

A Work Session of the Clarence Town Board was held on July 23, 2008 at Clarence Town Hall, One Town Place, Clarence, NY.

Supervisor Scott Bylewski called the meeting to order at 6:00 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 Assistant Planner Brad Packard, Town Attorney Steven Bengart, Town Engineer Joseph Latona, Director of Administration and Finance Pam Smith, Senior Building Inspector David Metzger and Planning Board Chairman Gerald Drinkard.

### **Assistant Director of Community Development – Brad Packard**

#### ***Public Hearing:***

A public hearing is scheduled for 7:45 PM to consider the establishment of a Garbage District.

#### ***Formal Agenda items:***

Clarence Wine and Spirits 10060 Main Street

Applicant is seeking preliminary concept approval to develop a commercial retail structure at 10060 Main Street. The proposed site is located on the north side of Main Street, west of Pine Ledge Drive on existing vacant land consisting of .55 acres with 80+/- feet of road frontage in the Commercial Zone. Per the Zoning Law, the Town Board has authority to approve uses in the commercial zone as to architectural style and functional plan. The small size of the parcel limits the functional plan for the property.

Paul Allaire 6161 Salt Road

Applicant is seeking approval to clear and clean up the wooded areas of the parcel. The proposed site is located on the east side of Salt Road, north of the Peanut Line on existing residentially developed area located on 35+ acres in the Agriculture Rural Residential Zone. Per the Landscape and Tree Preservation Law and the Clearing, Filling and Grading Local Law, the Town Board has authority to authorize tree removal and lot clearing. A forest management plan is required.

Domenic Piestrak/Spaulding Greens Open Space Design Subdivision

Applicant is seeking approval for a 380 unit open space design subdivision on 417+/- acres. The proposed site is located on the east side of Goodrich Road north of Greiner Road on existing vacant land within the Residential Zone. This project is a supplement to the Clarence Hollow Pollution Abatement Project and a Final Findings Statement has been approved on the 380 unit Open Space Design subdivision. A public hearing with proper notification is required prior to making a final determination.

Greg Ribbeck 5750 Shimerville Road

Applicant is proposing to construct a pond on existing vacant land consisting of 77+ acres. The proposed site is located on the west side of Shimerville Road, north of Roll Road in a residential area. Per the Excavation Law, the Town Board has authority to approve pond permits. Engineering approval will be required on the design. All setbacks as required by law are met. (***Applicant asked to be removed from the agenda.***)

Tommaso Bratico 4125 Transit Road

Applicant is seeking architectural approval and a building permit for a second floor addition to the existing building footprint. The applicant intends to maintain a retail usage on the first floor and proposes professional office space within the additional second floor. The proposed site is located on the east side of Transit Road, north of Wehrle Drive in a Major Arterial classification. The applicant has proposed a site plan which eliminates an existing curb cut and leaves one point of ingress and egress onto Transit Road as well as shared access with the Toys R Us location to the south to promote logical access management.

Dave Wylier – Cosal Development 8625 Transit Road

Applicant is seeking architectural approval and a building permit for an additional office building within the existing development. The existing professional office development is located on 1.5 acres in the Major Arterial Zone on the east side of Transit Road, south of Tonawanda Creek Road. A front yard setback variance is required for the project as proposed. The applicant has previously applied for a variance with the Zoning Board of Appeals and has been granted a variance for the setback as designed.

***Work Session items for consider August 13, 2008:***

Christopher Smith 5940 Goodrich Road

Applicant is seeking a Temporary Conditional Permit for used automotive sales. The proposed site is located on the west side of Goodrich Road, south of Clarence Center Road in existing vacant retail building (previously used as a automotive facility) located on .416 acres in the Traditional Neighborhood Zone. Per the Zoning Law, the Town Board has the authority to approve Temporary Conditional Permits with conditions for automotive sales and service. Generally issues that are conditioned within the Temporary Conditional Permit concern number of vehicles to be displayed at any given time, hours of operation etc.

Chris Carollo 8720 Clarence Center Road

Applicant is seeking development plan approval for the creation of a 2-lot Open Development. The proposed residential building lot is located on 4.65 acres on the north side of Clarence Center Road, west of Shimerville Road in a Residential Single Family Zone. Per the Zoning Law, the Town Board has the authority to approve Open Developments with recommendations from the Planning Board. This project was originally tabled by the Town Board on October 24, 2007 and the applicant was asked to satisfy 10 conditions before requesting development plan approval. The applicant has satisfied the preliminary conditions and requirements of the Engineering Department. One condition remains of the original 10 concerning light fixtures within the Open Development, the applicant would prefer advisement from the Town Board concerning this matter. The Landscape Committee has suggested the Development Plan approval if granted, be conditioned on final approval of the Landscape Committee providing the Committee the opportunity to work with the applicant throughout final development process. Town Engineer Latona stated that there may be road issues to address.

**Supervisor Scott Bylewski**

Supervisor Bylewski reminded the Town Board about Heritage Days which will take place this weekend beginning on Friday.

The generator at the Senior Center was struck by lightening which caused severe damage.

In light of recent vandalism and burglaries taking place around town, Supervisor Bylewski will make a public safety announcement suggesting residents keep their cars locked and to watch out for anything unusual or suspicious in your mailbox.

Supervisor Bylewski along Joseph Latona, David Metzger, John Burns and Pam Smith had a conference call with the County regarding Lean Six Sigma and steps the town can take. Supervisor received information regarding a potential consultant as to the training aspect of any Lean Six Sigma program we may implement. There should be planning, training and implementation pieces to the process. We may receive County help regarding the planning and implementation pieces. As more information becomes available, Supervisor Bylewski will pass it along.

Supervisor Bylewski has information regarding the nomination of the International Joint Commission for a Stockholm Water Prize.

Supervisor Bylewski copied the Town Board on the 2008 budget schedule. The budget request forms will be distributed to all department heads on August 13. The public hearing on the preliminary budget and special districts will be scheduled for November 5, 2008.

Supervisor Bylewski will announce July 20<sup>th</sup> as Paralegal Day in the Town of Clarence.

Supervisor Bylewski has two items to discuss in Executive Session regarding employment history of a particular person and employment history of a corporation.

