A Work Session of the Town Board of the Town of Clarence was held on Wednesday, February 22, 2012 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor David Hartzell called the meeting to order at 6:00 P.M. Members of the Town Board present were Councilmember's Robert Geiger, Bernard Kolber and Patrick Casilio. Other Town officials present were Director of Community Development James Callahan, Assistant Planner Brad Packard, Deputy Town Attorney Steven Bengart, Town Engineer Timothy Lavocat, Confidential Secretary to the Supervisor Karen Jurek, Senior Building Inspector David Metzger, Director of Administration and Finance Pam Smith.

Councilman Peter DiCostanzo is in NYC and was not be in attendance.

Director of Community Development James Callahan

Public Hearings:

Annual Public Hearing on Master Plan 2015. There will be four speakers requesting some amendments or some variation to the future land use component of the Master Plan.

Agenda items:

Nathan Raupp 9200 Wehrle Drive

Applicant is proposing to acquire the property and relocate an existing automotive repair operation to replace the existing operation/use on the property. Applicant's current operation exists at 4915 Ransom Road. The proposed site is located on the north side of Wehrle Drive, east of the West Shore Line recreation trail on 7.6+/- acres in the Industrial Business Park Zone. Per the Zoning Law, automotive repair facilities may be permitted within the Industrial Business Park Zone only with a Special Exception Use Permit or Temporary Conditional Permit as issued by the Town Board. A public hearing will be required to consider the permit. ***(Applicant asked to be removed from the agenda)***.

Damon & Morey - 5817 Transit Road

Applicant is proposing to develop an automotive collision shop with an automotives sales component. The proposed site is located on the east side of Transit Road, north of Highland Farms Drive on existing vacant land consisting of 4.33 acres in the Major Arterial Zone. Per the Zoning Law, the Town Board has final authority via a Special Exception Use Permit or Temporary Conditional Permit to allow for automotive uses in a commercial zone. Referral to the Planning Board, if the Town Board identifies that the use is in keeping with the goals of the community, would initiate a comprehensive review of the project.

Benderson Development 5205 Transit Road

Applicant is proposing outside dining at existing commercial structure recently approved for a Change in Use to a coffee shop located on the east side of Transit Road, south of Greiner Road in the Major Arterial Zone. Per the Zoning Law, the Town Board may consider outside dining with a Temporary Conditional Permit. A public hearing will be required to consider the permit.

Town Engineer Timothy Lavocat

Town Engineer Lavocat has been working for several months with Erie County to get and Operations and Maintenance Agreement in place for sanitary sewers. Councilman Casilio will make a motion authorizing the Supervisor to sign the agreement.

There have been some issues in Sewer District #2 relative to storm water infiltration. A study and analysis has been done over the past several years (smoke testing, man-hole inspections, flow studies) and we cannot find anything significant. The next step will be to do house inspections for illegal connections. Under this new agreement Erie County will take responsibility for these inspections which should begin in April. No new developments or potential projects can be considered until this problem is resolved.

Councilman Casilio stated that the Lions Club will submit a voucher requesting $10,000 for Day in the Park.

Supervisor Hartzell stated that Kathy DeRose has submitted an application for consideration on the Recreation Advisory Committee. She attended the last meeting as requested by the Town Board. Councilman Casilio asked if there was a recommendation from the RAC. Supervisor Hartzell stated that the Town Board requested that Ms. DeRose attend a RAC meeting first before being appointed. There are two openings on the RAC and to date, Ms. DeRose is the only application received. Councilman Geiger asked if Peter Wolfe recommended Ms. DeRose as he is the Chairman of the RAC. Mr. Wolfe did not attend the last RAC meeting. Councilman Casilio stated that the Town Board usually gets a recommendation from the different boards/committees before they make an appointment. Karen Jurek, Confidential Secretary to the Supervisor stated that we do not; the openings have been posted on the Towns website since January. Supervisor Hartzell asked whether the Town Board wanted to go through a formal interview process with the applicant, it is up to the Town Board. Councilman Geiger suggested getting Councilman DiCostanzo opinion on the appointment. Supervisor Hartzell will get a recommendation from the chairman of the RAC before he appoints Ms. DeRose.

