

A Work Session of the Clarence Town Board was held on June 25, 2008 at Clarence Town Hall, One Town Place, Clarence, NY.

Supervisor Scott Bylewski called the meeting to order at 6:02 P.M. Members of the Town Board present were Council members Joseph Weiss, Bernard Kolber, Patrick Casilio and Peter DiCostanzo. Other town officials present were Director of Community Development James Callahan, Planner Brad Packard, Town Attorney Steven Bengart, Town Engineer Joseph Latona, Senior Building Inspector David Metzger, Director of Administration and Finance Pam Smith and Planning Board Chairman Gerald Drinkard.

Director of Community Development James Callahan

Public Hearings:

Arthur Fuerst 9450 Main Street

Applicant is seeking a permit for outside dining as depicted on site plan. The previously approved drive-thru coffee shop is located on approximately 1 acre in the Commercial Zone on the northwest corner of Main Street and Goodrich Road. Per the Zoning Law, the Town Board may consider outside dining permits via a Temporary Conditional Permit. Areas of concern include number of seats, hours of operation, outdoor music. *(Councilman Casilio will recuse himself from discussion of this project).*

Formal Agenda items:

St. Mary's Church Swormville

Applicant is seeking Development Plan approval on the approved concept. The proposed new church received a Special Exception Use Permit on 9/12/07 with conditions: Crossing guard to be provided for weekend and holiday masses, building permit fees, landscaping to buffer adjoining residential properties. Per the Zoning Law, the Town Board has final authority to approve new construction in the TND Zone. The Planning Board has forwarded a recommendation with conditions of the Town Engineer, conditions of the Landscape Committee also conditions identified in the Special Exception Use Permit. All pertinent fees apply.

Felber's Building Supply 5555 Transit Road

Applicant is proposing to update the façade of the main building. The proposed site is located on the east side of Transit Road, south of Roll Road at existing building supply operation located in the Major Arterial Zone. There will be no changes to the operations, only the façade. The proposed materials are acceptable in the Major Arterial Zone.

Fireworks Display Permit Approvals:

- Brookfield County Club – July 5 (wedding)
- Brookfield Country Club July 26 (wedding)
- Bicentennial Committee July 26
- Clarence Center VF Company August 31

All paper work is in place for each request.

Work Session items for consideration on 7/9/2008:

Scheff Investments 9505 Main Street

Applicant is seeking approval to update existing façade of the office building. The proposed site is located on the south side of Main Street, west of Gunnville Road. *(Councilman Casilio will recuse himself from discussion of this project).*

Marita Haas 8100 Stahley Road

Applicant is proposing to subdivide the property to create 3 new residential building lots along the Stahley Road frontage. The proposed site is located on the east side of Stahley Road, north of County Road in the Swormville TND. A previously reviewed major subdivision was referred to the Planning Board. The applicant is reducing the proposal to splitting the frontage lots. A variance will be required to set any future homes back beyond the established front yard setback line. *(This project was previously introduced by Rocco Delgrosso at the May 28th Town Board meeting however, he has decided to back out of the project).*

Ken Loewer 9700 County Road

Applicant is proposing a small addition to the rear of existing building in the Industrial Business Park Zone.

2008 Excavation Permits

A public hearing will be set in two weeks to consider renewal of the annual excavation permits:

- 10001Grand Corporation
- Emeritus Holdings
- Buffalo Crushed Stone
- Lakeside Sod
-

Supervisor Scott Bylewski

Last Friday, Director of Community Development James Callahan, Town Attorney Bengart and Supervisor Bylewski and members of the Western NY Land Conservancy met with the United States Department of Agriculture and NYS Department of Agriculture and Markets regarding a green print purchase. Supervisor Bylewski thanked James Callahan and Town Attorney Bengart for their input, the meeting was very beneficial.

Updates to the Code of the Town of Clarence were distributed today. Supervisor Bylewski asked that everyone insert the most current pages and keep their code books up to date.

Karen Jurek would like to meet with each Council member to go over individual files to determine what files can be disposed of.

Supervisor Bylewski will announce an opening on the Recreation Advisory Committee.

Public input meetings were held to discuss the proposed north/south bike path connection along either Strickler Road or Salt Road. In light of the public input and department head input, it does not seem prudent at this juncture to pursue a

grant for a north/south connection this year. Supervisor Bylewski thanked the public for their input and will keep this in mind for any future potential grant applications.

