

A Work Session of the Town Board of the Town of Clarence was held on Wednesday, January 16, 2013, at Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor David Hartzell called the meeting to order at 6:00 P.M. Members of the Town Board present were Councilmember's Patrick Casilio, Peter DiCostanzo and Robert Geiger. Councilman Kolber was absent. Other Town Officials present were Director of Community Development James Callahan, Assistant Planner Brad Packard, Town Attorney Lawrence Meckler, Town Engineer Timothy Lavocat, Sr. Building Inspector David Metzger, Confidential Secretary to the Supervisor Karen Jurek and Director of Administration and Finance Pam Cuvillo.

**Director of Community Development – James Callahan**

***Agenda items:***

David Christopher 7615 Goodrich Road

Applicant is proposing to develop a residential home and to house an expanded home occupation consisting of a landscaping business in a detached accessory structure. The proposed site is located on the east side of Goodrich Road, south of Delaware Road on existing vacant land consisting of 35.85+/- acres of land located in the Agriculture Flood Zone. Per the Zoning Law, an expanded home occupation will require approval via a Temporary Conditional Permit. A Public Hearing will be required to consider the use.

Spaulding Greens Phase V

Applicant is seeking Final Plat approval for Phase V to include 21+/- sub-lots and road dedication for approximately 930+/- linear feet of Meadowglen Drive; 325+/- linear feet of Willow Leaf Court; and 253+/- linear feet of Glenview Drive. The proposed site is located on the east side of Goodrich Road, north of Greiner Road as an extension of Meadowglen Drive in the Spaulding Greens Open Space Design Subdivision. The Town Board has final authority to approve Final Plats and to accept newly constructed roads for public dedication. Final review and approval from the Town Engineer and Highway Superintendent on the newly constructed roads will be required prior to formal dedication.

Spaulding Lakes Homeowners Association – trunk sewer line

The Homeowners Association has a consent order from the DEC to update their current treatment plant. They are looking to run a trunk sewer line to tie into the Heise Brookhaven trunk sewer line. Town Engineer Lavocat stated that there is some preliminary internal work that needs to be done to see how financially feasible a district would be. In the next couple of months, he would like to sit down with the town accountant to go over the numbers to see if it is feasible, affordable and find out what the cap is before we can move forward.

***Work Session agenda items for consideration February 13, 2013:***

Ashley and Associates/Metzger Civil Engineering 8080 Wehrle Drive

Applicant is proposing to develop a multi-family housing project to be located on existing vacant land located in the Commercial Zone containing 15+/- acres on the north side of Wehrle Drive, east of Transit Road. The applicant has redesigned his plan to meet the current law which is 8 units per acre with a Special Exception Use Permit. The project would also meet the requirements the Planning Board has established for their proposal including the 25% for commercial space. Density was dropped down to 106. It would not meet what the Town Board established for densities. It would meet all conditions except for the density. The applicant is asking to be heard at the next Town Board meeting to reintroduce his project. Councilman DiCostanzo clarified the fact that the Town Board technically did not officially establish density requirements. Supervisor Hartzell stated that he would like to vote on the Multiple Family Residence amendments at the next Town Board meeting. The Planning Board as well as James Callahan and Brad Packard have put a lot of time and effort into reviewing the MFR law. A public hearing date will be set at the February 6<sup>th</sup> morning Work Session.

Director of Community Development James Callahan has one item to discuss in Executive Session regarding the employment history of an individual.

**Supervisor David Hartzell**

Supervisor Hartzell received notification from County Executive Poloncarz that Rural Transit Services received a grant in the amount of \$265,532.

Supervisor Hartzell and Councilman Geiger attended an Emergency Management presentation in Cheektowaga and both felt that a meeting with our emergency management personnel would be beneficial. The Town Board was in agreement with Supervisor Hartzell scheduling a meeting with David Bissonette (Area Director of Civil Defense) to see what preparation he and David Baumler have made for the Town of Clarence.

