

A Work Session of the Clarence Town Board was held on January 6, 2010 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 Director of Community Development James Callahan, Deputy Town Attorney David Donohue, Town Engineer Joseph Latona, Senior Building Inspector David Metzger, Director of Administration and Finance Pam Smith, Confidential Secretary to the Supervisor Karen Jurek and Planning Board member Al Schultz.

Supervisor Scott Bylewski

An official delegate and alternate delegate for the Association of Towns annual meeting will be appointed at the next regular Town Board meeting.

A Work Session has been scheduled for January 14, 2010 at 3:30PM to review the Satisfaction Survey results. The results will be transmitted to Department Heads for review and input.

Supervisor Bylewski received a resignation letter from Bob Hoag from the Senior Center Board.

Supervisor Bylewski along with Town Engineer Joseph Latona, Senior Building Inspector David Metzger, Director of Community Development James Callahan, and John Leamer from the Hollow Association met with the grant writer regarding a "Main Street Grant Program" to see if this is something that would be appropriate for the Hollow. There is a concern regarding income as a threshold.

The Town received a check from Safety-Kleen as a result of their bankruptcy.

There was a discussion regarding an out-door ice skating rink. Councilman Weiss was of the opinion that it is an expense that we don't need, the weather is unpredictable. Most people will utilize the skating rink at night so that will mean having town employees working over-time to police the rink and the maintenance of an ice rink is horrific because of the weather changes. Last year the rink was good for approximately 3 days, once the weather changed it was non-usable. Because of the liability aspect, hockey is not allowed. The Conservation Advisory Committee is meeting with a representative from Como Lake, Councilman Weiss will report back to the Town Board after the meeting.

Councilman DiCostanzo stated that while he doesn't disagree with Councilman Weiss "if we don't have the weather who does have the weather." You can have out-door skating it is just the matter of how much money and time you want to spend on it. While he would love to see kids outside skating, he does not want to spend a lot of money to do it. One family in his neighborhood has an ice skating rink that the children have utilized for over a week however; the father has been outside maintaining it on a daily basis.

Time permitting; Supervisor Bylewski has several items to discuss in Executive Session.

Supervisor Bylewski will make a motion adopting the revised Annual Statement of Disclosure for Employees of the Town of Clarence.

Councilman Joseph Weiss

Councilman Weiss received the Statement of Qualification regarding the fire companies however; he will forward the RFQ to a consultant in Montreal. The Town of Camillus went from six units to four units using a consultant. What some of the townships have done is build one nice facility. The Town of Hamburg went from three fire halls to one because they built one large facility.

Councilman Weiss and Parks Crew Chief James Burkard met with the Mayor and the head of the Department of Public Works in Hamburg and received some good advice.

Councilman Weiss passed out some pictures he received of the *train station* on Main Street. The person that sent the pictures indicated that he called the Building Department and never got a response. The problem however was when the building department tried calling him back the number he left was a fax number. Councilman Weiss would like to see the Planning/Zoning Department and the Building Department take a sheriff with them to follow up on some of these complaints. Councilman Weiss said that we have to be aggressive, he questioned how could the town allow a building to sit for as long as it has and become such an eye sore. The burned out building by the Buck and Doe shop is still standing and nothing been done with that either. (Senior Building Inspector David Metzger stated that it is in foreclosure and there is a buyer for it). There are vehicles, snowplows, snowmobiles for sale all along Main Street. Councilman Weiss said that he would not vote for the appointments of certain department heads next year if this problem persists. He felt that these departments should be talking to other towns to find out how they handle these type situations. When you cross Transit Road into Amherst, you do not see cars, plows or snowmobiles along Main Street. For six years this has been discussed and nothing has happened. He would like these departments to talk to the Town Attorney and the Town Justices to come up with some enforceable laws, find a way to get Main Street cleaned up.

Councilman Casilio stated that there is a law regarding paint maintenance that the aforementioned house would fall under however, he thinks the house in question was sold and will be torn down in the near future.

In terms of the legal aspect, Councilman Kolber stated that Code Enforcement cannot trespass on private property and questioned what we would have to do to get around this. Senior Building Inspector Dave Metzger stated that other than what you can observe from the public right of way area, you would need consent of the property owner. Councilman Weiss said between the Town Attorney and the Deputy Town Attorney they can come up with a way to be able to approach a property owner.

Councilman Bernard Kolber

Councilman Kolber will make a motion authorizing the Supervisor to sign Andover Controls Preventative Maintenance renewal agreement for 2010 with U&S Services, Inc.

Councilman Kolber will make a motion authorizing Northeast Mechanical Inc. to replace the electronic speed controller for the air handling unit at the Clarence Library for the fee of \$4,900. to be paid from the library maintenance fund.

Councilman Patrick Casilio

Councilman Casilio has one item to discuss in Executive Session regarding the employment history of an individual.

Councilman Casilio will contact the resident on Candlewood Lane about their request for street lights and the formation of a lighting district.

Councilman Peter DiCostanzo

Upon recommendation of Recreation Director Clifford Trapper, Councilman DiCostanzo will make a motion to appoint Jeffry Herendeen as a Recreation Attendant for the Winter Recreation Program (hockey).

Councilman DiCostanzo will make a motion authorizing the Director of Administration and Finance to request an increase to the CitiBank credit card for the Youth Bureau to \$2,000.

Councilman DiCostanzo will announce the date for Winterfest.

The Youth Bureau is hosting a series of four educational presentations addressing drugs and alcohol.

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 corporation and 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 6:21 PM.

Darcy A. Snyder
Deputy Town Clerk

Councilman Casilio left the meeting at 6:45 PM.