A public hearing is scheduled for 7:45 PM to consider the establishment of a garbage district. Karen Jurek has compiled a list of those residents both for and against the district. During the public hearing, speakers will be limited to 3 minutes.

### **Councilman Joseph Weiss**

Highway Superintendent Ted Donner is recommending two additional stop signs (creating a 3-way stop) at the corner of Forest Creek Drive and Fieldbrook Drive.

Highway Superintendent Ted Donner has been working with the NYS DEC regarding Hog Weed in our town. The DEC has an invasive species program that sets up temporary field offices so they can respond more efficiently to calls and concerns. The DEC has provided a town wide easement for review and approval. Superintendent Donner is requesting the Town Board authorize the Supervisor to sign the DEC easement so they can continue to help us with this issue. There is no cost to the town.

The Day in the Park Committee held their final meeting for the year. The final numbers are being tallied and a report will be forthcoming. The committee voted unanimously to make Chuck Eckert the chairman for the next four years and also voted on his compensation.

Councilman Weiss met with the president of the Lacrosse team. They are looking to the town for a stipend of \$5,000. Councilman Kolber suggested the lacrosse organization start a house league, several players are being turned away. The stipend would be used towards coaching costs and equipment.

Councilman Weiss will address his reasons for suggesting the public hearing to consider the creation of a garbage district. He will give his rationale for the changes and what has happened in the last two years. Supervisor Bylewski stated that the public hearing will remain open for 30 days for written comment.

Councilman Weiss will make a motion authorizing the Supervisor to sign a Joint Funding Agreement with the Town of Amherst for the operation and maintenance of the gauging stations with telemetry at Tonawanda Creek at the Rapids Road Bridge.

### **Councilman Bernard Kolber**

Councilman Kolber commented on the July 16<sup>th</sup> article in the Buffalo News regarding the Towns of Clarence and Lancaster exploring the idea of building a shared indoor ice rink. Supervisor Bylewski reemphasized "that it's in an extremely embryonic stage right now." Currently we are looking at the information and seeing what is available.

With all the heavy rains we had today, Councilman Kolber has received numerous calls about flooding streets especially Beech Meadow Court. By time Town Engineer Latona went to the site the water had receded.

Town Engineer Joseph Latona has prepared a resolution relative to the design and bidding of solar panels for several town buildings at a cost of \$8,600. The

bid does not include any construction work. Supervisor Bylewski stated that he is in favor of pursuing this however, he will work with Director of Administration and Finance Pam Smith to determine which budget line item to secure the funds.

The annual resident's forum will be held on September 29, 2008 at 7:00 P.M. in the auditorium.

**Councilman Patrick Casilio**

Councilman Casilio met with the US Postal Service and the Sheriff's Department regarding the mailbox bombings and break-ins that have been occurring in the Town.

Town Attorney Bengart is finalizing the contract for security cameras.

The schedule for security personnel gets forwarded to Karen Jurek, Supervisor Bylewski and Councilman Casilio so everyone has an idea of how many people are working especially on the weekends.

The street lights have been repaired in the Harris Hill area. They were paid for by FEMA money.

Councilman Casilio stated that he is not able to find parts to repair the lights in the gas light district. He has been in discussion with residents in that neighborhood and it may be necessary to change the heads on the lights that are there now.

Hunting Valley Homeowners Association has requested a new street light in their neighborhood. The residents would pay for the installation of the light and the town would cover the cost to maintain it.

Councilman Casilio has received requests for several stop signs in town. All requests are reviewed by the Highway Superintendent.

**Councilman Peter DiCostanzo**

Councilman DiCostanzo commented on the Buffalo News article regarding the town pool.

Councilman DiCostanzo has several TEQR recommendations to report on.

Several Town employees and committee people are attending a seminar on July 31<sup>st</sup>, If Town vehicles are available, Councilman DiCostanzo felt it would be less costly if they all carpoled

Councilman DiCostanzo commented that in the State of California, they are considering charging residents for police and fire calls.

Motion by Supervisor Bylewski, seconded by Councilman Casilio to enter into Executive Session pursuant to § 105(1) F of the Open Meetings Law to discuss the employment history of a particular person and the employment history of a corporation. Upon roll call – Ayes: All; Noes: None. Motion carried.

There being no further business, the Work Session adjourned at 6:46 P.M.

Darcy A. Snyder  
Deputy Town Clerk

Motion by Supervisor Bylewski, seconded by Councilman DiCostanzo to adjourn the Executive Session at 7:23 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, July 23, 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 Peter DiCostanzo, followed by a moment of silence in honor of the memory of our servicemen and servicewomen who have passed away in the war on terror.

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 Planner Brad Packard, Town Attorney Steven Bengart, Building Inspector David Metzger and Planning Board Chairman Gerald Drinkard.

Motion by Councilman Casilio, seconded by Councilman Weiss to accept the minutes of the previous meeting held July 2, 2008 as received. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Kolber, seconded by Casilio to accept the minutes of the previous meeting held July 9, 2008 as received. Upon roll call – Ayes: All; Noes: None. Motion carried.

Supervisor Bylewski announced that item #15, the request by Greg Ribbeck, has been removed from the agenda at the request of the applicant.

Supervisor Bylewski stated that in regard to the public hearing on the garbage district, comments will be limited to three minutes for each speaker. At the conclusion of the hearing tonight, it will remain open for written comments to be submitted for a period of 30 days.

Supervisor Bylewski announced that Heritage Days will begin on Friday, July 25<sup>th</sup> with a number of events scheduled throughout the weekend and concluding with a parade on Sunday.

Supervisor Bylewski said we have had a few safety incidents in the Town recently. A few precautionary steps can be taken to protect your self, your family and property. One is to lock your vehicles and homes.

There have also been issues with mailboxes. If you find anything in your mailbox, you should call the proper authorities.

Councilman Kolber added that the problem is plastic bottles with explosive materials.

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

RESOLVED, that the Clarence Town Board acknowledges that the Town of Clarence Justice Court, as required by the Uniform Justice Court Act, § 2019-a, provided its court records and dockets to be examined and audited by the Clarence Town Board and that said audit was in fact conducted.

