America was sung by the Praise Choir, both from Zion Lutheran Church.

Supervisor David Hartzell called the organizational meeting for 2012 to order at 7:20 p.m.

Motion by Councilman Casilio, seconded by Councilman DiCostanzo to accept the minutes of the previous meeting held December 21, 2011. On the question, Supervisor Hartzell said he will recuse as he did not participate in the meeting. Upon roll call – Ayes: Councilmembers Geiger, DiCostanzo, Casilio and Kolber. Noes: None. Recuse: Supervisor Hartzell. Motion carried.

Councilman Kolber thanked all of the voters who showed their faith in him by re-electing him to office. It has been a pleasure to serve so far and he will do his best for the next four years to represent the people of the Town.

Councilman Kolber said we have received a check from Continental Casualty in the amount of \$775,000 for the repairs to the library. He thanked Steve Bengart for his work on getting this matter settled.

Councilman Casilio congratulated all of the officials on their election to office.

Councilman Casilio apologized to the audience for having to listen while they read all of the organizational items. He thanked Karen Jurek for all of her help getting them organized.

Motion by Councilman Casilio, seconded by Councilman Kolber to authorize Supervisor David C. Hartzell, Jr. to sign the renewal Agreement between U & S Services Inc. and the Town of Clarence for preventative maintenance for the HVAC system at the Clarence Town Hall and the Clarence Library for a one-year term beginning January 1, 2012 through December 31, 2012, subject to review and approval by the Town Attorney. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman DiCostanzo congratulated everyone who took the oath of office tonight.

Motion by Councilman DiCostanzo, seconded by Councilman Casilio to approve use of a Town vehicle by Assessor Christine Fusco and Albert Weber to attend an Assessor's training session in Rochester on January 6, 2012. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Geiger, seconded by Councilman Casilio to approve the following transfers of funds in the 2011 Budget as follows: \$180.00 from A1220.220 to A1220.416; \$3,356.00 from A1620.438 to A1620.100; \$1,112.12 from A1620.438 to A1620.450; \$3,194.55 from A1930.400 to A1950.400; \$4,255.81 from A1930.400 to A1953.400 and \$1,239.49 from A3989.435 to A3989.417 for a total amount of \$13,337.97. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman Geiger thanked everyone for coming tonight including his family and especially his Mother.

Motion by Supervisor Hartzell, seconded by Councilman Casilio to approve the following items 1 – 8:

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:

January	4 and 18
December	5 and 19

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

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

**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 noon on Thursday 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. – 5:00 p.m.

\*Beginning July 1, 2012- hours will permanently change to:

	-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	9:00 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:**

Clerical Hours	-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.
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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 702-Compensatory Time – (add: to the end of page 700-1 before the final sentence on page 700-2). However, only twenty-four (24) of those forty-eight hours will be eligible to be used as time off. Employees will be permitted to cash out their compensatory time at any time between January 1<sup>st</sup> and November 1<sup>st</sup> each calendar year. Any compensatory time not used or cashed out by November 1<sup>st</sup> will automatically be paid to the employee by the end of November. Non compensatory time may be accumulated from November 1<sup>st</sup> through December 31<sup>st</sup>.
  - b. Section 801 – Holiday Pay Requirement – Add –on paid personal leave
  - c. Section 804 – 4<sup>th</sup> paragraph, remove the wording starting at - In no event may personal leave be.... to the end of that paragraph.
7. Adoption of Employee’s Salary Schedule as within the 2012 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.

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

Motion by Councilman Kolber, seconded by Councilman Casilio to approve the following items 9 – 18:

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 16, 2012	Monday	Martin Luther King Day
February 20, 2012	Monday	Presidents’ Day
April 06, 2012	Friday	Good Friday
May 28, 2012	Monday	Memorial Day
July 4, 2012	Wednesday	Independence Day
September 3, 2012	Monday	Labor Day
October 8, 2012	Monday	Columbus Day
November 12, 2012	Monday	Veterans’ Day
November 22, 2012	Thursday	Thanksgiving Day
November 23, 2012	Friday	Thanksgiving Holiday
December 24, 2012	Monday	Christmas Eve ½ Day Holiday
December 25, 2012	Tuesday	Christmas Day Holiday
January 1, 2013	Tuesday	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.