Motion by Supervisor Bylewski, seconded by Councilman Kolber to adjourn the Executive Session at 6:50 PM. Upon roll call – Ayes: Councilman DiCostanzo, Councilman Kolber, Councilman Weiss and Supervisor Bylewski; Noes: None. Absent: Councilman Casilio. Motion carried. No action taken.

Organizational Meeting of the Town Board of the Town of Clarence was held on Wednesday, January 6, 2010 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Scott Bylewski called the meeting to order at 7:00 p.m. Councilman Patrick Casilio led in the pledge to the flag, followed by a prayer read by Supervisor Bylewski.

Patrick Casilio was sworn in as Councilman by his wife, Susan Casilio.

Peter DiCostanzo was sworn in as Councilman by his wife, Colleen DiCostanzo.

Ted Donner was sworn in as Superintendent of Highways by Town Clerk Nancy Metzger.

Councilman DiCostanzo thanked his family for being supportive while he is often gone attending various meetings. His sons and in-laws were also present.

Councilman Casilio thanked his family as he is not around a lot at night.

Highway Supt. Ted Donner thanked everyone for coming out tonight. He also is thankful for the faith in him to continue to do his best for the residents.

Members of the Town Board present were Councilmembers Peter DiCostanzo, Patrick Casilio, Bernard Kolber, Joseph Weiss and Supervisor Bylewski. Town Engineer Joseph Latona, as well as several department heads and employees were also present.

Motion by Councilman Casilio, seconded by Councilman Weiss to accept the minutes of the previous meeting held December 16, 2009 as received. Upon roll call – Ayes: All; Noes: None. Motion carried.

Supervisor Bylewski announced that there is a special work session set for next week to go over the results of the satisfaction survey. Frank Swiatek will be giving a presentation to the Town Board.

Supervisor Bylewski announced that the Town received a check as the result of the Safety Kleen bankruptcy in the amount of \$2,324.59.

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

Resolved, that the Clarence Ethics Board hereby adopts the revised Annual Statement of Disclosure for Employees of the Town of Clarence with the suggested changes made by the Clarence Ethics Board subject to the removal of the dependents being listed on page one and the removal of Department Head approval on page 2. Copies of the revised Annual Statement of Disclosure (revised 1/06/2010) will be on file in the office of the Town Clerk.

On the question, Supervisor Bylewski thanked the Ethics Board for their work in amending the disclosure statement and their work throughout the year.

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

Motion by Councilman Weiss, seconded by Supervisor Bylewski to revise the fee schedule for the use of the following Town facilities effective January 1, 2010:

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| Town Park Clubhouse - if using dishes: | \$100.00 fee up to 200 people |
| | \$200.00 fee up to 200+ people |
| Security Required for 150+ People (20 person minimum to rent the Clubhouse) | 50.00 |

Cancellation shall be made at least 48 hours in advance to the Town Clerk.

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|-----------------------------------|----------|
| Legion Hall | \$ 75.00 |
| Security Required for 150+ People | 50.00 |

Cancellation shall be made at least 48 hours in advance to the Town Clerk.

The building must left in a clean and neat condition or deposit will not be returned.

Pavilions:

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| Main Park-10405 Main Street: | |
| Large Pavilion (capacity - 300) | \$100.00 |
| Small Pavilion (capacity – 50) | 25.00 |
| Lakeside Pavilion (capacity – 60) | 25.00 |
| Town Park Place Park-5400 Goodrich Road | |
| Townview Pavilion (capacity – 75) | 40.00 |
| Lions Den (capacity – 100) | 40.00 |
| Glenwood Park- 8355 Greiner Road | |
| Glenwood Pavilion (capacity – 50) | 40.00 |
| Harris Hill Park – 4085 Harris Hill Road | |
| Sunset Pavilion (capacity – 90) | 40.00 |
| Meadowlakes Park – 8550 Clarence Center Road | |
| Meadowlakes Pavilion #1 (capacity – 75) | 40.00 |
| Meadowlakes Pavilion #2 (capacity – 60) | 40.00 |
| User fee for all pavilions for 150+ people | 50.00 |

On the question, Councilman Weiss thanked Jim Burkard for doing a lot of the math work on this. The fees have not been raised for quite a long time. If you go to some other venue to rent space for any kind of a party the fees are quite a bit greater. It is to help us defray some of the costs that have occurred with the rental of these facilities. He wants to put a large notation to keep the buildings clean because we will be enforcing additional fees and fines if they are left in bad shape.

Supervisor Bylewski echoed the comments regarding Jim Burkard and others who spent a lot of time doing the research and putting this together.

Town Clerk Nancy Metzger said, for the record, she is opposed.

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

Councilman Weiss thanked Jim Burkard and Ted Donner for meeting with a number of town officials concerning the possibility of having a department of public works. These two guys have been great going out and getting information. They will sit down and go over some of the data and see if it makes sense for these departments. There is a lot of synergy between the departments in sharing equipment and they work very well together. We do not want to upset any of that but there may be some things that we can do to make us more efficient. It has been a pleasure working with them and he would also like to thank the people from the other towns.

Motion by Councilman Kolber, seconded by Councilman Casilio to authorize Supervisor Scott Bylewski to sign the U & S Services, Inc. Andover Controls Preventative Maintenance renewal agreement for 2010. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Kolber, seconded by Councilman Casilio to authorize Northeast Mechanical Inc. to replace the electronic speed controller for the air handling unit at the Clarence Library for a fee of \$4,900 to be paid from the Library Maintenance Fund. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman Kolber said he was at Harris Fire Company’s banquet on Saturday and he wanted to thank them for all they do. He appreciates all the hours they put in.

Councilman Casilio said he has a request for streetlights in the Candlewood neighborhood. Just so the town knows, in order to take an existing neighborhood and put street lights in it on a mass scale, a district has to be formed. He will contact the individual to see if he wants to form a district in the Candlewood area. Developers install lights in new developments, but the Town does not have a town-wide district to install streetlights in a neighborhood. We have the ability to maintain and repair lights and add to existing poles.

