

A Work Session of the Clarence Town Board was held on April 7, 2010 at Clarence Town Hall, One Town Place, Clarence, NY.

Supervisor Scott Bylewski called the meeting to order at 9:03 A.M. Members of the Town Board present were Council members Joseph Weiss, and Peter DiCostanzo. Councilman Bernard Kolber and Councilman Casilio were absent. Other town officials present were, Town Attorney Steven Bengart, Town Engineer Joseph Latona, and Town Assessor Christine Fusco.

Supervisor Scott Bylewski

Supervisor Bylewski received a letter from Tim Krantz regarding yard waste; this will be put out to bid.

There was some vandalism done to the lighted sign in front of the Town Park on Main Street. The plexiglas and the interior portion that holds up the lettering was damaged as well as the lights. A police report has been filed.

Supervisor Bylewski received an anonymous letters regarding ATV's going up and down the bike path. Park's Security will be notified.

Town Engineer Latona stated that two more grants were submitted yesterday for solar panels for Building/Engineering and Parks Department. He is still waiting for the contract for the first three grants.

Motion by Supervisor Bylewski, seconded by Councilman Weiss to authorize K2 architecture of Clarence to provide architectural service for plans, specifications, bidding services during construction and expenses for the American Legion Post 838 at a fee not to exceed \$5,500. to be paid from the CDBG Grant. Upon roll call – Ayes: Councilman DiCostanzo, Councilman Weiss, Supervisor Bylewski; Noes: None. Absent: Councilman Kolber and Councilman Casilio. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Weiss to announce the resignation of Yvonne Work as Clerk P/T effective April 18, 2010 to create an opening in the clerk pool. On the question, Yvonne's last day was March 24th, 2010 but she will continue on the payroll until April 18th, 2010 in order to train the new Clerk P/T for the Youth Bureau. Upon roll call - Ayes: Councilman DiCostanzo, Councilman Weiss, Supervisor Bylewski; Noes: None. Absent: Councilman Kolber and Councilman Casilio. Motion carried.

Motion by Supervisor Bylewski, seconded by Councilman Weiss to appoint Diane Petrik-Huben of 4160 Thornwood Lane in the Town of Clarence, as Clerk, P/T at the budgeted rate of pay of \$11.60 per hour effective April 8, 2010 subject to the completion of all pre-employment requirements being met. She will be added to our current pool of part-time clerks. This appointment is being made to fill the vacancy of Paula Gregorio-Hebler. On the question, Ms. Petrik-Huben will work on a regular basis in the Clarence Youth Bureau. Upon roll call - Ayes: Councilman DiCostanzo, Councilman Weiss, Supervisor Bylewski; Noes: None. Absent: Councilman Kolber and Councilman Casilio. Motion carried.

Motion by Supervisor Bylewski, seconded by Councilman Weiss to appoint Jessica Viola of 9410 Dana Court in the Town of Clarence as Clerk, P/T at the budgeted rate of pay of \$11.60 per hour effective April 19, 2010, subject to the completion of all pre-employment requirements being met. She will be added to our current pool of part-time clerks. This appointment is being made to fill the vacancy of Yvonne Work. Upon roll call - Ayes: Councilman DiCostanzo, Councilman Weiss, Supervisor Bylewski; Noes: None. Absent: Councilman Kolber and Councilman Casilio. Motion carried.

Councilman Joseph Weiss

Motion by Councilman Weiss, seconded by Supervisor Bylewski to set a bid date of April 27, 2010 at 10:00 A.M. for the purchase of a used Street Sweeper. Town Clerk Nancy Metzger will take care of all necessary advertising. Upon roll call - Ayes:

Councilman DiCostanzo, Councilman Weiss, Supervisor Bylewski; Noes: None. Absent: Councilman Kolber and Councilman Casilio. Motion carried.

Councilman Weiss talked to Parks Superintendent Jim Burkard regarding the security cameras. Mr. Burkard has suggested the cameras be tuned up; they are making a "clicking" sound.

Councilman Weiss talked to Highway Superintendent Ted Donner regarding brush pickup. Brush will be picked up in the months of April – May and September – October. There will be no pickup during July, August and September. A notice will be advertised in the Clarence Bee.