A town wide satisfaction survey was done in 2009. Supervisor Hartzell would like to do another survey, he can put inserts in the Clarence Bee at a cost of \$176. Surveys will be available at Town Hall and on the town's web site. Department Heads are all in favor of this as well as the Town Board.

Several Department Heads have expressed an interest in attending the State of the Town Address. Supervisor will take the funds from his budget.

Supervisor Hartzell will make the following motions:

- Appoint delegate and alternate for the Association of Towns of the State of NY Annual Meeting
- Approve the transfer of funds in the Highway Department
- Amend the Town of Clarence Procurement Policy Guideline 3
- Approve the transfer of funds from the 2012 Law Department budget/Justice Court budget

**Councilman Patrick Casilio**

After review and clarification, Councilman Casilio will appoint Joseph Meacham as Security Office PT.

Upon recommendation of Town Engineer Lavocat, Councilman Casilio will award the design services, development of bid documents and bid assistance for the Main Town Park sanitary sewer project to Donald Gallo Consulting Engineer, PC in the amount of \$11,800.

The design services, development of bid documents and bid assistance for the Main Town Park pool lining project will be awarded to Trautman Associates of Buffalo.

Councilman Casilio will make a motion relative to the hydrant along the Ledgeview Elementary School Driveway and two hydrants within Waterford Estates, Phase III on Wicklow Manor. The Town of Clarence agrees to pay the annual fire hydrant maintenance fee to Erie County Water Authority.

Upon recommendation of Town Engineer Lavocat, Councilman Casilio will make a motion to appoint Jacob Woodward to the position of Engineering Aide PT-Seasonal in the Engineering Department effective retroactive December 27, 2012 at the rate of \$11.03 per hour.

Councilman Casilio is working on the final details with Time Warner for the camera system for the town.

Councilman Casilio attended the Farmer's Market meeting concerning the train mural. The group is well organized and meets every two weeks on this project. There will be some fundraising events, they have an artist and hope to begin the mural project in the near future. The committee is also requesting the Supervisor appoint a liaison to them.

The Day in the Park Committee is meeting on a regular basis getting ready for their event. They are changing things around slightly to maximize profits for the volunteer organizations that work the event which is scheduled for June 29<sup>th</sup>. This event is different from Old Home Days which is scheduled for the following week.

Councilman Casilio met with the Arboretum Committee. They had a question about their Declaration. There was a draft in 2010 but Councilman Casilio did not know whether or not the Town Board followed

through. There may have been conflicts on what the Committee wanted and what the Town Board wanted so the Town Board might not have actually voted on it. The Committee had some questions about the trees, the rotation of members (appoint younger people with experience), they made a request for work to be done in certain areas (Parks Crew Chief James Burkard also attended this meeting). The Arboretum Committee members also had questions regarding the pond. Town Engineer Lavocat did some investigating of the pond this past summer and sent the Arboretum Committee a memo several months ago regarding this. The Committee also questioned a guard rail along the pond however, that would be up to the Highway Superintendent. The location of Flight 3407 Memorial was also discussed – (a meeting with 3407 Memorial Committee was supposed to take place this month but nothing has been scheduled). There was a big problem with the dry weather last summer and watering of the trees. The Committee asked if there are other groups/organizations available to help water the trees this year. The Committee has not had a fundraiser in several years, Councilman Casilio will be assisting with the fund raising committee to help them sell the trees that have already been planted and for future planting of trees that have not been purchased as part of the original design.

The Arboretum Committee wanted to know the status of the Bell Tower, however Supervisor Hartzell stated that request cannot be fulfilled. Councilman Casilio will ask the Grant Writer about any potential grants available for the Arboretum. The Arboretum was supposed to be self-sufficient and the town has done a lot of work to get it to where it is today.

#### **Rotella Grant Management – grant program status report**

Bernard Rotella updated the Town Board on the grant projects and grant submissions to date. A total of \$790,790 was requested through various granting sources. The next round of the Consolidated Funding Applications is opening in March 2013 where there will be various categories of projects that can be submitted.