Motion by Councilman DiCostanzo, seconded by Councilman Weiss to appoint Jeffrey Herendeen as a Recreation Attendant for the Winter Recreation Program (Hockey) at the rate of \$7.87 per hour. On the question, Councilman DiCostanzo said Harris Hill has a hockey program on Saturday mornings through Recreation, which needs an attendant to take care of it. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Weiss to authorize the Director of Administration and Finance to request an increase to the CitiBank credit card for the Youth Bureau from \$1,000 to \$2,000. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman DiCostanzo announced that Winterfest will be held on Saturday, February 6th from 12:00 to 5:00 p.m., instead of February 7th.

Supervisor Bylewski said it is his understanding that there is another chili cook off contest.

Councilman DiCostanzo said the Youth Bureau is sponsoring a substance abuse series that was in the Bee today, to be held the first Monday of February, March, April and May. It will be held at the town hall at 7:00 p.m. They will try to get the word out more. He knows some of these things are put together; they get great speakers, and do it with the best intentions and people stay home.

Councilman DiCostanzo thanked all of the people who step up to volunteer on some of the committees. Some are paid and some are not.

Supervisor Bylewski noted that the representative from St. Paul's Episcopal Church is here. He believes it appropriate to have her give the prayer as we start the organizational items to guide us as we go forward.

The Reverend Vicki Zust of St. Paul's Episcopal Church said a prayer.

Motion by Supervisor Bylewski, seconded by Councilman Kolber to approve the following organization items 1 – 8:

1. **Town Board Meetings:**

Regular Town Board meetings will be held on the 2nd and 4th Wednesday at 7:30 p.m., except as noted:

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| January | 6 and 20 |
| November | 3 and 17 |
| December | 1 and 15 |

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

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

2. **Agenda Format:**

1. Call to Order
2. Pledge to the Flag
3. Prayer
4. Roll Call
5. Minutes of Previous Meeting
6. Supervisor's Report
7. Council Reports
8. Public Announcements
9. Departmental Reports
10. Public Participation (Limit of 3 minutes on Agenda Items, Town Board Members and Department Reports only.)
11. Balance of Agenda Items
12. "For the Good of the Town" (Limit of one minute)

NOTE: Council members shall vote by reverse seniority, with the Supervisor voting last.

3.1 **Agenda Policy for all non-land use projects or items** - any person or entity wishing to be placed on the Agenda must notify the Town Clerk with subject matter by noon on Thursday prior to the Wednesday Board Meeting. The Supervisor upon consultation with the Town Board may make exceptions.

3.2 **Agenda Policy for Land Use Proposals** –All proposed land use projects or items to be placed on the Town Board agenda must have all appropriate applications or approvals completed and submitted, including appropriate fees, to the Planning & Zoning Department on or before 4:30 pm of the Wednesday the week before the Town Board meeting.

- If the item is a new application, then it may be placed on the Town Board’s Work Session to determine an appropriate review process. The item may be placed on the next available Town Board Agenda.
- **Exceptions:**
 - a. Any item on a Planning Board agenda the Wednesday before a Town Board meeting that receives a Planning Board recommendation, be it approval or denial may be placed on the next Town Board Work Session.
 - b. Case-by-case determination by the Town Supervisor in consultation with the Planning & Zoning Department.

3.3 **Agenda Policy for Town Board Notification Policy for Land Use Proposals:**

This policy is developed in accordance with Master Plan 2015, Chapter VIII, page 32 to allow for the public to have a voice in local land use decisions. This policy supersedes but does not replace any notice required by law.

- Unless required by law, an item’s first appearance on any Town Board agenda does not require any additional notification.
- Any and all items referred to the Planning Board shall be noticed for the Planning Board’s first agenda. All above-mentioned notices shall be sent by the Planning & Zoning Department by first class mail to property owners within five hundred feet (500’) from the subject property. Notification of an item on any other future meeting may be sent at the discretion of the Director of Community Development, the Planning Board Chairperson, or Planning Board Executive Committee.

After the Planning Board’s first meeting regarding the proposed project, all affected property owners may stay involved by visiting the Town’s Website, speaking with Town staff in the Planning and Zoning Department, or by reading the Clarence Bee, where such notices and agendas are published. Also, all meeting agendas are posted in Town Hall as required by Town Law.

4. **Town Hall Offices:**

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|--------------------------|---------------------|-----------------------|
| Supervisor | -Week Days | 8:30 a.m. – 4:30 p.m. |
| Town Board | -Week Days | 8:30 a.m. – 4:30 p.m. |
| Town Clerk* | -Week Days | 9:00 a.m. – 5:00 p.m. |
| | *-July & August | 8:30 a.m. – 4:30 p.m. |
| Town Attorney | -Week Days | 8:30 a.m. – 4:30 p.m. |
| Court | -Week Days | 8:30 a.m. – 4:30 p.m. |
| | -Note: Window Hours | 9:00 a.m. – 4:00 p.m. |
| Administration & Finance | -Week Days | 8:30 a.m. – 4:30 p.m. |
| Zoning Office | -Week Days | 8:00 a.m. – 4:30 p.m. |
| Zoning Office – clerical | -Week Days | 8:30 a.m. – 4:30 p.m. |
| Assessor | -Week Days | 8:30 a.m. - 4:30 p.m. |

Highway and Parks Departments:

| | | |
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| Office Hours | -Week Days | 8:00 a.m. – 4:00 p.m. |
| Shop Hours | -Week Days | 7:00 a.m. – 3:30 p.m. |

Engineering and Building Departments:

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| Office Hours | -Week Days | 7:30 a.m. - 3:30 p.m. |
| Inspectors’ Hours | -Week Days | 7:00 a.m. – 3:30 p.m. |

Youth & Recreation Departments:

-Week Days

8:30 a.m. – 4:30 p.m.