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

Motion by Supervisor Bylewski, seconded by Councilman DiCostanzo to grant permission for Court Clerk Marilyn Taton to attend the NYS Magistrates and Court Clerks Conference to be held in Niagara Falls in September 2008 with all reasonable expenses paid by the Town. Upon roll call – Ayes: All; Noes: None. Motion carried.

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

Whereas, the Town of Clarence recognizes members of the legal community who share a common professional affiliation and high degree of dedication to their work through which they contribute to the integrity of our judicial system, and we join to acknowledge the significant role that paralegals, also called legal assistants, serve within this state; and

Whereas, of vital importance to the attorneys they assist and under whose supervision they work, paralegals are generally responsible for researching, analyzing, and managing the daily tasks for legal cases; and

Whereas, paralegals perform nearly all the functions of lawyers, except for those strictly constituting the practice of law, and they assist lawyers with virtually all aspects of legal work –

including specialized areas of law, such as family law, corporate law, real estate, government, estate planning, litigation and criminal trials; and

Whereas, the duties of paralegals primarily involve researching and writing reports about pertinent sections of statutes or cases to help lawyers prepare for legal proceedings, as well as drafting documents for litigation; and

Whereas, paralegals also help lawyers speak with clients to uncover all the facts of a case by obtaining affidavits and assisting with depositions and other materials relevant to cases; and

Whereas, many paralegals work in government maintaining reference files, analyzing material for internal use and preparing informational guides on the law, and other paralegals work in community legal services helping disadvantaged people obtain legal advice and aid, while yet others work for corporations where they help draw up employee benefit plans, shareholder agreements and stock options; and

Whereas, in whatever capacity they work, paralegals are an important component of any legal team, and, not only is their work invaluable to lawyers, but also to the public which benefits from their efforts that promote the efficiency and effectiveness of the judicial process, and it is fitting that New Yorkers join to recognize this hardworking and dedicated community of professionals;

Now, therefore be it resolved, that the Clarence Town Board does hereby recognize July 20th, 2008 as PARALEGAL DAY in the Town of Clarence and further extends appreciation to our Paralegal, Cynthia Rosel, and to all Paralegals for the vital services they perform and their exemplary dedication to the communities they represent.

On the question, Town Attorney Steven Bengart commends the Board for doing this and recognizing Cynthia Rosel. She does a tremendous job for the taxpayers of this Town.

Supervisor Bylewski added that the 20<sup>th</sup> is the day that is also recognized by the State.

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

Motion by Councilman Weiss, seconded by Councilman Kolber to authorize the Supervisor to sign a Joint Funding Agreement with the Town of Amherst for the operation and maintenance of the gauging stations with telemetry at Tonawanda Creek at the Rapids Road bridge for the term of October 1, 2008 to September 30, 2009, with the Town of Clarence share not to exceed that amount of \$1,990. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Weiss, seconded by Councilman Kolber to grant permission for Dawn Kinney to reduce her hours, which will result in a 30% reduction in her pay. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Weiss, seconded by Councilman Casilio that upon recommendation by Highway Supt. Ted Donner, authorization is given to add two additional Stop Signs creating a 3-way stop at the corner of Forest Creek Drive and Fieldbrook Drive. On the question, Councilman Weiss said this is due to a sight distance problem at this intersection. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman Weiss received a communication from Highway Supt. Ted Donner stating that they have been working closely with the NYSDEC regarding Hog Weed in our Town. Their invasive species program has been responsive to removing many plants in Clarence this season, and they would like to return next season. They have submitted a Town-wide easement for review and approval.

Motion by Councilman Weiss, seconded by Councilman Kolber that upon recommendation by Highway Supt. Ted Donner, authorization is given for Supervisor Bylewski to sign the easement submitted by the NYSDEC to allow them to continue their program of removing Hog Weed in the Town of Clarence, subject to review and approval by the Town Attorney. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman Weiss said he received a letter from Ron White thanking the Parks Department employees for the great job they did taking care of the baseball diamonds for their tournament at Meadowlakes Park over the weekend.

Councilman Weiss said we also received a request from the lacrosse group looking for some funding. We will be looking into that.

Councilman Weiss said there have been a number of changes since the referendum was held two years ago regarding the creation of a garbage district. These changes have prompted

them to revisit the issue. The major issue is the cost of fuel and how that would impact the residents. We also receive notices on pollution and the affects of global warming. There is the issue of rats in the outer ring suburbs and concern that it will continue out.

Councilman Weiss said we have new members on the Solid Waste Recycling Committee who have expertise in this area. They have voted unanimously to look into the garbage situation again. There has been communications from the garbage vendors with misinformation. After the last vote, they were concerned that this was the only information that people had. He just received a letter asking how many new Town employees would be hired. The Town would not be picking up garbage.

Councilman Weiss said there are 9,231 residential units in the Town. The data from the vendors indicates that they pick up from only about 4,000 customers. People are burying, burning, dropping off at a neighbor or dropping off in a dumpster somewhere.

We are out here to see what the residents have to say and get their input. The Public Hearing will remain open to accept written comment for 30 days. People have asked to help with putting together bid specs. Anyone else with expertise in this field is welcome to offer their input or suggestions. One of the vendors said they would not offer a senior discount, but that would be in the specs and they would not get the bid. There has been so much misinformation and they would like to get everyone up to speed on the correct information.

Motion by Councilman Kolber, seconded by Councilman Casilio to affirm the Town of Clarence position to fund 50% of the project cost for installing handicap accessibility features to the Town of Clarence Library doors. On the question, Councilman Kolber said the Library Board is looking at applying for grants to make the inner library doors accessible. Supervisor Bylewski said the library is ADA compliant, this is an additional feature. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman Kolber said he received calls about roads flooding. The Highway Department was out taking care of the issues.

Councilman Kolber said the annual resident's forum will be held on September 29<sup>th</sup> at 7:00 P.M. in this auditorium. This is the correct date and not the August date that was previously given.

Councilman Kolber said there are a number of people in Town looking at the possibility of building an indoor ice rink. It is a very involved and expensive endeavor. One of his patients mentioned that they are trying to do the same thing in Lancaster. He would like to see if this is something that the two towns could get together to get something going.

Councilman Casilio said he met with the State Police to discuss the break-ins that have been occurring in the Town and they felt that it is younger people. Residents should lock their vehicles and leave an outside light on.