Councilman Robert Geiger

Albert Festaiuti is resigning as Animal Control Officer RPT effective March 29, 2012. Councilman Geiger will make a motion to post the position.

Councilman Geiger will appoint Jennifer Lougen-Wiertel to the Erie County Environment Management Conservation Council.

The Town is in receipt of our franchise fee from Time Warner.

Councilman Patrick Casilio

Councilman Casilio will make a motion authorizing the Supervisor to sign agreements with UniFirst Corporation for floor mats, apparel and related items.

Councilman Casilio has an amendment to the Work Session minutes of February 1, 2012.

Area Director of Civil Defense David Bissonette has submitted some information that Councilman Casilio will read at the Town Board meeting.

Councilman Casilio has two items for Executive Session regarding sale of real property and the employment history of a corporation.

Councilman Bernard Kolber

Councilman Kolber has prepared a motion requesting Erie County to take some type of action relative to the intersection of County and Strickler Roads.

Upon recommendation from the Historic Preservation Commission, Councilman Kolber will set a Public Hearing for March 14, 2012 to consider designating 4815 Ransom Road as a local historic landmark.

Councilman Kolber stated that there is so much information and knowledge that our elder residents have of the town that we need to get recorded either audio or video before these people pass on and we lose all that history.

Supervisor David Hartzell

Upon recommendation of Highway Superintendent Ted Donner, Supervisor Hartzell will set a bid date of March 13, 2012 for the purchase of several vehicles and a vacuum type street sweeper.

Supervisor Hartzell will create one position for Prosecutor PT Exempt for Civil Service purposes.

The Town of Clarence is continuing to explore the possibility of sharing the Assessor with the Town of Lancaster. We will continue to meet with the Town of Lancaster only if we can show a substantial savings to the tax payers of the Town of Clarence.

Steven Toth stopped into the Supervisor's office to pay a compliment to Senior Building Inspector David Metzger for all his help and hard work after someone run into Mr. Toth's house.

Town Attorney Steven Bengart

Town Attorney Bengart has several items to discuss in Executive Session regarding pending litigation and the employment history of a particular corporation.

Motion by Supervisor Hartzell, seconded by Councilman Casilio to enter into Executive Session pursuant to § 105(1) D of the Open Meetings Law to discuss pending litigation Strobel, Collins and Minter vs. Town of Clarence; § 105(1)F the employment history of a particular corporation; § 105(1)H the proposed sale of real property but only when publicity would substantially affect the value thereof. On the question, Tim Lavocat, Steven Bengart, James Callahan and Brad Packard were asked to remain. Upon roll call – Ayes: Councilman Geiger, Councilman Casilio, Councilman Kolber, Supervisor Hartzell; Noes: None. Absent: Councilman DiCostanzo. Motion carried.

There being no further business, the Work Session adjourned at 6:28 PM.

Darcy A. Snyder
Deputy Town Clerk

Motion by Councilman Casilio, seconded by Councilman Geiger to adjourn the Executive Session at 7:00 PM. Upon roll call - Ayes: Councilman Geiger, Councilman Casilio, Councilman Kolber, Supervisor Hartzell; Noes: None. Absent: Councilman DiCostanzo. Motion carried. No action taken.

Regular meeting of the Town Board of the Town of Clarence was held on Wednesday, February 22, 2012 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor David Hartzell, Jr. called the meeting to order at 7:30 p.m. Councilman Patrick Casilio led in the pledge to the flag, followed by a moment of silence.

Members of the Town Board present were Councilmembers Bernard Kolber, Patrick Casilio and Robert Geiger and Supervisor Hartzell. Councilman Peter DiCostanzo was absent. Other Town officials present were Director of Community Development James Callahan, Deputy Town Attorney Steven Bengart, Town Engineer Timothy Lavocat, Asst. Planner Brad Packard, and Sr. Building Inspector David Metzger.