5. All items which pertain to conditions of employment, pay, vacation and the like are applicable to employees not covered under collective bargaining agreement (except seasonal, part-time and temporary).
6. Adoption of Employee's Salary Schedule as within the 2010 Adopted Budget except as noted in the Organizational Minutes.
7. New York State Retirement: The Town shall pay for all employees under the Retirement Plan Section 75-1.
8. Amend section 804 of the Town Policy Manual, Personal Leave – Proper use of Personal Leave to read – "An employee may use personal leave credits to conduct personal business which cannot be conducted outside of normal working hours, non-emergency medical and dental appointments, and for personal emergencies."

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

Motion by Councilman Weiss, seconded by Councilman Kolber to approve the following organizational items 9 – 28:

9. Holidays:

| | | |
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| January 18, 2010 | Monday | Martin Luther King Day |
| February 15, 2010 | Monday | Presidents' Day |
| April 2, 2010 | Friday | Good Friday |
| May 31, 2010 | Monday | Memorial Day |
| July 5, 2010 | Monday | Independence Day Holiday |
| September 6, 2010 | Monday | Labor Day |
| October 11, 2010 | Monday | Columbus Day |
| November 11, 2010 | Thursday | Veterans' Day |
| November 25, 2010 | Thursday | Thanksgiving Day |
| November 26, 2010 | Friday | Thanksgiving Holiday |
| December 24, 2010 | Friday | Christmas Day Holiday |
| December 31, 2010 | Friday | New Year's Day Holiday |

NOTE: Employee must work the day before and the day after the holiday to be paid unless on vacation or approved paid sick or personal leave.

* Christmas Eve ½ day Holiday occurs only when Christmas falls on Tuesday thru Friday.

10. Designation of Trick or Treat Night on Saturday, October 31, 2010 from 5:00 p.m. to 8:00 p.m.
11. March 11, 2010 is proclaimed Founder's Day in honor of Asa Ransom, the first settler and one of the founders of the Town of Clarence.
12. Longevity payments: Except for elected officials, longevity will be paid to full time employees in accordance with the following schedule in a lump sum payment in a separate check in the pay period of the employee's affected anniversary date.

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| 5 – 9 years of full-time service | \$ 825.00 |
| 10 – 14 years of full-time service | \$ 950.00 |
| 15 – 19 years of full-time service | \$ 1,025.00 |
| 20 – 24 years of full-time service | \$ 1,125.00 |
| 25+ years of full-time service | \$ 1,225.00 |

13. Any employee who is an active Volunteer Fireman may, with Department Head approval, respond when needed, to any working fire, first aid or mutual aid call within the Town of Clarence and within their fire district. Log in/out procedures per Section 604 of the Personnel Policy.
14. Residency Requirement as set forth in the Town of Clarence Local Law 1-2004, code 39.11-39.15.
15. Approval for all Elected Officials, Code Enforcement Officers, Town Engineer, Assistant Town Engineer, Clerks to Town Justice, Director of Administration and Finance, Zoning Department, Town Attorney and Assessor's Office to attend their respective association meetings with reasonable and necessary expenses to be paid by the Town. All meetings must have Department Head approval prior to attending.
16. **Use of Vehicles:** Upon advance Town Board approval, employees using personal vehicles for official Town business shall be paid a mileage allowance in accordance with IRS rates. No Town vehicles will be allowed to leave the Town except when on official business and with prior Department Head approval. The only Town vehicles which may be taken home after regular working hours will be those used by the Supervisor, Parks Crew Chief, Highway Superintendent, Highway Deputy Superintendent, Parks and Highway General Crew Chiefs, Town Engineer, Assistant Town Engineer, Dog Control Officer, Dog Control Officer RPT, Director of Community Development, Junior Planner, Code Enforcement Officers, Sr. Code Enforcement Officer and Plumbing Inspector.
17. All mail will be distributed by the Supervisor's Office.
18. All appointments unless otherwise noted are for the year 2010 or unless otherwise set forth by law.
19. The Supervisor is the appointing officer for the Town of Clarence pursuant to the New York State Civil Service Law. The appointing officer's responsibilities include signing appointment and personnel change forms submitted to Erie County Dept. of Personnel, certifying the Civil Division payroll, making sure it is accurate and in accordance with Civil Service Law and canvassing candidate eligibility lists assuring all procedures under the Civil Service Law are followed.
20. The Town Board approves the recommendation of Judge Powers for the appointment of Mary Zimmerman as his Clerk to the Town Justice. The Town Board approves the recommendation of Judge Sillars for the appointment of Marilyn Taton as his Clerk to the Town Justice. Clerks to the Town Justice to work additional hours as requested by the Town Justices for all Court Sessions.
21. Appointment of David Wetzler, Guy Fleming, Randall Haentges, Suzanne H. D'Arcangelo, John Micciarelo and Thomas Fulton as Security Officer PT in the court office at the rate of \$16.15 per hour – minimum pay of two (2) hours. Appointment of Guy Flemming, Security Officer-Court Office as Supervisor in charge of equipment and scheduling of officers at a stipend of \$250.00 per year.
22. Appointment of Dawn Trippie, Shirley Moore, Sandra Janson, Sara Krawczyk, Paula Gregorio-Hebler, Amy Major, Cassandra Fish, Yvonne Work and Jamie Krawczyk as Clerks P/T at the rate of \$11.60 per hour. (*One opening available*).
Appointment of Robin Sendlbeck as Clerk PT in the Supervisor/Town Board Office at the rate of \$13.50 per hour. Appointment of Deborah Griffiths as Clerk PT in the Supervisor/Legal/Town Board Offices at the rate of \$12.00 per hour. All Clerks-P/T will be called by the Supervisor's Office upon request from the Department Head. No payment will be authorized if this procedure is not followed.
Appointment of Robert Anderson as Van Driver, RPT and Arnold Castren, Vincent Delgato and Camille O'Reilly as Substitute Van Drivers.
Appointment of Camille O'Reilly as Laborer-RPT. Appointment of Robert Dickinson as Laborer PT.
Appointment of, Anne Cimato and Donna Giezycki as Dog Control Officers-RPT.