The Sheriff's Department is investigating the mailbox bombs along with the US Postal Service. This could be very serious to postal workers and residents. People should not touch a plastic bottle left in their mailbox.

Councilman Casilio said we are working on finalizing the contract for the bike path video cameras. They will initially be installed in Meadowlakes Park and along the bike path in that area.

Councilman Casilio said we got the street lights restored in the Harris Hill area damaged by the October Storm. They were paid for by FEMA.

He is also working on some problems in the gas light district.

Councilman Casilio said requests for stop signs and traffic lights go to the Highway Department for their review.

Councilman Casilio thanked everyone for taking the time to come out tonight. He does not believe anyone has made up their mind on what direction to go. As many people that are here tonight, we get that many phone calls at the Town Hall about garbage complaints. He believes that the Town government does offer the ability for people to come in and talk or voice their opinion. He looks forward to hearing what people have to say.

Councilman DiCostanzo said he thought the article in the News about the pool had a negative tone to it so he wrote the letter in the Bee. He hopes that more people will be aware that it is there to use.

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 Amendments to the Town of Clarence Master Plan 2015 related to the Transit Road Corridor. This Type I Action involves amendments to the Future Land Use Map within Master Plan 2015 to allow for zoning changes to meet community goals. After thorough review of the proposed changes by the TEQR Committee, Planning Board and Town Board and after thorough review of the Part 1, 2 and 3 Environmental Assessment Form, including coordinated review among involved agencies, it is determined that the proposed action is in conformance with community goals and will not have a significant impact upon the environment. 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 North Forest Office Providers Office Park located at 6031-6051 Transit Road. This Unlisted Action involves the development of a four structure, 66,000+ square foot office park. After thorough review of the submitted site plan and EAF by the TEQR Committee, Planning Board and Town Board, including coordinated review among involved agencies, it is determined that the proposed action is consistent with Master Plan 2015 and will not have a significant impact upon the environment. 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 Clancey Home Demolition, located at 10255 Clarence Center Road. This Type I Action involves the demolition of a structure greater than 50 years old. After thorough review of the submitted EAF by the TEQR Committee and Town Board, including coordinated review with the local Historic Preservation Commission, it is determined that the proposed action will not have a significant impact upon the environment. On the question, Councilman DiCostanzo said people were concerned with the Historic Preservation, but in this case it does not have significant historic value. Councilman Weiss said many homes over 50 years old have been changed so much that the historic character is reduced. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Weiss to grant permission for the Town employees and committee people who are attending the planning seminar in Geneseo on July 31<sup>st</sup> to use Town vehicles. On the question, Councilman DiCostanzo said there are 8 to 10 people attending and it would be less costly to carpool. Supervisor Bylewski said that depends on the availability of those vehicles. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman DiCostanzo said we receive many phone calls and emails about things going on in the Town. Some people fire up everyone in their neighborhoods with false information. People can call the Town Hall or get on the website where the minutes to meetings are available to find out the proper information.

Supervisor Bylewski thanked all department heads present for coming tonight.

#### Public Participation

Supervisor Bylewski said this item is to speak on any item on the agenda other than the subject of the Public Hearing. Also, item 15 has been removed from the agenda at the request of the applicant.

Jim Murphy said that a recent article from a councilman said they are whiners and they should tear up their Medicaid cards and all. He disagrees because they worked to get those benefits.

Chuck McCarty spoke in regard to item 14, Spaulding Greens. At a recent Planning Board meeting, the residents of Green Valley Subdivision expressed their opposition to a connection from Spaulding Greens. The Planning Board approved the project stating that the Safety Board dictated the connection and there was nothing that could be done. They were also told that this was a done deal when the subdivision was built. There is no confirming documentation for either.

Mr. McCarty said they would like to maintain their rural character. Traffic issues are not adequately addressed. The developer being responsible for traffic study updates does not pay for or mitigate anything. The project is way oversized and the traffic issues should be addressed properly. It is the responsibility of the Town not to make it their problem and not sell out to the developers again. He respectfully requested that this project not be approved tonight and never with access to Green Valley Drive.

Ronnie Schroeder requested that the proposal for a small plaza next to her home on Main Street be denied. They take care of their property to maintain the park-like setting. The property for the proposed plaza is not maintained at all. The people proposing the project own a liquor store. She does not want to look out her door to view a liquor store. It is a very small lot and there would be issues with parking. She asked that the Board say no.

Frank Cordaro spoke in regard to the proposed Spaulding Greens Subdivision. He expects the election promises to control sprawl and maintain the character of the Town to be followed. The project is much too large and not needed. It is not being built for humanitarian reasons. It is nonsense to consider this an extension of the character of Green Valley Drive. He believes the added traffic will only increase health and safety problems. The people are the Town and they ask that the Town Board represent them properly. They do not feel that the Planning Board represented them, with the exception of Mr. Pazda. They ask that the Town Board disassociate Green Valley Drive from Spaulding Greens and vote no for the Development Plan.

Councilman Weiss said, in defense of Supervisor Bylewski, this project was put together by the previous Town Board in an agreement for the Heise/Brookhaven sewer line.

Mr. Cordaro said this Board is in control now and the sewer should have been put where people live and not in empty fields.

Kent Frey said they oppose any extension of Green Valley Drive. It would be a shame to wreck one subdivision to create another. It makes sense to be able to handle the 400-acre site without going through another subdivision.

Laurie Frey asked what is the accountability should this subdivision be approved? The developer in question did not follow through with the promises made in their former neighborhood. They moved here from Amherst for the quiet neighborhood. Let's not ruin Clarence and make it another Amherst.

Bryan Villiers said he voted three times for sewers and they still do not have one. He voted against garbage and now we are back here again. If he is not getting sewers, he would like to be taken out of the district so that he can replace his septic system. There is no money, but there is discussion about building ice rinks. When is he going to get his sewer?

Barbara Cordaro spoke regarding Spaulding Greens. Her first concern is the number of units. It is too many units to pretend to maintain the rural character. They should reduce the number of units to provide the proper access without going through other people's yards. We owe nothing to this developer. She has read through many documents and none of them stated that Green Valley Drive would connect to anything. The private money spent on sewers is carrying too heavy of an obligation. She asked that the number of units be reduced and extension of Green Valley be taken out.