Motion by Councilman Kolber, seconded by Councilman Casilio to accept the minutes of the previous meeting held February 1, 2012. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Peter DiCostanzo. Motion carried.

Motion by Councilman Kolber, seconded by Councilman Casilio to accept the minutes of the previous meeting held February 8, 2012. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Peter DiCostanzo. Motion carried.

Motion by Supervisor Hartzell, seconded by Councilman Casilio that upon recommendation of Highway Supt. Ted Donner, a Bid Date is set for March 13, 2012 for the purchase of the following: at 10:00 a.m. – (1) 2012 or Newer Mid-Size Front Wheel Drive Car, with or without trade-in of a 2009 Ford Focus (T-2); at 10:05 a.m. – (2) 2013 4-Door Four Wheel Drive Sport Utility Vehicles, with or without trade-in of a 2008 Ford F150 Pick-up (T-18) and/or 2003 Ford Expedition (T-23); at 10:10 a.m. – (1) 2012 or Newer Full Size ¾ Ton Rear Wheel Drive Cargo Van, with or without trade-in of a 2009 ¾ Ton Ford Van (T-3); and at 10:15 a.m. – (1) Vacuum Type Street Sweeper, with or without trade-in of a 2005 Johnston Street Sweeper (H-33). Upon roll call – Ayes: All; Noes: None. Absent: Councilman Peter DiCostanzo. Motion carried.

Motion by Supervisor Hartzell, seconded by Councilman Casilio to create the following position for Civil Service purposes: 1 – Prosecutor PT (Exempt). Upon roll call – Ayes: All; Noes: None. Absent: Councilman Peter DiCostanzo. Motion carried.

Supervisor Hartzell announced that the Town of Clarence is continuing to explore the possibility of sharing an assessor with the Town of Lancaster. We will continue to meet with Lancaster only if we can show a substantial savings to the taxpayers of the Town of Clarence. He will keep everyone informed.

Supervisor Hartzell said Steven Toth stopped in to pay a compliment to Building Inspector Dave Metzger for all of his help and hard work after someone ran into his house. Mr. Toth appreciated everything that Dave did to help them.

Councilman Kolber said he will make a motion regarding the Strickler/County Road intersection to try and make it safer. He has brought forth resolutions in the past asking Erie County to investigate it. He has received a number of emails and letters from people.

Motion by Councilman Kolber, seconded by Councilman Casilio to adopt the following resolution:

WHEREAS, the intersection of Strickler Road and County Road has seen numerous traffic accidents that continue to occur, and

WHEREAS, the Clarence Town Board has previously requested that Erie County address the possibility of safety issues at this intersection, and

WHEREAS, little has been done to address the ongoing safety of this intersection.

THEREFORE BE IT RESOLVED, that the Clarence Town Board requests that the Erie County Highway Commissioner and the Erie County Department of Public Works immediately initiate a study to address the ongoing safety concerns of the intersection of Strickler and County Roads, both Erie County Roads located in the Town of Clarence, and undertake necessary improvements to remedy and enhance safety at said intersection. Said study to include both intersection traffic control devices including but not limited to 4-way stop signs, signalization devices and possible speed limit modifications.

A copy of this resolution is to be delivered to County Executive Mark Poloncarz, the Erie County Highway Commissioner, the Erie County Department of Public Words and Erie County Legislator Ed Rath.

On the question, Deputy Town Attorney Steven Bengart said it needs to be clearly stated that while we can make the recommendation, we have zero control as a Town over the intersection or the roads that are involved.

Upon roll call – Ayes: All; Noes: None. Absent: Councilman Peter DiCostanzo. Motion carried.

Councilman Kolber said a resident forwarded information about flashing LED lights. We could forward this along to the County.

Councilman Casilio said the Highway Superintendent was suggesting this location could be controlled with a traffic circle.

Supervisor Hartzell said he will be meeting with Erie County next week along with Highway Supt. Donner.