23. Town Clerk Nancy Metzger appoints Darcy Snyder and Gayle Brace as Deputy Town Clerks. Appointment of Nancy Metzger as Registrar of Vital Statistics, Records Management Officer and FOIL Records Officer, Darcy Snyder as Deputy Registrar of Vital Statistics and Gayle Brace as Sub Registrar of Vital Statistics with all fees for registrar services remitted to the Town of Clarence General Fund.
24. Appointment of Steven Bengart as Town Attorney and Town Prosecutor. Appointment of David Donohue as Deputy Town Attorney/Deputy Town Prosecutor. Appointment of Cynthia Rosel as Paralegal.
25. Appointment Joseph Latona P.E., as Town Engineer and as Administrator of Flood Plain, Town Sewer Districts and Building Department.
26. Appointment of Timothy Lavocat P.E. as Deputy Flood Plain Administrator.
27. Appointment of Lauri Plis as Accountant RPT, provisional, in the Accounting Department.
28. Appointment of David Bissonette as Natural Disaster Services Coordinator and David Baumler as Area Director of Civil Defense to coordinate emergency services. In addition to the budgeted rate of pay, the Natural Disaster Services Coordinator, David Bissonette and the Area Director of Civil Defense, David Baumler will be paid at the rate of \$78.00 per hour, per the adopted 2010 Budget – Long Term Disaster budget line with said payment to occur only in operations exceeding four (4) hours with the intent that the Town may possibly be reimbursed by FEMA, state aid, or insurance including third-party insurance.

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

Motion by Councilman Kolber, seconded by Councilman Casilio to approve organizational items 29 – 46:

29. Appointment of Joseph Meacham and Anthony Haas as Security Officer PT at the rate of \$15.04 per hour. Appointment of William O'Donnell and Alan Wolbert as Security Officer PT at the rate of \$13.93 per hour. Appointment of Roseanne Goetz, Rita Savage, Theodore Adrian, Peter Bordin, Ronald Kline, Ronald Bosela, George Brown, James Schmeigiel, Robert Sugg and Adam Muchow as Security Officer PT at the rate of \$13.32 per hour.
30. Appointment of School Crossing Guards for a one-year term: Rhonda Carpenter, Eleanor Cenname, Lorraine Hunt, Edward Hemline, Donald Schultz and Carl Schaefer. Appointment of Arnold Castren, Theodore Adrian and Paul Specht as Substitute Crossing Guards. Appointment of Rhonda Carpenter and Eleanor Cenname as School Crossing Guard Supervisors at a stipend of \$250 each.
31. The Town Board approves the recommendation of the Highway Superintendent Theodore Donner to appoint Gregory Giblin as Deputy Highway Superintendent, Jeffery Hemline as General Crew Chief, Gail Englert as Confidential Secretary and Camille O'Reilly Laborer-RPT.
32. The Deputy Highway Superintendent, General Crew Chiefs, Deputy Town Clerks, the Secretary to the Superintendent of Highways and Secretary to the Supervisor, shall be compensated at time and a half for all hours worked over normal work week. At the discretion of the Department Head, the above employees would be eligible for four (4) hours call-in pay at the applicable straight or overtime rate for each call-in that occurs following the employees' normal work day. In the event a call-in occurs two (2) hours or less before the employee's normal starting time, the minimum pay at the discretion of the Department Head could be two (2) hours of pay at the applicable straight or overtime rate.

33. Appointment of Clifford O. Trapper as Recreation Director II P/T at an annual salary of \$19,096. Appointment of Christopher Durr as Deputy Recreation Director PT at an annual salary of \$10,545.
34. Appointment of James Burkard as Parks Crew Chief and Administrator of Street Lights at the rate of \$65,000.00 for the year 2010. *(There is currently a vacancy for the position of General Crew Chief in the Parks Department).*
35. Appointment of James Callahan as Director of Community Development. Appointment of Brad Packard as Junior Planner.
36. Appointment of James Callahan as Affirmative Action Officer for the Town of Clarence for a three-year term, to expire 12/31/2012. (Note: The Affirmative Action Officer is a person who should be knowledgeable of Federal and State fair housing laws, be available to respond to local housing discrimination complaints, and when appropriate, refer such complaints to Housing Opportunities made Equal (HOME), or U.S. Department of Housing Urban development).
37. Appointment of Pamela Smith as Director of Administration and Finance.
38. Appointment of Dawn Kinney as Executive Director-Youth Board and Kellie Jeffery as Program Coordinator RPT.
39. Petty cash allowed for Town Clerk - \$300.00; Justice Court - \$50.00 for each Judge and Engineer - \$50.00.
40. Grant a one year leave of absence to Karen Jurek from the Civil Service Senior Clerk position in the Parks Department effective 1/1/2010 to continue as Confidential Secretary to the Supervisor.
41. Appoint Karen Jurek as in-house Computer Network Coordinator with a stipend of \$3,500.00 and Web Site Coordinator with a stipend of \$1,500.00.
42. WHEREAS, the Town of Clarence established various committees and boards by resolution; and
 WHEREAS, certain committees and boards have completed the assigned purpose for which they were established to the best of their ability.
 NOW THEREFORE BE IT
 RESOLVED, that the Clarence Town Board hereby dissolves the following committees effective as of January 1, 2010:
- Arboretum Design Review Committee
 - Detention Pond Committee
 - Inter-Community Committee
 - Meeting House Board
 - Public Safety Committee
 - Solid Waste/Recycling Committee
43. Appointment to the Arboretum Advisory Committee for a one year term: Stephen Murtaugh, James Burkard, Roy McCready, Todd Norris, Peter Wolfe and Robert Fogelsonger.
- *This Committee shall prepare a Management Plan for the Arboretum's development and maintenance for the following five years, 2011 to 2015, inclusive. The Management Plan will guide the Town in the Arboretum's development and maintenance, to propose changes in its allowed uses, improve communication to the public of the Arboretum's existence and to otherwise insure both the protection of the Arboretum and its maximum benefit to current and future Town residents. The Management Plan shall provide specific, relatively short-term plans for projects, activities, maintenance and other uses of the Arboretum and should be periodically reviewed and updated. The first plan shall cover the years 2011 to 2015. Succeeding*

