

A Work Session of the Clarence Town Board was held on February 4, 2009 at Clarence Town Hall, One Town Place, Clarence, NY.

Supervisor Scott Bylewski called the meeting to order at 9:00 A.M. Members of the Town Board present were Council members Joseph Weiss, Patrick Casilio and Peter DiCostanzo. Councilman Kolber was absent due to illness. Other town officials present were Director of Community Development James Callahan, Assistant Planner Brad Packard, Town Attorney Steven Bengart, Town Engineer Joseph Latona, Senior Building Inspector David Metzger, Animal Control Officer Jerome Schuler, Parks Crew Chief John Burns, and Youth Bureau Executive Director Dawn Kinney.

#### **Animal Control – Jerome Schuler**

The chief tasks of Animal Control is to enforce all Local and State laws, sheltering and disposal of stray and unwanted animals and promote responsible pet ownership and animal welfare. Animal Control is also in charge of sidewalk enforcement (snow removal).

Mr. Schuler stated that typically, he turns back some of his appropriated budget money. In 2008 he returned \$3,000 and in 2007 \$6,000. In 2006 Mr. Schuler had a big cruelty case which brought in \$6,000 alone – this did not include any adoption fees.

Approximately 2 – 3 years ago the local dog license fee was raised however; we are just about at the state limit. Trapping fees could be increased.

Councilman DiCostanzo suggested getting more people to license their dogs. Mr. Schuler stated that one of the things that he is allowed to do but has not done is to charge an additional \$3.00 for every dog found through the dog census.

The state sends out renewal notices to all dog owners, if you ignore the renewal notice a month later the Town Clerk's office sends out a reminder notice, if that notice is ignored, a second reminder notice gets mailed out. After that, if the license is not renewed, Animal Control makes a house call requesting the dog owner renew his dogs' license – sometimes two and three trips are made to each delinquent dog owner before an appearance ticket is issued. Mr. Schuler stated that a lot of time is spent chasing delinquent dog owners.

Clarence Animal Shelter is in 100% compliance with regulations set forth by the NYS Department of Agriculture and Markets.

The Adoptable Animal Summary is a work in progress; the program has to be adjusted.

Councilman Weiss asked if someone wants to surrender an animal, they should take them to the SPCA rather than have the town deal with them and incur the expense of having to shelter and feed them. Mr. Schuler stated that if someone wants to surrender an animal he could request a surrender fee. At the SPCA, they ask for a donation. Since the Town has been linked with Pet Finder (which is a free program and no charge to the town), a tremendous number of animals have been adopted out. The town does not charge an adoption fee for a cat but you have to pay to have the cat spay/neutered.

Jerry Schuler will meet with Town Attorney Bengart regarding increasing trapping fees, implementing a census fee and surrender fees. Jerry Schuler suggested using youth volunteers to do the census.

Supervisor Bylewski recognized the work that Assistant Planner Brad Packard did in helping implement Microsoft Publisher for this project.

### **Building Department – David Metzger**

The chief tasks of the building department are to take in building permit applications, do plan reviews, issue permits and insure code compliance. The Appropriations Summary is basically their allocated budget from 2005 – 2009. Recuperation of Expenditures for the most part has been consistent with the exception of 2008 which was down significantly. New construction should basically cover the cost of its operation. Building permit fees were increased approximately six or seven years ago. Town Engineer Latona stated that it is time to revisit the fee schedule. Dave Metzger stated that when you look at a job like Super Wal- Mart, you have a building with a huge amount of square footage and the applicant is paying a substantial amount of money but a job like that from a time perspective for the Building Department is less cumbersome than a job like Dave and Busters.

Inspection Sites Summary is a work in progress. Because of the utilization of lap top computers, the data entry that the building inspectors are entering now can be done in the field which is better because they are writing things less numerous times, before they were writing things two and three times. It takes a little longer to enter the information in the field however; retrieval of that information is much faster. Instead of writing out stickers for the windows, the information can just be printed out.

The number of code violations is difficult to track. Supervisor Bylewski suggested setting up a spread sheet for the day's activities.

A place of Public Assembly Inspections is an area in need of improvement. The Building Department is required by law to inspect all places of public assembly annually and an operating permit must be issued for each one. There are approximately 125 places of assembly throughout the town (restaurants, day care centers, private schools etc.). Goals for the future would be to revisit this area.

The building department averages 59 telephone calls every work day and 18.5 visitors at the counter per day.

Total number of permits issued in 2005 – 1026, 2006 – 857, 2007 – 998, and 2008 – 904. The fee schedule will be revisited this year. Generator Permits average approximately 120 permits per year. Hot water tanks now require a hard wired smoke detector installed near the water tank – it is a safety feature for the house and the state requires it but enforcement is tough to do.

The use of lap-top computers has increased productivity and made retrieval of information more efficient. Dave Metzger stated that he looks forward to the day that more work can be done electronically as far as the application process.