11. Designation of Trick or Treat Night on Wednesday, October 31, 2012 from 5:00 p.m. to 8:00 p.m.
12. March 11, 2012 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, Assistant Planner, Code Enforcement Officers, Sr. Code Enforcement Officer and Plumbing Inspector.
18. All mail will be distributed by the Supervisor’s Office.

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

Motion by Councilman Casilio, seconded by Councilman DiCostanzo to approve the following items 19 – 33:

19. All appointments are for the year 2012 unless otherwise noted or unless otherwise set forth by law.
20. 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 Dept. 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.
21. 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. Clerks to the Town Justice to work additional hours as requested by the Town Justices for all Court Sessions.

22. Appointment of David Wetzler, Guy Fleming, Randall Haentges, Suzanne H. D'Arcangelo, John Micciareello, Thomas Fulton, Karl King and Kenneth Stevens 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 Flemming, Security Officer-Court Office as Supervisor in charge of equipment and scheduling of officers at a stipend of \$250.00 per year.

23. Appointment of Dawn Trippie, Shirley Moore, Amy Major, Diane Nordolillo, Kelly Klemann and Joan Gloss-Snyder, as Clerks P/T at the rate of \$12.18 per hour.

Appointment of Robin Sendlbeck as Clerk PT in the Supervisor/Town Board Office at the rate of \$14.18 per hour and Deborah Griffiths as Clerk PT in the Supervisor/Town Board Office at the rate of \$13.13 per hour. Appointment of Diane Petrik-Huben as Clerk PT in the Youth Department at the rate of \$12.75 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 Robert Anderson as Van Driver, RPT, Vincent Delgato and Camille O'Reilly as Substitute Van Drivers at the rate of \$12.18 per hour.

Appointment of Camille O'Reilly as Laborer-RPT at the rate of \$13.57. Appointment of Robert Dickinson as Laborer PT at the rate of \$13.57.

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

24. 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.

25. Appointments in the Legal Department as follows:
- a. Lawrence M. Meckler as Town Attorney and Town Prosecutor for a term to expire 12/31/2013 at an annual salary of \$29,500.00.
  - b. Steven Bengart as Deputy Town Attorney/Deputy Prosecutor with a term to expire 12/31/2012 at an annual salary of \$45,000.00.
  - c. David Donohue as Deputy Town Attorney/Deputy Prosecutor with a term to expire 12/31/2012 at an annual salary of \$12,000.00.
  - d. Peter Vasilion as Deputy Town Attorney/Deputy Prosecutor with a term to expire 12/31/2012 at an annual salary of \$11,000.00.
  - e. Appointment of Cynthia Rosel as Paralegal.

26. Appointment 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 on 12/31/2013.

27. Appointment of Kathryn Vergo, Civil Engineer, Provisional and as Deputy Flood Plain Administrator with a term to expire 12/31/2012 at an annual salary of \$47,705.00

28. Appointment of Lauri Plis as Accountant RPT in the Accounting Department.

29. Appointment of David Bissonette as Natural Disaster Services Coordinator and David Baumler as Area Director of Civil Defense to coordinate emergency services. In addition to the budgeted rate of pay, the Natural Disaster Services Coordinator, David Bissonette and the Area Director of Civil Defense, David Baumler will be paid at the rate of \$78.00 per hour, per the adopted 2012 Budget – Long Term Disaster budget line with said payment to occur only in operations exceeding four (4) hours with the intent that the Town may possibly be reimbursed by FEMA, state aid, or insurance including third-party insurance.

30. Appointment of Joseph Meacham and Anthony Haas as Security Officer PT at the rate of \$15.80 per hour. Appointment of William O'Donnell and Alan Wolbert as Security Officer PT at the rate of \$14.64 per hour. Appointment of Roseanne Goetz, Rita Savage, Ronald Kline,

George Brown, James Schmeigiel, Robert Sugg, Adam Muchow, Daniel Decker and Phillip Montante, III as Security Officer PT at the rate of \$14.00 per hour.

31. Appointment of School Crossing Guards for the terms of March 5, 2012 through June 20, 2012 (*end of school year and start back first day of school*) September 4, 2012 through November 30, 2012: Rhonda Carpenter and Lorraine Hunt. Appointment of Arnold Castren and Theodore Adrian as Substitute Crossing Guards.
32. The Town Board approves the recommendation of the Highway Superintendent Theodore Donner to appoint Jeffery Hemline as Deputy Highway Superintendent, Charles McNiff as General Crew Chief, Gail Englert as Confidential Secretary to Highway Superintendent and Camille O'Reilly Laborer-RPT.
33. The Deputy Highway Superintendent, General Crew Chiefs, Deputy Town Clerks, Secretary to the Superintendent of Highways, Secretary to the Supervisor and Assistant Planner 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.