Committees will review the existing Plan, current conditions and usage of the Arboretum and suggest revisions to the Management Plan to the Town. The Committee will make its best efforts to complete its review and provide its proposal or proposals to the Town by the end of 2010. The Management Plan will not be effective until approved by the Town Board.

44. Appointment to the Audit Committee for a one-year term: Councilman Peter DiCostanzo, as a member of the Town Board, Margaret Weglarski and Richard Forrestel.
45. Appointment to the Avoidable Alarm Committee for a one-year term: David Metzger, Building Department Representative and David Stengel. *(There is currently one opening).*
46. Appointment to the Cable Television Advisory Committee for a one-year term: Julie Ann McCullough, Chuck Eckert, and Henry Becker. *(There are currently two openings).*

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

Motion by Councilman Casilio, seconded by Councilman DiCostanzo to approve organizational items 47 – 70:

47. Appointment to the Capital Projects Committee for a one-year term: Town Supervisor, Director of Community Development, Town Engineer, Highway Superintendent, Parks Crew Chief, Director of Administration & Finance and Patrick Casilio, member of the Town Board.
48. Appointment to the Clarence Hollow Community Character Protection Board for a one-year term: William Henderson, Scott Kreher and Robert Lenz.
49. Appointment to the Community Center Committee for a one-year term: Supervisor Scott Bylewski, member of the Town Board, Dawn Kinney, Executive Director of the Youth Board, Neil Streubing, member of the Senior Center Board, Clifford Trapper, Recreation Director II, and Joseph Latona, Town Engineer.
50. Appointment to the Community Residence Committee for a one-year term: Eileen McCallister, Lynette McConnell, David D'Amato and Jeff Wang. *(There is currently one opening).*
51. Appointment to the Conservation Advisory Council for a term to expire 12/31/2012: Elizabeth Mattson, Peter Wolfe, and Joel Radder.
Appointment of Peter Wolfe as Chairperson for a one-year term. *(There is currently one opening).*
52. Appointment to the Ethics Board for a five-year term to expire 12/31/2014: Suzanne Powers and Elaine Rowley.
53. Appointment to the Fire Advisory Board for a one-year term: The elected year 2010 Fire Chiefs from Clarence, Clarence Center, East Amherst, Harris Hill, Rapids and Swormville Volunteer Fire Companies.
54. Appointment to the Historic Preservation Commission for a four-year term to expire on 12/31/2013: Mark Woodward and Thomas Steffan. Appointment of Henry Brodowski as Chairperson and Joanna Pickering as Vice-Chairperson/Secretary to the Historic Preservation Commission for a one-year term.
55. Appointment to the Clarence Industrial Development Agency for a one-year term: Clayton Ertel, Mary Powell, Christopher Kempton, Michael Buettner, Scott Bylewski, David Hartzell and David Schuster.

56. Appointment to the Landscape Review Committee for a one-year term: Albert Schultz, as member of the Planning Board. *(There are currently two openings, one for a member of the Conservation Advisory Committee and one for a professional in a field related to landscaping /or landscape design).*
57. Appointment to the Clarence Library Board for a five-year term to expire 12/31/2014: Anita Ballow
58. Appointment to the Planning Board: Albert Schultz as Chairperson and Wendy Salvati 1st Vice Chairperson. Appointment of Gregory Todaro as alternate for a one-year term. *(Note: At this time, will not be filling opening or 2nd Vice Chairperson position).* *(Two openings with terms of 12/31/2012 and 12/31/2016).*
59. The Sign Review Board shall consist of the Planning Board Chairperson and two members of the Planning Board.
60. Appointment to the Plumbing and Drainage Board for a one-year term: Larry Merkle, Richard Haag, Daniel Loudenslager, Timothy Lavocat, (as representative of Engineering Dept.), and Joseph Latona as Chairperson.
61. Appointment to the Recreation Advisory Committee for a one-year term: Michael Powers, Peter Wolfe, Henry Brodowski, Robert Geiger, Clifford Trapper, Margaret Walker and James Burkard.
62. Appointment to the Senior Center Board for a three-year term to expire 12/31/2012: Jacqueline Carpenter, Paul Corbelli, Janet Vito, Rosemond Ruhland and William Westley. *(Based on the recommendation from the Senior Center).* *(There is currently one vacancy with a term to expire 12/31/2010).*
63. Appointment to the Town Environmental Quality Review Committee (TEQR) for a three-year term to expire 12/31/2012: John Moulin, Paul Shear and Matthew Balling. Appointment of Matthew Balling as Chairperson for a one-year term. Appointment of James Callahan as Director and Brad Packard as Assistant Director of the Town Environmental Quality Review Committee for a one-year term, pursuant to Chapter 91 of the Code of the Town of Clarence.
64. Appointment to the Traffic Safety Advisory Board for a one-year term: John Wind, Kim Silvestro and Joseph Nemmer
65. Appointment to the Youth Board for a three-year term to expire 12/31/2012: Wendy Lennert, Gayle Brace, Teresa Lawrence and Jessica Notarius.
66. Appointment to the Zoning Board of Appeals for a five-year term to expire 12/31/2014: Ryan Mills. Appointment of Arthur Henning, Chairperson for a one-year term and Daniel Michnik Vice-Chairperson for a one-year term. Appointment of Patricia Burkard as Alternate with a term to expire 12/31/2010.
67. Approval of the Investment Policy, Procurement Policy and Policy Manual for the Town of Clarence, which are available from the Offices of the Supervisor or the Town Clerk.
68. Appointment of Supervisor as 504/ADA Officer for Erie County Community Development Program.
69. Appointment of Amato, Fox & Company as Auditors and Drescher & Malecki and Capital Markets Advisor, LLC. as Financial Consultants to the Town Board at their standard hourly rates.
70. Town Board authorizes the Assessor to bill and the Supervisor's office to collect for the Town's PILOT agreements for all IDA inducements. Town Board authorizes Town Clerk to bill and collect for Avoidable Alarm charges.