### **Parks Department – John Burns**

The major function of the Parks Department is to maintain all the parks, all town owned buildings, athletic fields, bike paths, municipal parking lots and many miscellaneous jobs in which the Parks Department gets called on to do.

The annual operating expense of the Parks Department for 2008 amounted to \$66. Per capita. Fourteen buildings and ten pavilions are maintained. The Parks Department currently employs 30 full time employees or 8 per 100 acres of developed parkland.

There is substantial overtime. Parks employees work Saturday and Sundays to clean the pavilions and town buildings (Legion Hall & Clubhouse) and take care of the athletic fields. During big events, there is extra setup and cleanup. Snow removal on weekends and nights.

The town received \$31,000 in fees for pavilion use, Legion Hall and Clubhouse and field use.

John's future goals are to concentrate on improving the parks. He has not done any exterior painting in the last four or five years because of the weather and additional work load. Some of the tennis courts need to be recoated and playground equipment needs replacement.

#### **Youth Center – Dawn Kinney**

The Youth Department provides programs and opportunities to meet the needs of youth and families in the community. Some of their goals are to increase the number of youth participating in the Youth Volunteer Program by 10% per year. Increase the number of youth participation in the Summer Youth Series by 10% per year and to increase the number of youth assisted by counseling services by 2% per year. In working with Dresher and Malecki they discussed looking at a way to gauge services provided.

The Youth Volunteer Program is growing. Eighty-three students participated however, 103 students applied. In 2008 1035.5 hours were donated which is an average of 12 ½ hours per participant. Seventeen new volunteers have already registered for 2009.

Dawn Kinney has put together the numbers as to the cost of running the Youth Center building (maintenance, repairs, and management fee, rent) that the town is leasing. The Town first took possession of the youth center building on Main Street on March 7, 2008. Supervisor Bylewski stated that this break down will give us an idea for future facilities and whether or not it is better to buy or lease.

Dawn Kinney felt that they offer many programs to the community with the size staff they have. They need to constantly look at the needs of the community and try to come up with programs and activities to meet those needs.

Dawn would like to offer more tutoring or homework help type services.

Dawn distributed the Youth Bureau 2008 Annual Report which gives more detail on the programs offered. In 2008, the Youth Volunteer Program was recognized as a certifying organization by the Presidents Service Award: a corporation for National and Community Service.

#### **Planning & Zoning Department – James Callahan**

In working with Dresher & Malecki, Jim Callahan and Brad Packard tied their goals to Master Plan 2015. They are trying to measure the goals of the community to develop and implement a plan that maintains the community's goals of keeping the Town a semi-rural Town.

The Office of Planning and Zoning has taken action on 105 violations for the year 2008. There is a system in place to monitor violations but many complaints do not get input into the system because they are neighbor vs. neighbor disputes. If Jim or Brad has to leave the office to investigate a situation, that complaint gets input into the system.

In terms of Revenue and Quality Development, Jim has been tracking this for several years and the update of the Fiscal Impact Analysis gives additional models to plug in to calculate some of the impacts on the tax rate. What Jim has seen over the last several years, is more quality development, less numbers, higher values and that is reflected in the bottom line.

The Town of Clarence added 101 acres to the Green Print program this year. Jim is trying to identify what impacts the green print may have on the community. Brad has done some preliminary investigation identifying what the reduction in assessed value as the town acquires property and how it would impact the bottom line. Jim will take this one step further and identify what the impact is on

the value of the properties around the preserved area and if that potential increase in value on the surrounding lands has an impact as well.

Councilman Weiss stated that he found the information presented today highly beneficial however he would like to see the budget goals implements that each department discussed. Councilman DiCostanzo stated that he would like to see comparisons across the state as to how the town compares to other towns our size to see if someone in another county is doing it better than us.

The meeting closed at 10:32 A.M. so the Town Board could discuss an Attorney-Client item.

The Work Session reconvened at 11:05 A.M.

### **Supervisor Scott Bylewski**

Supervisor Bylewski has three items to discuss in Executive Session.

Lean Six Sigma training is scheduled for Thursday, February 5, 2009. As a result of the training recommendations, Supervisor Bylewski will be forming his own Six Sigma advisory board. There are several people who have expressed an interest. This is not a Town Board committee, it would be a committee appointed by the Supervisor to help implement Six Sigma. The County did something similar; they have an outside group of professional and volunteer people.

There is some interest in the Clubhouse centennial. The Historic Preservation Committee has discussed designation of the Clubhouse.

Supervisor Bylewski received the Town Historian 2008 Annual Report.

Supervisor Bylewski received several letters regarding sidewalks at Goodrich and Greiner Road. Councilman Casilio will follow-up on the letters.

Supervisor Bylewski received a copy of University at Buffalo Regional Institute "The End of Local Government As We Know It." The article talks about the impending retirement crises.

Supervisor Bylewski will defer discussion regarding Swormville VFC and LOSAP until Councilman Kolber is in attendance since he is now liaison to the fire departments.