Councilman Kolber said he hopes they could at least make it a four-way stop until they can come up with a permanent resolution.

Motion by Councilman Kolber, seconded by Councilman Casilio to set a Public Hearing for March 14, 2012 at 7:55 p.m. to consider the designation of both the primary residence and barn located on the property at 4815 Ransom Road as Local Historic Landmarks in accordance with the provisions of Section 117 – Historic Preservation of the Code of the Town of Clarence. On the question, Councilman Kolber said this is an addition to the properties previously designated. All of them have been brought forward by the owners. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Peter DiCostanzo. Motion carried.

Councilman Kolber said the Historic Preservation meeting was so interesting hearing the history of the properties. He fears the unwritten history will be missed. He is going to try to get a group together to try and get some of these accounts and memories of the Town recorded.

Motion by Councilman Casilio, seconded by Councilman Kolber to authorize the Supervisor to sign agreements for floor mats, apparel and related items with UniFirst Corporation for the Building Department, Dog Control Department, Engineering Department, Highway Department, Parks Department and the Town Hall subject to review and approval of the Town Attorney. On the question, Councilman Casilio said three proposals were received and UniFirst Corporation was the lowest bidder. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Peter DiCostanzo. Motion carried.

Motion by Councilman Casilio, seconded by Councilman Kolber to amend the minutes from the Town Board Work Session of February 1, 2012 on page 22 – the name of the contractor, L. Visone Plumbing should be added to the authorization. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Peter DiCostanzo. Motion carried.

Motion by Councilman Casilio, seconded by Councilman Kolber to authorize the Supervisor to sign the Custodial Undertaking Agreement and Pledge and Assignment Agreement with JPMorgan Chase Bank, N.A. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Peter DiCostanzo. Motion carried.

Motion by Councilman Casilio, seconded by Councilman Kolber to adopt the following resolution:

Be It Resolved, that the Supervisor is authorized to sign the operation and maintenance agreement with Erie County for operation and maintenance services to Clarence Sewer Districts Nos. 2, 4, 6, 7 and 9, subject to review and approval of the Town Attorney's office.

On the question, Deputy Town Attorney Steven Bengart said it has been reviewed and is ready for signatures.

Councilman Casilio said this is an all inclusive agreement for all of our Town districts. It will include the maintenance and some investigation work, especially in District No. 2 where we think we may have an infiltration of stormwater. The Town does not have a sewer maintenance department. Town Engineer Tim Lavocat said that is correct.

Upon roll call – Ayes: All; Noes: None. Absent: Councilman Peter DiCostanzo. Motion carried.

Councilman Casilio reported that the Town of Clarence has agreed to participate in the 2011 update of the 2005 Erie County Multi-Jurisdictional Hazard Mitigation Plan. The agreement to participate in the County Plan was signed and filed by Supervisor Hartzell as required by the County. The plan update was coordinated and completed by David Baumler of the Town Emergency Services Department under the direction of David Bissonette, our disaster coordinator.

The Emergency Services Department thanks the following department heads and their staffs for their outstanding support in order to get this plan in place on such quick notice: Supervisor Hartzell, Tim Lavocat, James Callahan and Ted Donner.

Once the overall County Plan is accepted and officially submitted, a resolution will have to be made by this Town Board adopting the County's Plan.

Councilman Casilio said by participating, it would help in filing for FEMA funding in certain situations.

Councilman Geiger announced that Albert Festaiuti is resigning from the position of Dog Control Officer RPT effective March 29, 2012.

Motion by Councilman Geiger, seconded by Councilman Casilio to post the position of Dog Control Officer RPT at the budgeted hourly rate to fill one open position left vacant by the resignation of Albert A. Festaiuti. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Peter DiCostanzo. Motion carried.

Motion by Councilman Geiger, seconded by Supervisor Hartzell to appoint Jennifer Lougen-Wiertel to the Erie County Environment Management Conservation Council effective February 22, 2012 through May 31, 2013. On the question, Councilman Geiger said this is to fill the vacancy left by former Supervisor Scott Bylewski. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Peter DiCostanzo. Motion carried.