Patricia McCarty said there is no reason to connect Spaulding Greens to Greiner Road. She does not feel the Town has been honest with them and that something else is going on. Do not sell us out to the developers and keep the original plan.

Robert Wohlfeil said he is very concerned about the thievery going on. He witnessed a robbery and called 911 and that was a mistake. You have to call the State Police or the Sheriff's Department directly. They could have caught this individual.

Councilman Casilio said they are stepping up patrols in the evening. The Town Security is also keeping watch. The 911 system has been regionalized and the calls go downtown. It is horrible how long it takes to get through. They are also talking about getting rid of Amherst Alarm and that service going downtown. It was not well thought out by the previous County administration.

Ernestine Aberle said she is opposed to the size of Spaulding Greens and the impacts on the infrastructure. She participates in the Greater Buffalo area and is out of Town every day. It sometimes takes her 20 minutes to get out of town because of the congestion on our roads.

Councilman Kolber said he believes that everyone on this Board has worked diligently to control and slow the growth. The deal for this subdivision with the sewer taps was made prior to this Board.

Anthony Pacenzia said he owns the property at 10060 Main Street. He said the proposal is for a Clarence business who wants to put up a building. There should be some compromises. He needs to sell the property. You have to take consideration of the people and businesses that are here. He will have the property cleaned up within three weeks.

William Waible said he lives two doors from Green Valley Drive. The road was not built for heavy traffic. He does not own the road, but he is a stockholder of the Town and he is asking the Town Board to take a look at this. Roll Road is a main artery and they should consider extending that to the subdivision.

David Wisnoski said he would like to confirm what everyone has said regarding Green Valley Drive. There is a mandate from the people to make a decision based on their concerns. The Board may not have been here before, but they are here now.

Bill Opanashuk said he lived here for over 60 years and he feels the extra traffic on Green Valley would be a danger. He is opposed to the access on Green Valley Drive.

A Public Hearing was held to consider the establishment of a Garbage District. Supervisor Bylewski said there was a referendum vote held on March 26, 2006 with 2,116 no votes and 1,783 yes votes for a total of 3,899 votes. Since then we have had some growing issues including: neighboring towns going to votes because of the rodent problem; ongoing complaints received about garbage being out too long, blowing and drifting garbage, neighbor's garbage cans rolling into others yards, etc.

Many years ago a referendum was held to build this town hall and it failed. Six months later that Town Board went out for a public bid and awarded a contract almost a year later.

We still scheduled this hearing to hear what the residents have to say. There has been misinformation circulated from one of the waste haulers stating that the Town of Clarence would take on the responsibility of trash collection. If the district was approved, the Town is not doing that. There is also an anonymous calling system trying to stir up opposition.

Supervisor Bylewski said there is a BPO Concert being held tonight sponsored by the Clarence Concert Association. Town Board meetings are set at the first meeting in January each year. Most organizations try to avoid events being held on Wednesdays. We will leave the public hearing open for a 30-day written comment period.

He asked that speakers limit their comments to three minutes. If anyone wishes to say what they pay for garbage pickup, it would be helpful.

Supervisor Bylewski said his service is through a homeowners association. The charge per unit was \$133.33. The next fiscal year which begins in August will have an increase to \$149.46 per year.

Supervisor Bylewski said we have been keeping track of the comments from phone calls to the various offices regarding the garbage district and we have received two anonymous calls in favor and three against. We have received 18 emails or calls in favor from the following: Mr. & Mrs. Doug Kaczmarek, The Beringers, Richelle Kiernan, George Wallrich, Dave Lechner, JoEllen Fasanello, Mr. & Mrs. Bob Johnson, Holly Zuffranieri, Cindy Stone, Bob Cole, Bruce Bonhoff, Mr. & Mrs. Nash, Chuck & Judy Henry, Myron Thompson and Pamela Rutenber. Those in opposition included: Steve and Betty Murtaugh, Richard and Margaret Schrantz,

William Szabo, Dorothy O'Conner, Debbie Popp, Noreen Aiple, Tyler Showalter, Jeff Showalter, Roger Showalter, Jason Lahti, Joseph Wawrzynski, Robert & Janice Talluto, Robert Poczik, Kathy & Joe Janson and Ken Arno.

We also received emails from people asking questions. Two that stood out were from Glenn Wygant and a letter from James Fregeau. Mr. Fregeau said he was concerned about the direction of the decision making regarding the garbage district. It is a dangerous precedent to overrule 2,000 citizens by the decision of five. If the Town seeks change, it should re-educate the people. He strongly suggests a referendum.

Supervisor Bylewski said that only property owners are eligible to vote in a referendum, which makes it very difficult to hold during a regular election. This is not a debate tonight. It is to hear what the people have to say.

Speaking to the subject:

Jim Murphy spoke on behalf of the Rock Oak Homeowners Association. He said they would not be able to vote on this and he does not know how that can be when they pay taxes. The 400 households are satisfied with their service from Waste Management. They do not see how the service could be improved with a town-wide district. The rate they pay is \$120 per unit per year. He does not see how any hauler could pick up the entire town in one day.

Mr. Murphy said this discussion should have been tabled due to the concert being held tonight. It was an important event for our Bicentennial.

Chuck Eckert, Chairman of the Garbage Refuse Committee said they believe it would result in a cost savings of at least \$100 per home. The only increase in the contract would be based on the consumer index of up to a maximum of 4% per year. Competitive bidding would reduce the cost. The Town would not be taking on the duties of trash collection.

Dick Kashdin asked why the Town is trying to fix something that is not broke. His vendor is Modern and the rate he pays is his business. He negotiates the rate because he travels extensively and cancels pickup and gets a credit. He could not do that with a town-wide district. There are no sidewalks, curbs or receivers in his neighborhood to break. The problem is the school buses and the ten SUV's behind it driving their kids to school.

Arnold Castren said he sees so little difference in what he already pays. The streets were built back when the developers were running this Town and he is sure were built to minimum spec with no thought for the future. Therefore, he believes the damage to the roads would have happened anyway. The article in the paper made reference to other government agencies such as social security, Medicaid, etc. His opinion is that all government agencies have a few things in common, very expensive, not very well run and extremely wasteful. The people voted it down and they should have been heard.