On the question, Councilman Geiger said these are all wonderful people and he is happy to see them appointed to these positions. We have an exceptional new legal staff.

Councilman Casilio apologized for mispronouncing anyone's name.

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

Motion by Councilman DiCostanzo, seconded by Councilman Casilio to approve the following items 34 – 58:

34. Appointment of Clifford O. Trapper as Recreation Director II P/T. Appointment of Christopher Durr as Deputy Recreation Director P/T.
35. 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.
36. Appointment of James Callahan as Director of Community Development. Appointment of Brad Packard as Assistant Planner.
37. Appointment of Pamela Smith as Director of Administration and Finance.
38. Appointment of Dawn Kinney as Executive Director-Youth Board, Jessica Notarius as Program Leader-Youth, Provisional and Colleen McCarriagher as Youth Activities Leader RPT, Provisional at the rate of \$10.77 per hour.
39. Petty cash allowed for Town Clerk - \$300.00; Justice Court - \$50.00 for each Judge and Engineer - \$50.00.
40. Grant a one year leave of absence to Karen Jurek from the Civil Service Senior Clerk position in the Parks Department effective 1/1/2012 to continue as Confidential Secretary to the Supervisor.
41. Appoint Karen Jurek as in-house Computer Network Coordinator with a stipend of \$3,500.00 and Web Site Coordinator with a stipend of \$1,500.00.
42. Appointment to the Arboretum Advisory Committee for a one year term: Stephen Murtaugh, James Burkard, Roy McCready, Todd Norris, Peter Wolfe and Robert Fogelsonger.
43. 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.
44. Appointment to the Avoidable Alarm Committee for a one-year term: David Metzger, Building Department Representative and David Stengel. (*There is currently one opening*).

45. Appointment to the Cable Television Advisory Committee for a one-year term: Julie Ann McCullough, Chuck Eckert, Henry Becker, and William Burkard. *(There is currently one opening).*
46. 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.
47. Appointment to the Clarence Hollow Community Character Protection Board for a one-year term: William Henderson, Scott Kreher and Robert Lenz.
48. 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).*
49. Appointment to the Conservation Advisory Council for a term to expire 12/31/2015: James Delellis. Appointment of Peter Wolfe as Chairperson for a one-year term. *(There is currently one opening).*
50. Appointment to the Fire Advisory Board for a one-year term: The elected year 2012 Fire Chiefs from Clarence, Clarence Center, East Amherst, Harris Hill, Rapids and Swormville Volunteer Fire Companies.
51. Appointment to the Historic Preservation Commission for a four-year term to expire on 12/31/2015: Linda Mosher and Carol Conwall. Appointment of Linda Mosher as Chairperson of the Historic Preservation Commission for a one-year term. *(There are currently two openings with terms to expire 12/31/2015 and opening for the Vice Chairperson/Secretary).*
52. Appointment to the Clarence Industrial Development Agency for a one-year term: Clayton Ertel, Mary Powell, Christopher Kempton and David Hartzell. *(There are currently three openings).*
53. Appointment to the Landscape Review Committee for a one-year term: Albert Schultz, as member of the Planning Board, Michael Petroci and James Delellis.
54. Appointment to the Clarence Library Board for a five-year term to expire 12/31/2016: Judith Hilburger.
55. Appointment to the Planning Board: Albert Schultz as Chairperson, Robert Sackett 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 George VanNest with a term to expire 12/31/2018. Appointment of Gregory Todaro as alternate for a one-year term.
56. The Sign Review Board shall consist of the Planning Board Chairperson and two members of the Planning Board.
57. Appointment to the Plumbing and Drainage Board for a one-year term: Larry Merkle, Richard Haag, Daniel Loudenslager, Kathryn Vergo (as representative of Engineering Dept.), and Timothy Lavocat as Chairperson.
58. Appointment to the Recreation Advisory Committee for a one-year term: Michael Powers, Peter Wolfe, Henry Brodowski, Margaret Walker and James Burkard. *(There are currently two openings for a one-year term).*

On the question, Councilman Casilio said he will recuse on item 46 for his appointment to the Capital Projects Committee and item 52 on the appointment of Mary Powell as she is his sister.