Supervisor Bylewski has received numerous resolutions from surrounding towns regarding the Condominium Law which the Town of Clarence has already acted upon.

At a prior meeting a resolution was passed authorizing the Supervisor to send a letter to Erie County regarding oiling and chipping Thompson Road. This project was not in the County's budget for this year.

Councilman Joseph Weiss

The Day in the Park banner was put up across Main Street. Events for the day are in order.

Councilman Weiss will meet with Town Engineer Joseph Latona, Senior Building Inspector David Metzger and Victor Martucci regarding improvements made at the baseball facility (former Water Department) on Goodrich Road. Town Attorney Bengart stated that there were no costs involved with this project, everything was donated.

Youth Director Dawn Kinney is recommending the appointment of several high school students to the Youth Board.

Youth Director Dawn Kinney is requesting Town Board approval to hire seasonal employment for the 2008 Summer Youth Series.

Councilman Weiss is meeting with all area Fire Chiefs on Friday.

Parks Crew Chief John Burns submitted a list of projects he has planned for this year including the bocce ball court at the Senior Center.

Parks Employee Paul Allen is very knowledgeable when it comes to fixing the filters at the town pool however, it was suggested that he train other parks employees in the event that he is not available.

Councilman Weiss will make a motion to set a public hearing for the creation of a garbage district.

The Parks Department has started putting out mosquito larvicide in catch basins throughout the town.

Parks Department employees have been instructed to chase the geese with their vehicles, this may deter them.

Councilman Weiss has three items to discuss in Executive Session.

Councilman Bernard Kolber

Councilman Kolber announced that the long awaited bocce court is in place at the Senior Center. Councilman Casilio stated that it costs the town \$5300 a month to maintain the Senior Center including cutting the grass. He does not want to see town employees maintaining the bocce court everyday.

Councilman Kolber will host an open resident's forum and will schedule a date for sometime in August. This is an open forum to allow residents to discuss any issues or concerns they may have.

Councilman Kolber had a meeting with Parks Crew Chief John Burns, Jim Schlabach and representatives from a solar energy company.

Town Attorney Bengart will send a letter to Dr. Samina Raja. To date, the Town has not received any reports that were promised by the end of June.

The joint Town Board/School Board meeting is scheduled for August 18th for anyone that can attend.

The Meeting House Board met last Thursday regarding the roofing project on the Log Cabin. The shingle issue has been resolved and the roof should be completed by Heritage Days.

Councilman Patrick Casilio

Councilman Casilio has received the quarterly Avoidable Alarm Report.

The Public Safety Committee has requested a change in format. Currently the patrols are set up to go with Parks Security at night. Several male public volunteers would like to patrol in the morning and during the day on their own. They would like to be able to call in to Parks or Highway Department to let someone know when they are on patrol. This will not affect evening patrols. Supervisor Bylewski stated that he did not have a problem with this as long as the patrols went out in pairs. It was also stressed that patrols wear their helmets.

At the request of the Fire Chief's Association, Councilman Casilio is working on scheduling an informational meeting to review LOSAP. July 21st and July 28th have been tentatively scheduled pending the availability of our LOSAP representative, Town Attorney, Director of Administration and Finance and our insurance representative.

A friend of Councilman Casilio commented on the amount of time patients spend on stretchers at Millard Suburban Hospital before they can get a room in the Emergency Room. This is also happening at other hospitals as well and should not be tolerated by the public. The Chief's Association will go on record and voice their concern about tying up our ambulances because the hospitals are not

handling patients correctly. Some people use the Emergency Room as a regular doctor's office.

Councilman Casilio has been working with Supervisor Bylewski on a possible grant to upgrade the entrance to Nottingham Terrace.

Town Engineer Latona finished his survey of the sidewalks for Main Street. Approximately 18,580 feet of sidewalk has to be replaced or installed on Main Street from Transit to Thompson Road at an approximate cost of \$434,000. Councilman Casilio will look into obtaining a grant for this project.

Councilman Casilio will make a motion authorizing the Supervisor to sign the Cedar Path Solutions Group Wireless IP Surveillance Monitoring Proposal pending review and approval of the Town Attorney.