Motion by Supervisor Bylewski, seconded by Councilman Casilio to declare the following as surplus: 2 metal 3-drawer letter size file cabinets, 3 metal 4-drawer letter size filing cabinets, one metal storage cabinet, one office furniture desktop, 2 drawing hanging files, 2 metal shelves, 2 office chairs and 3 computer keyboard holders for desk. Upon roll call – Ayes: Councilman DiCostanzo, Councilman Casilio, Councilman Weiss, Supervisor Bylewski; Noes: None. Absent: Councilman Kolber.

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

### **Councilman Joseph Weiss**

Motion by Councilman Weiss, seconded Councilman DiCostanzo to authorize Supervisor Scott Bylewski to sign the ESI Employee Assistance Program Renewal Agreement for the period of February 1, 2009 through January 31, 2010 subject to review and approval by the Town Attorney. Upon roll call - Ayes: Councilman DiCostanzo, Councilman Casilio, Councilman Weiss, Supervisor Bylewski; Noes: None. Absent: Councilman Kolber.

The Conservation Advisory Committee will discuss mileage for participants in the Deer Abatement Program.

Supervisor Bylewski asked that the Conservation Advisory Committee be reminded that their 2007 Annual Report was due April 2008.

**Councilman Patrick Casilio**

Councilman Casilio inquired as to the status of the Public Safety Commission's request for revisions to the volunteers SOP's. Town Attorney Bengart stated that he gave his revisions to Town Security.

Councilman Casilio has obtained information regarding the AM radio station. In the event of a disaster, residents can tune in to the radio to receive information.

Jim Schlabach would like to investigate solar power for the cameras. Councilman Casilio is researching the wattage usage of the cameras.

The gas light for Willow Brook has not come in it. NYSEG is having trouble with lights in the Harris Hill area because of underground wiring. In the future, we may want to make that a Lighting District to try and maintain that.

Councilman Casilio has several traffic safety requests that he is responding to however, they are requests for County roads.

Clarence Hollow Association has moved its office location.

Winterfest is Sunday, February 8<sup>th</sup>.

**Councilman Peter DiCostanzo**

Milherst Construction and Stone Ridge are on the Planning Board agenda for this evening. Some issues were discussed at the Planning Board Executive meeting yesterday. Several issues came up regarding Milherst Construction site on County Road including buffering. Councilman Casilio asked the Planning & Zoning Department to look at the present facility on Millersport Highway – he does not want the complaint calls.

Towne would like to construct a new building but in order to do so; several wires have to be moved. Verizon quoted them a price of \$152,000. Towne is going to meet with a representative from Verizon to discuss this further. Councilman Casilio was of the opinion that the wires should be placed underground. He is also concerned about Towne wanting to exist on to Westwood. Councilman DiCostanzo would hate to see Towne not go through with their expansion because of the expense of moving the wires.

The Historic Preservation Commission met and discussed the designation of the Clubhouse. There was also an issue with the historical markers. The town can not affix the plaques to the designated house; it was discussed that they be put on posts and installed in the right of ways for everyone to see.

Councilman DiCostanzo attended the Chamber of Commerce meeting – income is down, expenses are up.

Clarence Youth Community Assets Network (CAN) is offering a free interactive program led by James Vollbracht from Search Institute on Tuesday, February 10, 2009 from 7 – 9 PM at the Clarence United Methodist Church gymnasium.

Councilman DiCostanzo attended the Youth Board meeting. There was a discussion regarding a letter that was sent out from a Youth Board member as if it was coming from the entire Youth Board. Based on the discussion from the members, this will not happen in the future.

From discussions with Chip Trapper, the Recreation Department may take over the town basketball league.

At the last Youth Board meeting, the board members made a motion to accept Michele Orvis application and recommend to the Town Board that she be appointed to the Youth Board.

Councilman DiCostanzo has two items to discuss in Executive Session regarding the employment history of a corporation and the employment history of an individual.

After hearing each department explain their Out-Come Based Budget, Councilman DiCostanzo suggested having the Clarence Bee editor interview each department and possibly do a Town Government series to explain the duties and responsibilities of each department. Councilman DiCostanzo will suggest this to the editor of the Clarence Bee.

**Town Attorney Steven Bengart**

Town Attorney Bengart has one item to discuss in Executive Session regarding the employment history of an individual.

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

There being no further business, the Work Session adjourned at 11:30 A.M.

Darcy A. Snyder  
Deputy Town Clerk

Motion by Supervisor Bylewski, seconded by Councilman DiCostanzo to adjourn the Executive Session at 11:48 A.M. (Councilman Casilio left the Executive Session at 11:45 A.M.) Upon roll call – Ayes: Councilman Weiss, Councilman DiCostanzo, Supervisor Bylewski; Noes: None. Absent: Councilman Kolber, Councilman Casilio. Motion carried. No action taken.