Councilman DiCostanzo said he will recuse on item 43 for his appointment to the Audit Committee.

Upon roll call – Ayes: All; Noes: None. Recuse: Councilman Casilio on items 46 & 52 only; Councilman DiCostanzo on item 43 only. Motion carried.

Motion by Councilman Geiger, seconded by Councilman Casilio to approve the following items 59 – 71 and the Highway Department resolutions:

59. Appointment to the Senior Center Board for a three-year term to expire 12/31/2014  
James Blum, Neil Struebing and Darrel Young,
  60. Appointment to the Traffic Safety Advisory Board for a one-year term: John Wind, Kim Silvestro and Joseph Nemmer
  61. Appointment to the Youth Board for a three-year term to expire 12/31/2014:  
Beverly Campochiaro, Karen Monteleone, Michele Orvis, Anthony Persico and Gary Server.  
*(There is currently one opening).*
  62. Appointment to the Zoning Board of Appeals for a five-year term to expire 12/31/2016: Arthur Henning and Patricia Burkard. Appointment of Arthur Henning as Chairperson for a one-year term and Daniel Michnik Vice-Chairperson for a one-year term. Appointment of Jonathan Hickey as alternate with a term to expire 12/31/2012.
  63. 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.
  64. Appointment of Supervisor as 504/ADA Officer for Erie County Community Development Program.
  65. 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.
  66. Town Board authorizes the Assessor to bill and the Supervisor's office to collect for the Town's PILOT agreements for all IDA inducements. Town Board authorizes Town Clerk to bill and collect for Avoidable Alarm charges.
  67. Appointment of Manufacturers and Traders Trust Co., HSBC/Clarence Branch, 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.
  68. Minutes of the Town Board meetings will be published in the Clarence Bee and on the Town's website at the Town Clerk's discretion.
  69. 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.
70. 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.
  71. Set Public Hearing date of February 22, 2012 at 7:45 pm for the Annual review of the Master Plan.

**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 \$1,586,167.00 may be expended for general repairs upon 120.52 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, Clarence Center Area, and Overlook Drive

**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 2012 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 2012, along with the Town Engineer. All reasonable expenses will be covered by the Town of Clarence.

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

Supervisor Hartzell makes the following appoints for 2012: Karen Jurek, Confidential Secretary; Kathleen Hallock, Deputy Supervisor; Mark Woodward, Town Historian; and Hans Mobius to serve on the Right-to-Farm Resolution Committee for a term of one year.

Motion by Councilman Kolber, seconded by Councilman Casilio that after proper audit and review by the Town Board, the following bills of January 5, 2012 are approved for payment: General Fund - \$177,786.81; Highway Fund - \$74,211.13; Water District - \$2,446.27; Sewer Districts - \$329.64; Capital Fund - \$9,954.73; and Trust and Agency 203 - \$475.31 for a total amount of \$265,203.89. Upon roll call – Ayes: All; Noes: None. Motion carried.

Supervisor Hartzell announced that his liaison assignments for 2012 will be Arboretum Committee, Capital Projects, Clarence School District, Clarence Chamber of Commerce, Grants, Industrial Development Agency, Highway Department, Sidewalk Task Force and Town Hall.

Councilman Kolber announced that his liaison assignments for 2012 will be Clarence Community Association, Clergy Association, Community Residences, Computers, Historical Preservation, Law-Legislation, Library and Service Organizations.

Councilman Casilio announced that his liaison assignments for 2012 will be Avoidable Alarms, Building/Engineering, Emergency Services, Fire Companies, Labor Management, Public Safety Issues & Recycling, Public Utilities/street lights, Master Sewer, Sewer District and Traffic Safety.

Councilman DiCostanzo announced that his liaison assignments for 2012 will be Assessor, Ethics, Parks Department, Parks Security, Planning, Youth, Recreation Advisory Committee, Recreation Department and Zoning Board of Appeals.

Councilman Geiger announced that his liaison assignments for 2012 will be Animal Control, Cable TV, Clarence Hollow Association, Clarence Senior Center, Environmental Management Council, Historical Society, Insurance and Municipal & Farmland Protection Plan Committee.

There being no further business, Supervisor Hartzell adjourned the meeting at 8:00 p.m. in memory of Frank Daigler, Father of James Daigler who is one of our Parks Department employees.

Nancy C. Metzger  
Town Clerk