Erie County Sheriff and NYS Police have requested lighting along the bike path at Memorial Park between Salt and Kraus Road. Councilman Casilio met with NYSEG and there is no power at that site unless the town runs underground wiring at some point in time. There is a gentleman that lives on Boncrest Drive that has solar powered/wind powered LED lights that could be placed in Memorial Park. Councilman Casilio will set up a demonstration.

Councilman Casilio is continually getting requests for speed limit signs and has also received a request for a "No Passing Zone". He will follow through with these requests with Highway Superintendent Ted Donner.

The Clarence Hollow Farmers Market has opened for the season.

Supervisor Bylewski announced that he will be away at Camp Smith from July 12 thru July 20th however; Deputy Supervisor Casilio will be on call.

Councilman Peter DiCostanzo

The Planning & Zoning Department would like approval for ten individuals from the Planning Board, Zoning Board and Planning Department to attend the annual Planning and Zoning Summer School to be held at SUNY Geneseo on July 31. Cost of the school is \$60 per person and is a budgeted expense.

Councilman DiCostanzo has several recommendations from TEQR Committee to announce.

Director of Administration and Finance Pam Smith has provided the Board with a schedule of all over time payouts per month.

On June 30th TEQR Committee is taking a field trip to the Transit Road Corridor to look at potential Master Plan amendments along Transit Road.

The Historical Society would like approval to fire a canon during Heritage Days 3-day event. The safety of the canon is a concern. Town Attorney Bengart had concerns will the Civil War re-enactors setting up camp in the park for the weekend. Councilman DiCostanzo asked if the canon was brought in on a trailer, could it be parked in a maintenance shed in the Park. The Board was in agreement with this. Councilman DiCostanzo will discuss this further with Doug Kohler and get back to the Board.

Supervisor Bylewski spoke with Chamber of Commerce President Paul McCarthy He is interested in a joint Town Board/Chamber of Commerce meeting possibly the first Wednesday in August.

Town Attorney Bengart has one Attorney-Client item to discuss in Executive Session.

Motion by Supervisor Bylewski, seconded by Councilman Kolber to enter into Executive Session pursuant to § 105(1)A matters which will imperil the public safety if disclosed; §105(1)F the employment history of a particular person. Upon roll call – Ayes: All; Noes: None. Motion carried.

There being no further business, the Work Session adjourned at 7:13 P.M.

Darcy A. Snyder
Deputy Town Clerk

Motion by Supervisor Bylewski, seconded by Councilman DiCostanzo to adjourn the Executive Session at 7:30 P.M. Upon roll call – Ayes: All; Noes: None. Motion carried. No action taken.

Regular meeting of the Town Board of the Town of Clarence was held Wednesday, June 25, 2008 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Scott Bylewski called the meeting to order at 7:35 P.M. Pledge to the flag was led by Councilman Bernard Kolber, followed by a prayer given by Father Yetter of St. Mary's Catholic Church.

Members of the Town Board present were Councilmembers Joseph Weiss, Bernard Kolber, Patrick Casilio, Peter DiCostanzo and Supervisor Bylewski. Other Town officials present were Director of Community Development James Callahan, Town Attorney Steven Bengart, Town Planner Brad Packard and Building Inspector David Metzger.

Motion by Councilman Weiss, seconded by Councilman Casilio to accept the minutes of the previous meeting held May 22, 2008 as received. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Kolber, seconded by Councilman Weiss to accept the minutes of the previous meeting held June 4, 2008 as received. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Casilio, seconded by Councilman Weiss to accept the minutes of the previous meeting held June 11, 2008 as received. Upon roll call – Ayes: All; Noes: None. Motion carried.

Supervisor Bylewski announced that there is a vacancy on the Recreation Advisory Committee. Anyone interested should submit a resume and an application to his office.

Supervisor Bylewski said we have held two public input meetings regarding a north/south bike path connection along either Strickler Road or Salt Road. Upon discussion with department heads, as well as the public input, we have decided not to pursue a grant for the north/south bike path this year from the Transportation Enhancement Program. We will continue to explore all options. It is the intent of the Master Plan and the Town Board to tie together as many of the community facilities as possible.

Motion by Councilman Weiss, seconded by Councilman Kolber to appoint Marlese Wacek as a tutor for \$15 per hour for the 2008 Summer Youth Series. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Weiss, seconded by Councilman Kolber to appoint the following Clarence High School students to the Youth Board with term to expire 6/30/09: Shalin Nohria, Nicole Miller, Shaya Sessler and Sydney Powell. On the question, Councilman Casilio said he will recuse voting on Sydney Powell as she is his niece. Councilman Weiss said these are the student members who serve on the 15-member board. Upon roll call – Ayes: All; Noes: None. Recuse: Councilman Casilio on Sydney Powell only. Motion carried.