Councilman Geiger reported that Time Warner submitted a check in the amount of $121,568.53 representing a portion of the franchise fee paid to the Town each year. The total amount submitted for 2011 was $239,690.32.

A Public Hearing was held for the Annual Master Plan Review. James Callahan said the Master Plan was adopted in August of 2001. Master Plan 2015 represents the goals of the community and identifies the laws and objectives to meet those goals. This is the 11th annual review to determine if the goals and specific objectives of the plan are current. It gives the community the opportunity to comment or make recommendations for changes for the Town Board to consider. The Town Board is the steward of Master Plan 2015 and may consider proposed amendments to be referred for review and comment by the Planning Board.

Speaking to the subject:

Don Hoefler, Wm. Schutt Associates is representing Jurek Ventures Inc. They are requesting an amendment to rezone 18.6 acres of the southwest corner of County and Strickler Roads from Agricultural Residential to Industrial Business Park. The owner would like to develop an industrial business park. A loop road would service the entire development eliminating curb cuts for each business. The proposal would increase the industrial area with minimal impact to residential areas.

Douglas Klotzbach, K2R Architects and Paul Stephen of Stephen Development were present. Mr. Klotzbach said they represent the property at 9560 Main Street and ask the Town Board to consider changing the rear of the property to Restricted Business zoning. They propose developing the front portion to a mixed use commercial and residential style development. The proposal for the rear portion is individual single-family style apartment units similar to the units across from Dash's. They would be approximately 800 sq. ft. units. It has attracted the young single professionals.

Sarah Thompson said her home is adjacent to the property at 9560 Main Street. She said it is a densely wooded area with some plants on the State's endangered species lists. A lot of wildlife would be displaced if it is clear cut as was just shown. The additional 33 homes would impact our stressed school system. It could depreciate the value of the homes in the area causing a reduction in the tax base in the future.

Cynthia Cominsky said they moved to Clarence to get away from a very crowded area. There is a feeling of open space around there. She is here along with many neighbors who are opposed to an amendment to Master Plan 2015 as proposed by Stephen Development, specifically the 7.5 acres across from the high school. They believe that the Master Plan was developed to protect existing neighborhoods and greenspace from encroachment by commercial interests. The proposal is a "cookie cutter" development lacking in green space. There are no public sewers in this area for 57 units. There is a huge environmental impact as well as a safety issue with the location across from the high school. They are against amending the master plan for a high density development. It is not in keeping with the character of Clarence.

Linda Knorz said her concern is for safety of the children and people walking along Main Street. The area around the high school is already very congested. She does not know how it could accommodate the additional traffic.

Joe Adams said the developer mentioned 800 sq. ft. chalets and he wonders what the single family homes are going to be.

James Callahan said the public hearing is regarding proposed amendments to the Master Plan. We do not have details on any projects.

Deputy Town Attorney Steven Bengart said this is a master plan process. You look at zoning and then a review is done. Some applicants are presenting what they would like to see if there is a change. It is a lengthy process.

James Callahan explained that we hold the public hearing for the master plan once a year. If the Town Board feels that something should be studied further by the Planning Board they refer it on to them. The Planning Board would hold several public meetings on the specific items referred. The Planning Board would do an environmental review with all involved agencies to determine the impacts on the community on a small scale and a greater scale. The Planning Board then forwards a recommendation to the Town Board, positive or negative to amend the plan. A Public Hearing would be held to decide on whether to amend the Master Plan or not. The quickest this process has ever been completed is eight months. It is very thoroughly analyzed. This is just to change the plan. Further analysis is done to do specific rezoning.

Mr. Callahan said it is not an easy process to change the master plan. It is our guide to follow for the community goals that were set. It is a change that should not be a simple matter.