On the question, Supervisor Bylewski said the opening on the Senior Center Board is the result of the resignation of Bob Hoag.

Councilman Casilio said he recuses his vote on item 47 because he is listed and item 55 because Mary Powell is his sister.

Upon roll call – Ayes: All; Noes: None. Recuse: Councilman Casilio on items 47 and 55 for reasons stated above. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Weiss to approve organizational items 71 – 76 and resolutions pertaining to the Highway Department:

71. Appointment of Manufacturers and Traders Trust Co., HSBC/Clarence Branch, Key Bank/Clarence Office, Bank of America/Transit Road Branch, Bank of Akron/Clarence Center and Main Street Branches, Citizens Bank, JP Morgan Chase Bank, First Niagara Bank, Northwest Savings Bank, Lake Shore Savings and Evans Bank as depositories for the Town of Clarence.
72. Minutes of the Town Board meetings will be published in the Clarence Bee and on the Town's website at the Town Clerk's discretion.
73. All Boards and Committees are reminded that they are subject to the Open Meetings Provisions of the Public Officers Law.

For all meetings scheduled at least one week in advance, public notice of the time and place of the meeting must be given to the news media and posted on the Town Hall bulletin board at least 72 hours in advance. Whenever possible, the meeting schedule for the entire year shall be posted in January.

Minutes of all Meetings subject to the Open Meetings Law must be filed with the Town Clerk within 2 weeks.

Minutes of Executive Sessions must be filed with the Town Clerk within one week.

74. Committee and Board appointments made during the year shall be brought up at a work session and then acted upon at the next Town Board Meeting after thorough review with the Town Clerk's office.
75. Set Public Hearing date of February 24, 2010 at 7:45 pm for the Annual review of the Master Plan.
76. **Adopt the following resolution pertaining to the New York State & Local Retirement System Regulation 315.4:**

WHEREAS the New York State and Local Employees' Retirement System requires that the Town of Clarence establish by Resolution the number of hours which constitute a standard work day for retirement reporting purposes for all elected and appointed positions,

NOW THEREFORE BE IT RESOLVED that the Town of Clarence hereby establishes the following standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

See Table on next page...

| TITLE | NAME | STANDARD WORK DAY | ORIGINAL TERM START DATE | CURRENT TERM BEGINS/ ENDS | PARTICIPATES IN EMPLOYER'S TIME KEEPING SYSTEM | DAYS/ MONTH (Based on Record of Activity) |
|---|--|-------------------|--------------------------|---------------------------|--|---|
| TOWN OF CLARENCE - ELECTED OFFICIALS: | | | | | | |
| Supervisor | Scott Bylewski | 6 | 1/1/2002 | 1/1/08-12/31/11 | N | 20 |
| Town Clerk | Nancy Metzger | 7 | 1/1/1996 | 1/1/08-12/31/11 | N | 20 |
| Highway Supt. | Ted Donner | 8 | 11/13/2004 | 1/1/10-12/31/13 | N | 20 |
| Board Member | Joseph Weiss | 6 | 1/1/2004 | 1/1/08-12/31/11 | N | 20 |
| Board Member | Bernard Kolber | 6 | 1/1/2004 | 1/1/08-12/31/11 | N | 20 |
| Board Member | Patrick Casilio | 6 | 1/1/2006 | 1/1/10-12/31/13 | N | 20 |
| Board Member | Peter DiCostanzo | 6 | 1/1/2008 | 1/1/10-12/31/13 | N | 20 |
| Town Justice | Robert Sillars | 6 | 2/10/1999 | 1/1/08-12/31/11 | N | 20 |
| Town Justice | Michael Powers | 6 | 5/28/2008 | 1/1/09-12/31/12 | N | 20 |
| TOWN OF CLARENCE - APPOINTED OFFICIALS: | | | | | | |
| Town Engineer | Joseph Latona | 7 | 1/1/2010-12/31/2012 | | Y | 20 |
| Town Attorney/ Prosecutor | Steven Bengart | 6 | 1/1/2010-12/31/2012 | | N | 20 |
| Assessor | Christine Fusco | 7 | 9/1/2007-12/31/2013 | | Y | 20 |
| Deputy Town Attorney/Deputy Prosecutor | David Donohue | 6 | One- Year Term | | N | 6.67 |
| Dir. of Comm. Development | James Callahan | 7.5 | One-Year Term | | Y | 20 |
| Deputy Hwy. Superintendent | Gregory Giblin | 8 | One-Year Term | | Y | 20 |
| General Crew Chiefs | Jeffery Hemline Vacant - 1 | 8 | One-Year Term | | Y | 20 |
| Deputy Town Clerks | Darcy Snyder Gayle Brace | 7 | One-Year Term | | Y | 20 |
| Clerks to Tn. Justice | Mary Zimmerman Marilyn Taton | 7 | One-Year Term | | Y | 20 |
| Dir. of Admin. & Finance | Pamela Smith | 7 | One-Year Term | | Y | 20 |
| Conf. Sec. to Supervisor | Karen Jurek | 7 | One Year Term | | Y | 20 |
| Secretary to Highway Supt. | Gail Englert | 7 | One-Year Term | | Y | 20 |
| Parks Crew Chief | James Burkard | 8 | One-Year Term | | Y | 20 |
| Town Historian | Mark Woodward | 6 | One-Year Term | | Y | Based on hrs. |
| Planning Board Members 7 -Members 1-Alternate | <i>(Not all join the Retirement System).</i> | 6 | Seven Year Term | | Y | Note : Days reported are determined on the number of hours at a meeting |
| Zoning Board 5 Members 1-Alternate | | 6 | Five Year Terms | | Y | |
| TEQR Members 7 Members | | 6 | Three Year Terms | | Y | |