Motion by Councilman Weiss, seconded by Councilman Kolber to grant permission for Clarence Church of Christ to put up a tent on park property just south of their driveway at 5375 Old Goodrich Road on July 12th and remove it on July 14th. The tent must not interfere with any activities in the Park. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman Weiss said the Parks Department has started putting out mosquito larvicide in 3,500 catch basins along the roads in Town to help prevent the West Nile Virus issues. It was supplied by Erie County at no charge.

Councilman Weiss said the Parks Department has finished the bocce courts at the Senior Center. They are also installing new modular playground equipment and sprucing up some older equipment at the Harris Hill Park. They will also be running an electric hookup for a pump for the Town Hall pond. The Parks Department is very busy working on a variety of things.

Councilman Weiss announced that Day in the Park is going to be July 5th from 2:00 P.M. until after the fireworks at dusk. It will be the best.

Councilman Weiss said there was discussion at the Youth Board meeting last night about the Town Pool staying open until 8:00 P.M. Chip Trapper will look at the budget to see if it is feasible for the month of July. There will be an announcement if we can work it out.

Councilman Weiss said he and Chip Trapper are also working on a youth event to be held at the Nature Center in the fall.

Motion by Councilman Weiss, seconded by Councilman DiCostanzo to set a Public Hearing for July 23, 2008 at 7:45 P.M. to consider the establishment of a Garbage District. On the question, Councilman Weiss said the first step is a public hearing. If passed, they would set the parameters, send out for bids and choose a vender for the Town. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman Kolber thanked the Parks Department for the great job they did on the bocce courts at the Senior Center.

Councilman Kolber said he will announce a date in the near future to hold an open residents forum. He has been holding these annually to allow residents to come and discuss what ever issues, questions or concerns they may have.

Councilman Kolber said the Town Board and School Board will hold a joint meeting on August 18th to discuss ways they can work together.

Motion by Councilman Kolber, seconded by Councilman Weiss to authorize the Supervisor to sign a one-year lease between the Town of Clarence and Kreher's Poultry Farms for agricultural purposes to farm the Town owned property at Salt and Greiner Roads for an annual fee of \$3,930. On the question, Town Attorney Steven Bengart said the lease is reviewed each year to determine that it is fair and equitable. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman Casilio said he received the quarterly avoidable alarm report. We had 26 false fire alarms and 1,159 security alarms for a total of 1,185 false alarms. A total of 89 did not call back. We received \$4,215 in avoidable alarm fees.

Councilman Casilio said in regard to public safety, our volunteer bike patrols are out. We are going to look at possibly getting them out for longer periods of time and in the morning and afternoon.

Councilman Casilio said there is going to be a public meeting on July 28th at 7:00 P.M. to review the LOSAP program with representatives of the fire companies and anyone who is interested. Our LOSAP rep will be here to review the program and answer any question.

Councilman Casilio said we are looking into grants for the Morlando Committee project and sidewalks on Main Street from Transit to Thompson. The Town Engineer has conducted a survey to see what needs repair and installation. An estimation of the cost is \$434,000.

Councilman Casilio said Traffic Safety is still receiving many requests for speed reduction and passing on some streets. The traffic and speed trailer is out.

Councilman Casilio said he has spent some time around hospitals lately and some friends just experienced 10 hours on a stretcher at Buffalo General. He asked the Chiefs Association to put the County on notice that, that is unacceptable service. Millard Suburban expanded their emergency room and do not have the staff to fill it. It is our job in emergency services to provide the best care for our residents and that is unacceptable.

Councilman Casilio said we finally have a vendor who has a camera system that will work for us on our bike paths. It is mainly for a deterrent to keep bad people from doing bad things on our bike paths.