Ralph Showalter asked who lives in an 800 sq. ft. house. Do we really want 800 sq. ft. housing people across the street from the high school in Clarence? We need to stop this now. These people will use services and not pay taxes. The school already has budgeting problems. This is against the Clarence standard of living. Nobody wants 800 sq. ft. housing across from the high school and next to Spaulding Lake.

Councilman Kolber said one of the items brought up was the multi-housing considerations being lumped into our zoning codes. He would like to have this Town develop a multi-family residential zoning ordinance and a zoning classification that specifically deals with all of these categories. It should be separate and unique from commercial, restricted business and major arterial.

With no one else speaking to the subject, motion was made by Supervisor Hartzell, seconded by Councilman Casilio to close the Public Hearing. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Peter DiCostanzo. Motion carried.

Supervisor Hartzell stated that item 12 was removed from the agenda at the applicant's request.

Motion by Supervisor Hartzell, seconded by Councilman Geiger to reopen the Public Hearing regarding the Master Plan Review as some did not realize they could speak. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Peter DiCostanzo. Motion carried.

Speaking on the subject:

Craig Tierney said he is representing the owner of a single family house who just moved into an assisted living complex. It is one of only six parcels on Main Street that was not rezoned to commercial. They are looking to have it rezoned to commercial or restricted business.

With no one else speaking to the subject, motion was made by Councilman Kolber, seconded by Councilman Casilio to close the Public Hearing. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Peter DiCostanzo. Motion carried.

Motion by Councilman Geiger, seconded by Supervisor Hartzell to refer the items presented from the Annual Public Hearing on Master Plan 2015 held on February 22, 2012 to the Planning Board for review, comment and recommendation per the process identified in Chapter 11 of Master Plan 2015. On the question, Councilman Kolber said we hear these comments and then do not have the time to look at them or ponder them before forwarding them on. He would like to have the time to look into them himself first. Upon roll call – Ayes: Councilmembers Geiger, Casilio and Supervisor Hartzell; Noes: Councilman Kolber. Absent: Councilman Peter DiCostanzo. Motion carried.

Damon & Morey request a Special Exception Use Permit for an automotive sales/service/collision shop at 5817 Transit Road in the Major Arterial Zone. Corey Auerbach said they are looking for a referral to the Planning Board on this matter. The proposal is for a collision shop, car rental and show room for high-end vehicles. All three uses would be advertised along the frontage and contained within one building. It is designed to have vehicles that are arriving for collision estimates enter through the front and moved to the back. There would not be any unsightly vehicles in the front.

Mr. Auerbach said there is a generous buffer to the residential properties to the east of the site. They would provide extensive landscaping to that buffer. The existing barn would be converted to storage. The house and garage would be demolished. There is a 1.1 acre portion to the north that is not part of this development. The area they are proposing is 2.9 acres. The depth of the property is over 500 feet. There is no outside display. The vehicles would be displayed inside the building.

Councilman Kolber said his main concern is the impact on the neighbors. Collision shops can be noisy. That would be something that has to be addressed.

Mr. Auerbach said they are aware of that concern and are willing to provide whatever is necessary. Vehicles would be stored in the back. They are providing all of the site plans and information they can while not revealing the client at this time. It would be a first for this business in the Town of Clarence. He does not know if there is a plan to approach the IDA for any relief. It is a permitted use in the Major Arterial District requiring a Special Exception Use Permit.

Motion by Supervisor Hartzell, seconded by Councilman Geiger to refer the proposed automotive collision/sales shop located at 5817 Transit Road to the Planning Board with the following concerns:

1. Adequate buffering to protect the adjoining residential properties from adverse noise/odor/visual blight.

2. Concern of the adjoining residential property owners should be taken into consideration in the final design.

On the question, Supervisor Hartzell said referral to the Planning Board does not identify any approval of the project as the Town Board will have final approval/denial authority for a Special Exception Use Permit.

Upon roll call – Ayes: All; Noes: None. Absent: Councilman Peter DiCostanzo. Motion carried.