Peter Scharf said he runs a business from his house and has an apartment. He wants to know if he would be charged twice and will they pick up everything. He now has a dumpster for all the garbage and wonders if he would still have to pay. Many people who have businesses and pay for a dumpster also use it for their home garbage.

Councilman Weiss said commercial companies would not be included. Mr. Scharf said he does not live in a commercial zone, but can run his business there. He does not want to have to pay twice.

Maurice Vaughn said he is a member of the Solid Waste Recycling Committee and he would like to reserve his right to make comment. He is retired from the Health Department in various capacities. The Town is at a turning point and he believes the representatives have a duty to protect the health of the residents.

Scott Glaser said he does not understand why we are here when the people have already spoken. The greater issue is not about garbage, but about freedom and choice. He does not want the government to dictate who he has to use to pick up garbage. People are smart enough to make the decision for themselves. Vendors have a menu of services to choose from and one size fits all will not work. We will have a poor garbage system for all. There are other important issues.

Councilman Weiss said there were different services included in the last contract. Mr. Glaser said we would be locked in for five years instead of being able to cancel whenever we want to.

Kenneth Arno said he is concerned by what he has been told by some of the councilmembers. He does not like that they would consider ignoring the previous referendum. If we are going to save on road repairs, the money saved should pay for garbage pickup.

Wendy Merkle said they own businesses and three properties in Town. She does not have time to come here every two years and say how she feels about the garbage service. She does not think it is fair to have only one vote and pay for three properties. She questions 5,000 people not using the service. They are smart and consolidating with a neighbor to save money. If you are not happy with the service you have the option to switch.

Tom Muscarella said he is a member of the committee and a sanitary engineer for the Health Department. He has personally seen the rodent issue move from the City of Buffalo to Amherst. His concern is public health. There is more of the chance for the rodent issue to spread when there is garbage out daily. Rats can be transported on the trucks. Garbage should be in containers. He also has a safety concern with trucks on the streets every day.

Dan Mulaniff said he has Waste Management and pays \$190 per year. Any time the government says they will take his money and do better for everyone, he is concerned. The people said no two years ago.

Roland Bush expressed his displeasure with the Town trying to run his life and tell him who he has to have. They voted no and now they are going to do it anyway.

Jim Aberle said there are 48 units in Swallow Creek and they pick the lowest quote for their association.

Councilman Weiss said associations would not be included.

Bev Campochiaro thanked the Board for reconsideration of the issue. There is garbage on her street five days a week. She feels it is a safety issue and our streets are deteriorating. She does not understand why people would not be in favor of only one truck one day a week on their street. She believes their decision will be in the best interest of all the residents of Clarence.

Don Adams said he is a member of the committee and wanted to summarize the reasons to reconsider: competitive bidding to result in a lower cost; no sales tax; no unexpected increases over contract period; one day pickup per week per neighborhood; improved safety with only one truck per week; health issues addressed by making it less attractive to wildlife and rodents; and highway costs for repairs.

Mr. Adams said one reason people do not want the district is that they want to be able to choose what company they use. Most other towns in the County have a town-wide district and none have eliminated the district because of any significant problems. He has used all three companies and has not had a problem with any of them. Another reason they may not want it is because they do not have to pay if they are out of town.

Don Griffiths said he voted for the district at the referendum. Maybe it is time to rethink it, but it is wrong to go behind the people and approve it anyway. A referendum should be held. It is hard to trust the government when the sewer district disaster was brought on us.

Bruce Becker said he voted in favor of the district two years ago. He encourages the Town Board to do the right thing in spite of what people say. There is a rodent problem in Amherst and they are working on that with the tote system. It is improving in Amherst and if we do not do anything it will get worse in Clarence. That is his main concern.

Louis Broncato asked why the Board is so concerned about the garbage. There has got to be a reason. He received a letter from Waste Management and not a thing from the Town. He read a letter from a neighbor who was out of town asking what the advantages are, how would it be better with less choices, we already voted on this issue, why were they not informed with the reasons to do this in order to make a decision and will we be able to vote again.

Councilman DiCostanzo said the Town Board is not benefitting from this in any way and if he wonders why they are here to do this job he could ask their families.

Robert Farolino said he is sure the Town Board is doing what they think is right. He pays only \$90. He believes the competition of a few vendors is good. He has no problems. He thinks the number of trucks out there is bologna and wonders how many people have been killed by garbage trucks. He thinks they should expend their energy on something else.

Christine Schuster said two years ago she remembers someone here saying this is great public participation with everyone involved. She voted it down and not because she does not feel that the Board does a good job. But, in this day and age when people are begging government to get smaller, she does not want the government doing this for her. It is unfair to use scare tactics. If you believe votes are the way to go then make it a requirement, but do not put it on the tax bill.

Bill Schuster said any vendor that comes in to do a town-wide pick-up would have to have restrictions on how much, what type and what type of containers could be used. The cost is his concern. He does not think we have to do it just because all the other towns are. He does not like what he sees going on in other towns and hopes that Clarence will not ignore the will of the people.

Steve Murtaugh said he has never had a problem and sees no reason to change. Two years ago when we went through this so was the town of Hamburg. He called Hamburg and they are not thinking of going through this again.

Kathy Montalvo said she agrees with what most of the people are saying here. She almost has to laugh when she hears that we are going to have rats and coyotes. It is up to the people to take care of things and keep it clean. She wonders how the associations will not be taxed. She asked how the people will be informed of what will happen next after the 30-day comment period. She also said she does not think we will receive as good of service after a contract is signed. She would also like to see it go to a referendum and not just decided on by the Board.

Gary Blessing asked if this is to be a fee or a tax. People would be in violation of the IRS if they included it on their income taxes. He asked if it goes to a referendum and is defeated, how many times the issue is going to be brought up again.

Councilman Weiss said we have given the reasons including increase in gas, global warming, rodent problems, etc.

Gary Blessing thanked the town for the 25% increase in his property tax. The town has a spending problem.

Barbara Latona said she came here to get information. She is scared to stand here. No one from the Board is arguing back with reasons why this is a good thing. She would like hard facts. When she lived in Colden they went to a town-wide district and they had problems. There are lots and lots of trucks, but she is not sure if the impact is from just the garbage trucks. She would like more information. She asked what would happen with the existing contracts.