Motion by Councilman Casilio, seconded by Councilman Kolber to authorize the Supervisor to sign the Cedar Path Solutions Group Wireless IP Surveillance Monitoring Proposal for the Town of Clarence for the installation and configuration of wireless IP video surveillance equipment for the purpose of monitoring the Clarence Bike Path subject to review and approval of the Town Attorney. On the question, Councilman Casilio said we have had many not-for-profit organizations that have raised funds to help get this system in place including Clarence Rotary Club, Clarence Hollow Association and Kevin Patterson Run. The first location we are looking at is the bike path near Meadowlakes Park and at Meadowlakes Park. Supervisor Bylewski said Councilman Casilio has been working on this for quite some time and because of his diligence the contract was exceptionally lower. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Casilio, seconded by Councilman Kolber that upon the recommendation of the Chief Security Office, the Clarence Town Board appoints Adam Muchow of 4178 Shimerville Road as Securing Officer P/T effective June 28, 2008 at the budgeted rate of pay and subject to receipt of all the necessary documentation to meet the

requirements of the position. On the question, Councilman DiCostanzo said he will recuse as his wife is related to the Muchows. Councilman Casilio added that he has had many years in criminal justice training and is planning a career in law enforcement. Upon roll call – Ayes: Councilmembers Casilio, Kolber, Weiss and Supervisor Bylewski; Noes: None. Recuse: Councilman DiCostanzo. Motion carried.

Councilman Casilio said the speed trailer is out and we are trying to leave it at each location for about a week.

Councilman DiCostanzo said he has a request from the Heritage Days Committee to allow for firing of the cannon and permit the people who bring the cannon to camp overnight in the park. We will try to work something out.

Councilman DiCostanzo thanked Councilman Casilio for getting the speed trailer out there. He hears a lot of complaints also.

Motion by Councilman DiCostanzo, seconded by Councilman Weiss to grant permission for up to ten individuals from the Planning Board, Planning & Zoning Department, Zoning Board of Appeals, Town Board and Town Attorney to attend the annual Planning and Zoning Summer School to be held at SUNY Geneseo on July 31, 2008 with cost of \$60 per person. They will car pool to keep travel costs down. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Weiss that pursuant to Article 8 of the Environmental Conservation Law and upon recommendation of the TEQR Committee, the Clarence Town Board seeks Lead Agency Status and commences a coordinated review among involved agencies on the proposed Wood Meadows Open Development Area. This Unlisted Action involves the development of a 4-Lot Open Development on the south side of Tonawanda Creek Road, west of Northfield Road. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Weiss that Pursuant to Article 8 of the Environmental Conservation Law and upon the recommendations of the TEQR Committee, the Clarence Town Board issues a Negative Declaration on the proposed Zoning Law Amendments related to Architectural Design Standards. After thorough review of the proposed amendments by the TEQR Committee, Planning Board and Town Board, it is determined that the proposed action is consistent with the adopted Master Plan 2015 and will not have a significant impact upon the environment. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman DiCostanzo reminded everyone of all the great things for kids to do being offered by the Youth Bureau and the Recreation Department.

Supervisor Bylewski thanked all departments heads present for attending.

A Public Hearing was held to consider the request for a Temporary Conditional Permit for outside dining at 9450 Main Street. James Callahan said the location is the northwest corner of Main and Goodrich consisting of approximately one acre in the Commercial Zone. A Special Exception Use Permit was granted June 14, 2006 for a drive thru facility. Development Plan Approval on the final design was given August 8, 2007.

Councilman Casilio said his family has a business relationship with the applicant so he will recuse himself from discussion and decision.

Arthur Fuerst was present.

Supervisor Bylewski said a letter was received from Ronald Grimm congratulating the applicant on their beautiful project. He has no objection to the Temporary Conditional Permit, but insists that the requirements of an extensive landscaped berm between their properties along with a lawn sprinkler system be installed as stated during the initial site planning process.

Mr. Fuerst said the sprinkler system is already in and the berm is in process.

With no one else speaking to the subject, motion was made by Councilman Weiss, seconded by Councilman DiCostanzo to close the Public Hearing.

On the question, Supervisor Bylewski asked how many tables and chairs? Mr. Fuerst said 8 small tables and 22 seats.

Councilman Kolber mentioned access management from the adjoining property. Mr. Fuerst said it is available if needed.

James Callahan said that was part of the Special Exception Use Permit.

Upon roll call – Ayes: Councilmembers DiCostanzo, Kolber, Weiss and Supervisor Bylewski; Noes: None. Recuse: Councilman Casilio. Motion carried.