Councilman Weiss received a letter from a resident on Boncrest Drive regarding the deer population in that area and the problem it is causing. The deer abatement program took care of the problem for a while however for the last two years, one of the property owners in that area would not allow anyone on his property. Councilman Weiss spoke to him, explained the situation and he suggested Councilman Weiss contact him at the end of the summer to work something out.

Councilman Weiss suggested a thank you letter be sent to Judge Michael Powers and Detective Brinkerhoff on the presentation that they did during the Drug Series, it was very well done.

Councilman Weiss received a letter regarding the escarpment and hikers trespassing on private property. Councilman Weiss stated that approximately 30 years ago Warren Greatbatch was the person behind the escarpment project. Part of the escarpment was donated by National Fuel and others. The purpose of the escarpment sanctuary was to save topography it was not meant for walking paths. The original fence that was installed was cut down the middle. Peter Wolfe suggested a split-rail fence be installed with signage directing hikers.

The letter also indicated that garbage was being dumped in the escarpment however Councilman Weiss observed only scattered garbage from garbage cans that may have blown over and there was also some debris from the nearby construction sites. There were no debris piles or dumping of garbage. Councilman Weiss discussed the split rail fence with Parks Superintendent Burkard and he said it would be an inexpensive fix.

Motion by Councilman Weiss, seconded by Councilman DiCostanzo that upon recommendation from Highway Superintendent Ted Donner, the following piece of equipment be declared as surplus: 1987 Mack Garbage Packer H-38 Serial #1M2K127C7HMO10509. This garbage packer will be sold at auction. On the question, Councilman DiCostanzo inquired as to what a garbage packer was. Councilman Weiss stated that it is a garbage truck that is used to compact leaves. Upon roll call - Ayes: Councilman DiCostanzo, Councilman Weiss, Supervisor Bylewski; Noes: None. Absent: Councilman Kolber and Councilman Casilio. Motion carried.

Councilman Weiss has two items to discuss in Executive Session regarding the employment history of a corporation(s).

Councilman Peter DiCostanzo

Councilman DiCostanzo commented on the Drug Series and the powerful message from the speakers.

Councilman DiCostanzo attended a Chamber of Commerce meeting and the numbers compared to last year at this time are much better.

Councilman DiCostanzo attended the Planning Board Executive meeting, the bike path in Waterford was discussed. The bike path will connect to where it ends now at Curry Lane and continue to Roll Road and eventually to town hall.

Councilman DiCostanzo has one item to discuss in Executive Session regarding the employment history of a particular person.

Town Attorney Steven Bengart

Town Attorney Bengart has one item to discuss in Executive Session regarding the acquisition of real property.

Town Assessor Christine Fusco

Town Assessor Fusco distributed a hand-out regarding equalization rates. Sales are currently selling right around the assessment or above however we will not be picking up the big numbers that we were used to getting.

Town Assessor Fusco talked to the Clarence School District and they are going to freeze their tax rate, they are still using federal stimulus money so they are not looking at any big increases. Next year will be more of a challenge.

Town Assessor Fusco held a class on How to Challenge your Assessment, 72 people signed up and 65 people attended. Out of the 12,000 assessment notices mailed out this year, 164 have requested an informal review of their assessment – last year there were 367 requests. A cover letter is being sent out to the residents that have challenged their assessment explaining why their assessment was changed; this should eliminate phone calls to the Assessor's Office. All the work was done in-house other than GAR does the analysis for them.

The Assessor's office has a \$20,000 credit coming from GAR which will be used for assessment challenges (other than court fees and appraisals). Sears and Office Depot have withdrawn their action against the town.

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 and the employment history of corporation(s); § 105 (1) H the acquisition of real property but only when publicity would substantially affect the value thereof. On the question, Town Attorney Bengart was asked to remain in the meeting. Upon roll call - Ayes: Councilman DiCostanzo, Councilman Weiss, Supervisor Bylewski; Noes: None. Absent: Councilman Kolber and Councilman Casilio. Motion carried.

There being no further business, the Work Session adjourned at 9:44 A.M.

Darcy A. Snyder
Deputy Town Clerk

Motion by Supervisor Bylewski, seconded by Councilman DiCostanzo to adjourn the Executive Session at 10:20 A.M. Upon roll call - Ayes: Councilman DiCostanzo, Councilman Weiss, Supervisor Bylewski; Noes: None. Absent: Councilman Kolber and Councilman Casilio. Motion carried. No action taken.