#### ***Projects currently working on:***

- Grant request to the NYS Department of Environmental Conservation (recycling grant) in the amount of \$93,430 for a 2013 Peterbilt 320 with 345 HP ISL9 engine, Allison 4500-RDS. Once the equipment is purchased, we can submit the paperwork for reimbursement (24 month time frame for reimbursement).
- Grant request by Clifford Trapper to upgrade and renovate the Town pool. Costs associated with the task of repairing the pool and adding required code improvements so that the pool will meet ADA regulations are in excess of \$147,363.
- Safe Routes to School – The town requested \$500,000 for the reconstruction, replacement and installation of sidewalks along Main Street. The grant was not awarded however another application will be submitted in spring 2013. Mr. Rotella met with the NYS DOT; they said the application was good however there are limited funds.
- Tree Inventory Grant – The Town requested \$50,000 from the Urban and Community Forestry Program to conduct an inventory of all trees located in Clarence Town Parks. This inventory will create a database of tree locations, sizes, species and overall ratings, identifying those that are diseased, damaged or subject to invasive pests. This inventory will assist in future planning and enable the Town to maintain its tree canopy, one of Clarence's most valuable natural resources. While this grant was not awarded, further guidance from local DEC will assist in the next application due this spring.
- Mr. Rotella has been working on some sewer projects. J.C. Smith from the State Water Revolving Fund will meet with Town Engineer Lavocat to discuss several projects with him to see what types of Grant programs the Town would qualify for between the Peanut Line, Sewer District #9 and any other projects the town may have for water.

Mr. Rotella has also been doing some research on electric golf carts and surveillance cameras for public security. He will be working with Supervisor Hartzell on Shared Services for Government Efficiency grant. The trail grant is opening in March through the Consolidated Fund Application.

Mr. Rotella is also looking into the possibility of doing a joint venture for a senior center.

Supervisor Hartzell stated that he likes having Bernard Rotella on staff because he knows what grants are readily available. Councilman Casilio would like to know of any grants that would be available for the Arboretum.

### **Councilman Peter DiCostanzo**

Councilman DiCostanzo will make the following motions:

- Approve the transfer of funds from the 2012 Youth Bureau budget
- Appoint Senior Clerk Jean Ranney – Permanent in Parks Department
- Authorize purchase of an Altec Model AT40-G Bucket Truck for the Parks Department
- Post position of Auto Mechanic for Parks Department
- Post position of Senior Clerk – Contingent Permanent for Parks Department
- Approve Dawn Kinney, Jessica Notarius to attend the Youth Leadership Forum in Albany

James Burkard formerly served on the Landscape Committee and then a person in the landscape business served on the committee. Another landscaper was recommended for the committee but that did not work out. Councilman DiCostanzo is recommending James Burkard be reappointed to the Landscape Committee.

Winterfest is scheduled for January 27<sup>th</sup>.

The Ethics Committee wanted to stress once again that if a Town Board member/Committee member recuses from voting on a subject matter because of a conflict, they must fill out a Transactional Statement of Disclosure Form to be filed in the Town Clerk's office.

The Single Family Dwelling Report came out and there were 112 single family dwelling permits issued in 2012 which was the highest since 2006.

Several weeks ago Councilman DiCostanzo received a request from Joseph Reif inquiring about purchasing a piece of vacant land that the town owns on Stage Road. The property used to have a water tower on it however that has since been removed. Councilman Casilio questioned whether the Town still owned the property or was it turned it over to Erie County Water Authority. Town Engineer Lavocat stated that Erie County demolished the water tower without any involvement from the Town of Clarence. Supervisor Hartzell stated that before any action is taken, we should be sure the town does own the property. Town Attorney Meckler will research this.

Director of Recreation Clifford Trapper is obtaining bids for the purchase of a new slide for the town pool. Supervisor Hartzell suggested Mr. Trapper attend a Work Session to discuss the bids.

Councilman DiCostanzo has one Attorney-Client item to discuss during Executive Session.