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

Be It Resolved that the Clarence Town Board, after a public hearing duly held on June 25, 2008 and after all interested parties being heard, grants a Temporary Conditional Permit to the applicant, Arthur Fuerst, for outside dining at 9450 Main Street for the previously approved drive-thru coffee shop subject to the following conditions: 1. The Temporary Conditional Permit is granted for one year. 2. Outdoor seating not to exceed 8 tables or 22 seats. 3. No live entertainment to occur outdoors. 4. Landscape Berm and lawn irrigation to be installed in accordance to agreement. 5. Maintenance of future access to West is adhered to.

On the question, Councilman Weiss said people complain about all the development, but here is an example of a great improvement to a property. Mr. Fuerst has done a terrific job.

Upon roll call – Ayes: Councilmembers DiCostanzo, Kolber, Weiss and Supervisor Bylewski; Noes: None. Recuse: Councilman Casilio. Motion carried.

Kevin Gaughan presentation regarding Local Government.

Mr. Gaughan thanked the Town Board for allowing him to be here this evening. This is his 41st stop in visiting the municipalities in Erie County. It has been a magnificent education. Things have not been going very well for the Greater Buffalo area. Since 1970 we have lost 238,000 residents. They leave because there is no opportunity. Since 1990 we have lost 40,000 private sector jobs. At the same time, we have increased 7,000 public sector jobs. This is no way to create a sustainable and prosperous community.

Mr. Gaughan said we pay the fourth highest taxes in America. He showed statistics derived from the US Federal Census. We have lost the most 18 to 32 year olds than any county.

They have talking about a new peace bridge and developing the water front for so many years and nothing happens. We have so many ideas and discussions and nothing happens. We also have two control boards in one county which has never happened anywhere else in the country. Mr. Gaughan said we are all to blame for no change. We are a community in crisis. This has happened over time. Other areas of the country that are prospering do not have the wonderful things that we have right here such as, Niagara Falls, Olmsted Parks, waterfront, etc.

Mr. Gaughan said other areas of the country are leaving us behind. We need to change local government. His theory is you cannot be a politician and a reformer. You can be an elected official, but not a politician.

Mr. Gaughan did a comparison of other areas and our local area in regard to number of local governments and number of residents. The more government you have the less competitive you are. We have to do something about it. He respectfully is asking each municipality to reduce the number of members of their legislative bodies by two through attrition. He gave the Town Board a resolution that he asked they consider adopting.

Councilman Weiss said he understands what he is saying, but how do you get the three good people with the two major local parties. It sometimes boils down to who knows who. Most people probably do not even know who the Town Board members are. How do you get the best qualified people?

Kevin Gaughan said that is his point how citizens have removed themselves from town government. The reason is that it won't change. You may even attract better people.

Supervisor Bylewski said we have the Open Meetings Law to abide by. The Town Board cannot meet to discuss Town business if there is a quorum unless it is at an advertised open meeting. There would be an issue then with a conversation between only two members.

We have as a Town issued a number of initiatives and taken prudent fiscal measures such as outcome based budgeting and multi-year budgeting. We have taken green measures by changing our zoning to promote clustering and have adopted a greenspace program to preserve our rural character.

The government efficiency report that just came out indicated that consolidation is not always the answer. It is not always cost effective. Supervisor Bylewski said the Town Board will take his recommendation into consideration along with other research that has come out. We will continue to look at the health, safety and welfare of our constituents.

Councilman Kolber said our town and highway tax is about \$2 per \$1,000. Councilman Casilio added that the average taxes per household are about \$250 for Town taxes, \$2,000 for school and \$1,500 for County.

Kevin Gaughan said the bottom line is we are the 4th highest taxed area. Councilman Casilio said then he believes he is looking at the wrong place. We have a \$16 million budget and the school has a \$68 million budget.

Mr. Gaughan said if the town boards were willing to start changing the way things are done, it would be more receptive to go to other entities.

Councilman Kolber said people who are retiring in their late 40's to 50's with government union positions is the problem. Life expectancy is 85 and we have to pay for that period of time, plus some have lifetime health benefits. This is what costs.

Councilman Casilio asked for an example of a supersized government that saved money.

Kevin Gaughan said he is not talking about consolidation or a supersized government. He is talking about every town, village and city reducing their politicians by two. He believes that any elected official willing to adapt, innovate or sacrifice a little bit will be heroic.

Councilman DiCostanzo said he does not believe that by doing what he is asking is going to make a big difference. We are in dire straits. The State closed their sessions this week without doing anything that could have been beneficial. Nothing happened.