Benderson Development requests a Public Hearing to consider a Temporary Conditional Permit for outside dining at 5205 Transit Road. James Callahan said the location is the east side of Transit Road, south of Greiner Road consisting of an approved coffee shop in the Major Arterial Zone.

James Boglioti, attorney for Benderson Development said they are in the process of redeveloping the building. The tenant they have for the building is Spot Coffee and they would like to utilize a 41’ x 20’ patio. A retaining wall will surround the patio with seating for 20 customers. The hours of operation are 6:00 a.m. to 11:00 p.m. weekdays and 6:00 a.m. to 12:00 midnight on Friday and Saturday. They would have controlled background music that does not leave the property line. This is a commercial area with no impact to any residential developments.

Motion by Councilman Kolber, seconded by Supervisor Hartzell to set a Public Hearing for March 14, 2012 at 7:50 p.m. to consider the request for a Temporary Conditional Permit for outside dining at 5205 Transit Road. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Peter DiCostanzo. Motion carried.

Motion by Councilman Casilio, seconded by Councilman Kolber to approve the following: Clubhouse Applications - A. CSEA Blue Collar Unit – March 1, 2012; B. Clarence Indoor Track – March 7, 2012; C. Daniel Gregorio – Sept. 8 & 9, 2012; Legion Hall Applications – A. Lisa Mazziotti – March 2, 2012; B. Sheridan Hill Elementary School – March 9, 2012; C. Donna Hackford – April 1, 2012; D. Christie Cahalan – April 22, 2012; E. CSEA Blue Collar Unit – Sept. 11, Nov. 30, 2012; F. Janet Rosenberg – Oct. 6, 2012; G. Mary Trautwein – Dec. 7, 2012 and Pavilion Special Request – A. Clarence Hollow Association – May 28, 2012. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Peter DiCostanzo. Motion carried.

Motion by Councilman Kolber, seconded by Councilman Casilio that after proper audit and review by the Town Board, the following bills of February 16, 2012 are approved for payment: General Fund - $169,879.50; Highway Fund - $108,818.90; Water District - $35,328.48; Fire Protection Districts - $1,644,852.44; Lighting Districts - $850.83; Sewer Districts - $200.00; Capital Fund - $23,087.00 and Trust and Agency 203 - $2,227.50 for a total amount of $1,985,244.65. On the question, Councilman Kolber said this is a particularly high one because all of the fire districts got their checks, so they are happy. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Peter DiCostanzo. Motion carried.

"For the Good of the Town"

Pattie Gamin said she believes the Master Plan involved a lot of thought and planning to improve our town and to keep the population from increasing too fast. The Master Plan should not be changed at the whim of one company or one person just so they can make more money. We fear that if one can demand this change in population density, then others will do the same.

Joe Adams said he does not understand the proposal for the chalets and the single family homes. It seems like you have a commercial area being changed to commercial residential to put smaller houses and you are not doing it any place else in the Town of Clarence. It almost seems like a way to get around the zoning and building rules in the Master Plan. How did you get the chalets in across from Dash's?

Councilman Kolber said that was an old motel and they turned them into small rental units, which is what has been done with a lot of the old motels. In that case they ended up tearing them down and putting up the chalets. His concern is that people purchase property based on the zoning that is there. If you change it, it could become problematic when it impacts someone.

Councilman Casilio said Chapter 11 will shake that out and the Planning Board will look at it. It is a long process and he hopes that the people that came tonight will go to the Planning Board meetings.

Mr. Adams said it seems like anything goes south of Main Street.

Supervisor Hartzell said our Planning Board is so dedicated to examining the projects in depth before anything is done.

Councilman Kolber said what irritates him is that we limit the density for single family homes in unsewered areas and then let a high density project go in on a small piece of property without proper septic or sewage treatment.

Mr. Adams said the problem with the mobile home parks is that the people do not own their property and that makes them very vulnerable cost wise.

There being no further business, Supervisor Hartzell adjourned the meeting at 8:30 p.m. in memory of Romeo DiPirro, who was a former Town employee for many years.

Nancy C. Metzger
Town Clerk