Councilman Weiss said the last time the three carriers agreed to rescind the existing contracts.

Barbara said the problems she had was in trying to call regarding an issue and she was told by the garbage company to call the town and by the town to call the garbage company. That is unacceptable. At this point she would not be in favor because there is no information.

Richard Meyer said he is a retired highway engineer and a few years ago worked for the Town Engineer regarding highways. Roads that are broken up in subdivisions because of poor specifications without a proper base. His concern is the break he gets from the company when he goes away in the winter. Also, what about the times when there is extra garbage. He wondered how adjustments could be made on the tax bill. The last time this was voted on he was away and wonders how many others were.

Sandra Donovan said no one has really explained thoroughly why we need a garbage district.

Dan Gregorio said he is strongly in favor of choice. Competition brings down cost. He felt disenfranchised with his vote. There was no provision for an absentee ballot. He would like to hear some clear facts. This time there was no information. He would like to see information stating that it is garbage trucks destroying the roads.

Candace McCulloch said she came here tonight to be informed. She does not believe politicians have to protect the residents from themselves. She cannot understand how one vendor can decrease or prohibit a rat population. Maybe it is the development that is bringing in some of these rats. She has several friends in other towns and they complain about the issues they have.

Darryl Remsen said his observation is that there is no explanation of what this is all about. He also senses a bit of arrogance from every member of the Board. He hopes that this is not what the town has come to. He has not made up his mind yet, but he hopes that it is decided by a referendum.

Len Satola said they have had WM for over 21 years for the two mobile home parks at Main and Thompson. He wanted to know what the unit charge would be.

James Blum said he agrees there may be a problem with design of the roads. He does not like the government getting involved in this either. He said at times people in authority may have the right to do something, but it is better to consider it to avoid a long period of conflict and back lashing. You need a campaign to convince people it is the right thing to do.

David Beckinghausen said he is a member of the committee and he was completely against it before. There are a lot of questions and more information needs to be available. He is for it and joined the committee to find out more. The committee is made up of citizens just like everyone and they would like a chance to get the facts together.

Marsha McCulloch said she has Allied Waste and she compares her bills with others. Her latest bill had a \$25 increase for fuel. She asked if after five years we would be given an added surcharge.

Councilman Weiss said after the five years nothing would be added on. It would be re-bid for another contract. He received a letter from someone who is a senior and paid \$134 for 6 months.

Ms. McCulloch said people are feeling they are going to lose control over their options. Is it possible that we decide it did not work and the district could be dissolved?

Councilman Weiss said if the district is formed and the bids did not come in the way we would want them, it would stay as it is and people would contract on their own. She suggested that they put that on paper.

Henry Becker said he understands both sides of the issue and the concern for the future, but he has never seen such a rude bunch of people. We are all smarter than that.

Ellen Stilson said she is very disappointed by the way this is going. We voted no and no is no.

Councilman Kolber said he is here to listen but if he commented after each person we would be here until breakfast. He has not made a decision as yet. The last time we got a price for \$160 for unlimited pickup. There were people opposed but there were also people in favor. Since then many people have approached him and said they cannot believe it did not pass and their bills have increased. The majority of the town is paying a lot more. He is paying \$178 for 6 months.

People do not like to see garbage for 3 to 4 days per week on their streets. The previous Highway Superintendent said the garbage trucks were the heaviest trucks on our roads. He had to have a crew out every day to repair receivers. Ted Donner has told us the same thing because they deal with it every day.

We had the facts in place for the referendum. We do not have specifics in place at this time.

Councilman Weiss said the last time the Board was chastised for having bids in place saying that it was a done deal. So they decided to do it this way and are still being criticized.

Councilman Kolber said our spending has been below inflation. We are meticulous about not filling positions and curbing spending. The total town budget is approximately \$2 per \$1,000 of assessed valuation. The school is \$16 to \$18 per \$1,000. If you are concerned about spending you should look at the schools.

With no one else speaking to the subject of the public hearing, motion by Supervisor Bylewski, seconded by Councilman Casilio to close the oral portion of the public hearing and leave it open for 30 days to receive written comment on the subject. Upon roll call – Ayes: All; Noes: None. Motion carried.

Supervisor Bylewski thanked everyone for coming tonight to offer their comments.

Clarence Wine and Spirits requests Preliminary Concept Review of a proposed new plaza at 10060 Main Street. James Callahan said the location is the north side of Main Street, west of Pineledge Drive consisting of approximately .55 acres with 80 +/- feet of road frontage in the Commercial Zone.

Bill Henderson, architect and Diane and Paul Bloom were present. Mr. Henderson said the property is outside the norm. They will need a variance to put the building on the site.

James Callahan said the proposed building would violate side setback requirements.

Supervisor Bylewski said based on that, the Town Board does not have authority to approve. James Callahan said they could proceed to the Zoning Board of Appeals if they wish to pursue the project.

Mr. Henderson said the biggest problem is the 76' width of the property. The building being proposed is 25' x 200'.

Diane Bloom said she thought the parcel was grandfathered in. James Callahan said it is a pre-existing non-conforming lot of record. It still must meet the zoning requirements. Supervisor Bylewski added that the use as it stands is appropriate. However, any changes that are made take it out of the grandfather provision.

Motion by Supervisor Bylewski, seconded by Councilman DiCostanzo to deny the request by Clarence Wine and Spirits for Preliminary Concept Review of a proposed new plaza at 10060 Main Street. Upon roll call – Ayes: All; Noes: None. Motion carried.

Paul Allaire requests a Clearing/Tree Removal Permit at 6161 Salt Road. James Callahan said the location is the east side of Salt Road, north of the Peanut Line consisting of 35+ acres in the Agricultural Rural Residential Zone. The applicant is seeking to clear and clean up the wooded areas of the parcel.

Paul Allaire said he has followed the rules and regulations and to make it as clear as he could. He spoke to the Army Corp of Engineers regarding the Federal Wetlands. Their only concern was fill or construction of a road and he does not plan to do that. He plans to remove damaged or deceased trees. A consultant was hired to identify and mark the trees. Mr. Allaire said he it is probably less than 30%. Many of them are ash trees.