Adopt the following resolutions pertaining to the Highway Department:

Resolved, that pursuant to the provisions of section 284 of the Highway Law, the Town Board agrees that monies levied and collected for the repair and improvement of highways, and received from the state for the repair and improvement of highways, shall be expended as follows:

The sum of \$1,472,890.00 may be expended for general repairs upon 118.56 miles of Town Highways including sluices, culverts, and bridges (having a span of less than five (5) feet and boardwalks or the renewal thereof.

Miscellaneous road resurfacing Boncrest Area, Clarence Center Area and Green Acres Road

Resolved, that pursuant to Section 143 of Highway Law, the Town Board authorizes the Town Superintendent of Highways to rent or hire equipment within the approved 2010 budgetary appropriations.

Whereas, Section 103 of the General Municipal Law requires public bidding for purchases of equipment in excess of \$10,000.00 and

Whereas, the Highway Superintendent of the Town of Clarence makes numerous purchases from time to time throughout the year in total amount not to exceed the annual budget, and

Whereas, pursuant to Section 142 of the Highway Law it is desirable for the Town Board to authorize the Highway Superintendent to purchase said equipment, tools and other implements in excess \$1,000.00 and

Now therefore be it resolved, that the Highway Superintendent is hereby authorized to purchase without prior approval of the Town Board, equipment, tools and other implements to be used for highway maintenance, construction, or reconstruction, snow plows or other devices for the removal of snow from highways in a sum not to exceed the limitations as prescribed under 103 of the General Municipal Law as amended from time to time.

The Town Board has adopted a purchasing procedure in accordance with section 104B of the General Municipal Law. The Highway Superintendent will comply with that procedure.

The Town Board authorizes the Highway Superintendent and or the Deputy Highway Superintendent to attend all functions of Erie County Highway Superintendent's Association, New York State Highway Superintendent's Association 2010, along with the Town Engineer. All reasonable expenses will be covered by the Town of Clarence.

On the question, Supervisor Bylewski said allocations regarding the days/months based on the record of activity, as well as the standard workday, some have been adopted previously and some lost in the records of time. Under the new retirement regulations that have been put forward we are required to post this on the website and bulletin board. Further documentation will be provided as required by the individuals to take part in the retirement program.

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

Supervisor Bylewski thanked all of the department heads in attendance tonight and throughout the course of the year. Their comments and input greatly appreciated.

Motion by Councilman Weiss, seconded by Councilman Casilio that after proper audit and review by the Town Board, the following bills of December 24, 2009 are approved for payment: General Fund - \$55,237.85; Highway Fund - \$7,673.92; Water District - \$2,000.00; Capital Fund - \$336,836.52; and Trust and Agency 203 - \$6,752.96 for a total amount of \$408,501.25. 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 January 7, 2010 are approved for payment: General Fund - \$149,876.02; Highway Fund - \$106,224.43; Water District - \$36,045.98; Sewer Districts - \$608,198.44; and Capital Fund - \$8,750.00 for a total amount of \$909,094.87. Upon roll call – Ayes: All; Noes: None. Motion carried.

Supervisor Bylewski stated that his liaison assignments are Arboretum Committee, Capital Projects, Clarence Center Community Association, Computers, Ethics, Grants, Industrial Development Agency, Law-Legislation, Recreation Advisory Committee and Town Hall.

Councilman Weiss stated that his liaison assignments are Animal Control, Environmental Management Council, Highway, Insurance and Parks.

Councilman Kolber stated that his liaison assignments are Cable TV, Clarence Senior Center, Clarence School District, Clergy Association, Community Residences, Fire Companies, Library Service, Organizations, and Zoning Board of Appeals.

Councilman Casilio stated that his liaison assignments are Avoidable Alarms, Clarence Hollow Association, Emergency Services, Engineering, Labor Management, Master Sewer, Park Security, Public Utilities/Street Lights, Sewer Districts, Sidewalk Task Force and Traffic Safety.

Councilman DiCostanzo stated that his liaison assignments are Assessors, Clarence Historic Preservation, Chamber of Commerce, Historical Society, TEQR, Planning, Youth and Recreation.

Supervisor Bylewski made the following appointments: Karen Jurek, Confidential Secretary; Patrick Casilio, Deputy Supervisor; Mark Woodward, Town Historian; and Hans Mobius to serve on the Right-to-Farm Resolution Committee for a term of one year.

“For the Good of the Town”

Tim Pazda reminded everyone that Winterfest is coming February 6th and the Lions are hosting the Chili/Chowder Cook Off. He is offering the Town Board the opportunity to get in on it and redeem their loss from two years ago.

There being no further business, Supervisor Bylewski adjourned the meeting at 8:00 p.m.

Nancy C. Metzger
Town Clerk