Kevin Gaughan said the only thing he is asking this evening is if the Town could run just as effectively with three bosses as it does with five.

St. Mary's Church requests Development Plan Approval and Architectural Approval for a new church at 6925 Transit Road. Brad Packard said the location is the southeast corner of Transit and Stahley consisting of approximately 10+ acres in the Traditional Neighborhood District. A Special Exception Use Permit was issued 9/12/07. The Planning Board has forwarded a recommendation with conditions.

Mike McNally, co-chairman of the building committee and Pete Johnson, engineer were present. Mr. Johnson said they would be willing to partner with the residents and the Town to solicit Erie County for a speed reduction and school zone markings. They do take issue with the condition of having a traffic control person for an indefinite time.

Supervisor Bylewski said that was part of the Special Exception Permit to have for holiday and weekend masses. We cannot change that unless there is another public hearing held. It could be addressed at a later date.

Councilman Casilio added that the existing church is 140 years old and they have to leave the building to use the bathroom facilities.

Motion by Supervisor Bylewski, seconded by Councilman Weiss to adopt the following resolution:

RESOLVED, that the Clarence Town Board grants the request of the applicant, St. Mary's Church, for Development Plan and Architectural Approval for the construction of the proposed new church located at the southeast corner of Transit and Stahley Roads subject to the following conditions:

1. Town Engineer conditions and approval.
2. Landscape Committee conditions and approval.
3. Conditions as identified in the Special Exception Use Permit granted On September 12, 2007 as follows:
 - a. Crossing guard to be provided for weekend and Holiday Masses.
 - b. Building Permit Fees.
 - c. Landscape to buffer adjoining residential properties.

4. All pertinent fees.

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

Felber's Building Supply requests a Building Permit and Architectural Approval for a new façade at 5555 Transit Road. Brad Packard said the location is the east side of Transit Road, south of Roll Road consisting of an existing building supply operation in the Major Arterial Zone.

Jerry Felber, Jr. said basically they want to update a 38 year old building.

Motion by Councilman Casilio, seconded by Councilman Kolber to grant a Building Permit and Architectural Approval for a new façade at 5555 Transit Road to Felber's Building Supply per the drawing submitted. On the question, Mr. Felber asked if it would be a problem if there was a minor change. Supervisor Bylewski said if there is any change, he should take it to Planning & Zoning Department to determine if it is significant. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Kolber, seconded by Councilman DiCostanzo to grant approval for the following Fireworks Display Permits: A. Brookfield Country Club – July 5, 2008; B. Brookfield Country Club – July 26, 2008. C. Bicentennial Committee – July 26, 2008. D. Clarence Center Vol. Fire Company – August 31, 2008. On the question, Brad Packard said all fees, insurance certificates and sign offs have been received for all applicants. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Weiss, seconded by Councilman Kolber to approve the following: Clubhouse Applications - A. Clarence Hollow Association – Dec. 4, 2008; B. Arts & Crafts Society – 2nd Thursday of month; Nov. 6 – 8, 2009; C. Log Cabin Quilters – 4th Tuesday of month; May 12 – 17; & Dec. 1, 2009; D. Book Review Club – 1st Wednesday each month 2009; E. Clarence Lion's Club – 2nd & 4th Thursday each month 2009; Legion Hall Applications - A. Patricia Siskar – June 27, 2008; B. ToniAnne Dean – Aug. 9, 2008; C. Daniel Michnik – Aug. 20, 2008; D. Log Cabin Quilters – Thursdays in 2009; E. Clarence HS Football Boosters – June 30, 2008. On the question, Supervisor Bylewski said Town Board members are also members of various organizations, however this is ministerial and they will be voting. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Weiss, seconded by Councilman Casilio that after proper audit and review by the Town Board, the following bills of June 26, 2008 are approved for payment: General Fund - \$81,273.06; Highway Fund - \$11,905.65; Water District - \$1,064.80; Drainage District - \$32.67; Lighting Districts - \$1,221.76; Aquatic Growth District - \$716.95; and Trust & Agency 203 - \$264.00 for a total amount of \$96,478.89. Upon roll call – Ayes: All; Noes: None. Motion carried.

There being no further business, Supervisor Bylewski adjourned the meeting at 9:00 P.M.

Nancy C. Metzger
Town Clerk