Councilman Kolber said his only concern is an access road. Mr. Allaire said they are going through the field and using an old horse trail. They may have to take a few trees that are already damaged.

Motion by Councilman Kolber, seconded by Councilman Casilio to grant approval to Paul Allaire for a Clearing/Tree Removal Permit at 6161 Salt Road, subject to Army Corp of Engineers approval and conditions. On the question, Councilman Weiss said to make sure there is a condition to repair any deep ruts left by the equipment. Mr. Allarie said it is part of the agreement. Upon roll call – Ayes: All; Noes: None. Motion carried.

Domenic Piestrak/Spaulding Greens requests Concept Plan Approval for an open space design subdivision east of Goodrich Rd., north of Greiner Rd. James Callahan said the property consists of 417 +/- acres in the Residential Zone. This project is a supplement to the Clarence Hollow Pollution Abatement Project. A Final Findings Statement has been approved by the Town Board for a 380 unit Open Space Design Subdivision.

Domenic and Nick Piestrak were present.

Supervisor Bylewski said there were some public concerns expressed under Public Participation. Those issues could be addressed at the public hearing. Nick Piestrak said the access to Green Valley was discussed at the Planning Board and they made adjustments at their recommendation.

Councilman Kolber asked what the determination was regarding connecting to Roll Road. Nick Piestrak said it came out in the Findings Statement that there are wetlands directly

across from Roll Road among other things. James Callahan added that it was thoroughly discussed and a major concern was disturbance of the open space that is trying to be maintained.

Domenic Piestrak said he believes only 1/3 of the children who may live there would impact the school system. The density is less than one house per acre. In regard to the comment on putting sewers where there are no houses. At the time the Town was under a Consent Order to take care of the pollution in the Hollow. They picked the route that was less invasive to people and did not require lift stations.

Supervisor Bylewski said another comment was a building cap, which we do have in place of 240 single family units per year.

Domenic Piestrak said he can appreciate the position of the people in Green Valley, but this happens when there is a dead end. Traffic Safety makes recommendations. He does not believe everyone in the subdivision would use that particular access.

Motion by Supervisor Bylewski, seconded by Councilman Weiss to set a Public Hearing for August 13, 2008 at 7:55 P.M. to consider Concept Plan Approval for an open space design subdivision east of Goodrich Rd., north of Greiner Rd. known as Spaulding Greens. On the question, Domenic Piestrak said he would be willing to meet with the people from Green Valley, but this was a recommendation for public safety reasons. Councilman Casilio said he spoke with residents on Hollingson who had the same situation and it has worked out well. Upon roll call – Ayes: All; Noes: None. Motion carried.

Supervisor Bylewski stated that item 15 for Greg Ribbeck was removed from the agenda.

Tommaso Bratico requests Architectural Approval and a Building Permit for construction of an addition to an existing structure at 4125 Transit Road. James Callahan said the location is the east side of Transit Road, north of Wehrle Drive consisting of an existing retail building in the Major Arterial Zone.

Tommaso Bratico said his client purchased the building. It is in bad shape and he would like to restore it and add a second floor. The building would be 60' x 60' with improvements to the entire site. There are about 27 parking spaces on the site with parking all around it. There was the ability to use the adjacent parking in the past. The owner is using a portion of the building for retail space, a portion for a restaurant and the upper floor for offices.

Motion by Supervisor Bylewski, seconded by Councilman Kolber to grant Architectural Approval and a Building Permit for construction of an addition to an existing structure at 4125 Transit Road, subject to Landscape Committee review and approval including a shared parking agreement and all appropriate fees. On the question, Town Attorney Steven Bengart said there is a shared ingress/egress agreement that does not include parking. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Supervisor Bylewski, seconded by Councilman Casilio to table the request by Dave Wylier/Cosal Development for Architectural Approval and a Building Permit for construction of a new office structure at 8625 Transit Road until the applicant is available. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Weiss, seconded by Councilman DiCostanzo to grant approval for the following: Clubhouse Applications - A. Clarence Soccer Club – Aug. 24, 2008; B. Clarence Women's Club – Sept. 8, 2008; C. Clarence Contemporary Club – Nov. 4, 2008; D. Clarence HS Cross Country Team – Nov. 13, 2008 & March 19, 2009; E. Clarence Democratic Committee – Oct. 9 & 10, 2009; F. Garden Friends of Clarence – 2<sup>nd</sup> Wednesday each month 2009; Legion Hall Applications - A. Tina Scriven – July 25, 2008; B. Irene Toloue – Aug. 16, 2008; C. Clarence Log Cabin Quilters – Aug. 25, 2008; D. Clarence Democratic Committee – Oct. 25 & Nov. 1, 2008; 2<sup>nd</sup> Monday each month 2009; E. Clarence Republican Committee – 4<sup>th</sup> Tuesday each month 2009; F. J. Michael Hens VFW Post – 4<sup>th</sup> Wednesday/April, May, Sept., Oct. & Nov. 2009. On the question, Supervisor Bylewski said members of the Town Board 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 Kolber that after proper audit and review by the Town Board, the following bills of July 24, 2008 are approved for payment: General Fund - \$282,307.91; Highway Fund - \$171,107.90; Water District - \$2,080.26; Drainage District - \$2,634.54; Lighting Districts - \$2,458.06; Sewer Districts - \$2,755.00; and Capital Fund - \$22,052.75 for a total amount of \$485,396.42. Upon roll call – Ayes: All; Noes: None. Motion carried.

“For the Good of the Town”

Supervisor Bylewski said it was brought to his attention that while the public hearing was going on, a member of the Town government was assaulted in the hallway. It is very disturbing when you have people performing in an official capacity doing nothing more than fulfilling their duties being treated this way because someone does not care for an item being discussed publicly. He understands that emotions can run wild. He wishes some members of the public would have conducted themselves with a little more manners and dignity.

We will take all of the comments under advisement and allow for a 30-day written comment period.

Councilman Weiss said he will be giving a talk on Indians at Heritage Days on Saturday at noon for anyone interested.

There being no further business, Supervisor Bylewski adjourned the meeting at 10:55 P.M.

Nancy C. Metzger  
Town Clerk