### **Councilman Robert Geiger**

Town Assessor Christine Fusco gave a presentation at the Senior Center regarding STAR Exemptions. March 1<sup>st</sup> is the deadline to file for exemptions.

Councilman Geiger met with John Leamer and there will be some fund raising events to help off-set the cost of the train mural planned for Clarence Hollow.

The Historical Society has had problems with missing historic signs from Goodrich Road and Salt Road and Main Street. The signs have since been located and Councilman Geiger will see if the Parks

Department can reinstall them. The sign from Clarence Center Road has been located at the Highway Department however it is damaged. Councilman Geiger will look into the cost to repair the sign and report his findings to the Town Board.

Councilman Geiger has received an application for the Conservation Advisory Council; he will make the appointment at the next Town Board meeting.

Councilman Geiger attended the ribbon cutting of the new MASH urgent care facility at 5965 Transit Road.

Councilman Geiger has one item to discuss in Executive Session relative to several bills submitted regarding the deer abatement program.

Supervisor Hartzell stated that the Kittinger project will be reviewed by the ECIDA under an agreement that all the IDA's signed several years ago. Whenever there is a project in the City of Buffalo that moves to the suburbs, the ECIDA has the ability to look at the deal and using the Town's standards, either approve/disapprove the project. If they approve the project, they split the fees with the town. They will be reviewing the project at their February meeting. The Clarence IDA would like to have Kittinger relocate to Clarence which would be in close proximity to their retail store.

Motion by Supervisor Hartzell, 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 § 105 (1) A matters which will imperil the public safety if disclosed. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Kolber. Motion carried.

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

Darcy A. Snyder  
Deputy Town Clerk

Motion by Supervisor Hartzell, seconded by Councilman DiCostanzo to adjourn the Executive Session at 7:26PM. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Kolber. Motion carried.

Regular meeting of the Town Board of the Town of Clarence was held on Wednesday, January 16, 2013 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor David Hartzell, Jr. called the meeting to order at 7:30 p.m. Pledge to the flag was led by Councilman Peter DiCostanzo, followed by a prayer given by Tom Friedman of Nativity of the Blessed Virgin Mary Church.

Members of the Town Board present were Council Members Robert Geiger, Peter DiCostanzo, Patrick Casilio and Supervisor Hartzell. Councilman Bernard Kolber was absent. Other Town officials present were Director of Community Development James Callahan, Town Attorney Lawrence Meckler, and Town Engineer Timothy Lavocat.

Motion by Councilman Casilio, seconded by Councilman DiCostanzo to accept the minutes of the previous work session and organizational meetings held January 2, 2013. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Supervisor Hartzell congratulated news reporter Matt Glynn for finishing top in his age group in the Buffalo News runner of the year series.

Supervisor Hartzell said we received a letter from County Executive Mark Poloncarz informing us that we were awarded a grant for the Rural Transit Service in the amount of \$265,532.

Motion by Supervisor Hartzell, seconded by Councilman Casilio to appoint Councilman Robert Geiger as the Official Delegate for the Town of Clarence for the Annual Association of Towns 2013 Meeting and Training School. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Motion by Supervisor Hartzell, seconded by Councilman Geiger to approve the transfer of funds from the 2012 Highway Department Budget as follows: \$8,000.00 from budget line 002.5110.0433 – Equipment Rental to budget line 002.5110.0413 – Road Resurfacing. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Motion by Supervisor Hartzell, seconded by Councilman Casilio to amend the Town of Clarence Procurement Policy Guideline 3 - Estimated Public Works Contracts paragraph 1 to read: “Less than \$35,000 but greater than \$20,000 require a written Request for Proposal and fax/proposals from 3 contractors.”

On the question, Supervisor Hartzell said the Policy is being amended due to an error in the order of the dollar amounts in the policy that was adopted on April 25, 2012.

Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Motion by Supervisor Hartzell, seconded by Councilman Geiger to approve the transfer of funds from the 2012 Law Department Budget as follows: \$2,232.35 from budget line A1420.471 – Legal and Professional Fees to budget line A1420.423 – Books and Supplements. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Motion by Supervisor Hartzell, seconded by Councilman Casilio to approve the transfer of funds from the 2012 Justice Court Budget as follows: \$366.34 from budget line 001.1110.470 – Expense and Travel to budget line 001.1110.469 – Drug Court Services; and \$985.00 from budget line 001.1110.470 – Expense and Travel to budget line 001.1110.434 – Official Court Stenographer. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Councilman Casilio said during the previous work session, he updated the Town Board on the Arboretum Committee; Clarence Day in the Park Committee regarding the June 29<sup>th</sup> event; the Farmers’ Market Committee who is working on a mural in the Hollow; and the video camera system in the Town.

Motion by Councilman Casilio, seconded by Supervisor Hartzell to appoint Joseph Meacham as Security Officer PT at the budgeted rate of \$15.80 per hour effective January 17, 2013 through December 31, 2013.

On the question, Councilman Casilio said the Town Board has the authority to appoint personnel pursuant to the Town of Clarence Organization Meeting.

Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Motion by Councilman Casilio, seconded by Councilman Geiger to award the design services, development of bid documents and bid assistance for the Main Town Park sanitary sewer project to Donald Gallo Consulting Engineer, P.C. in the amount of \$11,800.00 in accordance with their proposal dated September 27, 2012. On the question, Councilman Casilio said this is to be funded by Capital Project 75. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Motion by Councilman Casilio, seconded by Supervisor Hartzell to award the design services, development of bid documents and bid assistance for the Main Town Park Pool Lining project to Trautman Associates of Buffalo, New York in the amount of \$6,750.00 in accordance with their proposal dated December 5, 2012. On the question, Councilman Casilio said this is to be funded by Capital Project 32. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Motion by Councilman Casilio, seconded by Councilman Geiger that the Town of Clarence agrees to pay the annual fire hydrant maintenance fee to the Erie County Water Authority for one additional fire hydrant along the Ledgeview Elementary School Driveway (a/k/a Thompson Road Extension) upon placement into service by the Erie County Water Authority. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Motion by Councilman Casilio, seconded by Supervisor Hartzell that the Town of Clarence agrees to pay the annual fire hydrant maintenance fee to the Erie County Water Authority for two (2) fire hydrants within Waterford Estates, Phase 3, on Wicklow Manor upon Final Plat approval and formal public infrastructure acceptance by the Town of Clarence. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Motion by Councilman Casilio, seconded by Councilman Geiger to appoint Jacob Woodward to the position of Engineering Aide PT-Seasonal in the Engineering Department effective retroactive December 27, 2012 at the rate of \$11.03 per hour. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Casilio to approve the request of Dawn Kinney, Executive Director Clarence Youth Bureau to attend the Youth Leadership Forum sponsored by the Association of NYS Youth Bureaus, NYS Partnership for Children, Youth and Families, and NYS Office of Children and Family Services to be held in Albany, NY on February 11 and 12, 2013 along with Jessica Notarius, Program Leader Clarence Youth Bureau and four high school students who are members of the Youth Bureau.

On the question, Councilman DiCostanzo said the cost for the seminar has been budgeted for in the Youth Bureau 2013 departmental budget. The forum is an interactive leadership and educational seminar being offered to youth and Youth Bureau personnel from across New York State.

Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Casilio to approve the transfer of funds from the 2012 Youth Bureau Budget as follows: \$70.00 from budget line 7310.0432 – Dues and Subscriptions to budget line 7310.0450 – MTNC Bldgs. and Grounds.

On the question, Councilman DiCostanzo said this is to cover an unexpected repair to our boiler on December 31, 2012.

Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Geiger to appoint Jean Ranney to Senior Clerk-Permanent in the Parks Department effective January 17, 2013.

On the question, Councilman DiCostanzo said there is an open Senior Clerk Position in our Civil Service Inventory and there is no change in the salary.

Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Casilio to authorize the purchase of an Altec Model AT40-G Bucket Truck for the Parks Department for an amount not to exceed \$89,875.00 with trade in, and authorize an additional amount not to exceed \$1,400.00 to cover the cost of undercoating, safety striping and radio installation upon delivery of the Bucket Truck. On the question, Councilman DiCostanzo said we have a bucket truck that is over 12 years old with over 100,000 miles on it. This is to be funded from Capital Project No. 82. It will take 8 to 9 months for delivery. Councilman Casilio added that it was a used truck when we purchased it, so it is time for a new one. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Casilio to post the position of Auto Mechanic in the Parks Department at Step 1 of the Blue Collar Union Contract Salary Schedule. On the question, Councilman DiCostanzo said this posting is due to the retirement of Raymond Somers creating an opening. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Casilio to post the position of Senior Clerk Contingent Permanent in the Parks Department at the entry level of Senior Clerk in the White Collar Union Contract Salary Schedule. On the question, Councilman DiCostanzo said this posting is due to the retirement of Judy Shisler that will leave one opening in the Parks Dept. This position will be filled from the current Senior Clerk list from Erie County. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Councilman DiCostanzo announced he will make a motion at the next meeting to appoint James Burkard from the Parks Department to the Landscape Committee to fill an open position.

Councilman DiCostanzo said WinterFest will be January 27<sup>th</sup> from Noon to 5:00 p.m. with plenty of activities including the annual chili and chowder cook off contest.

Councilman Geiger reminded anyone who has to apply for the STAR program to get the application in by March 1<sup>st</sup>. Town Assessor Christine Fusco gave a presentation at the Senior Center last week regarding the exemption.

Councilman Geiger said he will make the appointment of Elizabeth Meunier at the next meeting to the Clarence Conservation Advisory Committee.

Councilman Geiger said the Farmers' Market is having a mural painted on the bowling alley in the Clarence Hollow. They are raising funds to help pay for it. A mural for the Clarence Bistro is also in the works.

Councilman Geiger said he and Supervisor Hartzell attended a ribbon cutting of a new business last night, a medical facility called MASH on Transit Road.

Councilman Geiger said he attended a National Incident Management Workshop at the Erie County Fire Training Center. They said a lot of good things about how Clarence handled the 3407 incident.

Town Clerk Nancy Metzger announced that the 2013 Town & County tax bills have gone out. If someone does not receive their bill, they should call the office.

David Christopher requests a Public Hearing to consider an expanded home occupation of a landscape business at 7615 Goodrich Road. James Callahan said the location is the east side of Goodrich Road, south of Delaware Road consisting of approximately 35 acres of vacant land in the Agricultural Flood Zone. The applicant is proposing to develop a residential home including the expanded home occupation of a landscape business. The use is permitted according to the Zoning Law with the issuance of a Temporary Conditional Permit.

David Christopher said this would be his primary home for his family. It would include a detached garage where all of his equipment will be stored out of sight. He proposes minimal, if any, affect on the surrounding neighborhood. There will not be customers or a storefront on the

site. He will keep the property neat and organized just as he keeps it at his current location. He would continue to dump the waste at various locations that accept it.

James Callahan said the property already received a variance for a setback.

Motion by Councilman Casilio, seconded by Supervisor Hartzell to set a Public Hearing for February 13, 2013 at 7:45 p.m. to consider the request for a Temporary Conditional Permit for an expanded home occupation of a Landscape Business. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Spaulding Greens Open Space Design Subdivision requests Final Plat Approval for Phase 5 to include 21+/- sublots and road dedication for approximately 930 +/- linear feet of Meadowglen Drive; 325 +/- linear feet of Willowleaf Court; and 252 +/- linear feet of Glenview Drive.

James Callahan said the location is the east side of Goodrich Road, north of Greiner Road as an extension of Meadowglen Drive. The applicant seeks Final Plat Approval on the newly constructed roads including 21 sublots. The Town Engineer and Highway Superintendent have reported that all requirements for road dedication for public use have been submitted by the applicant.

Dominic Piestrak said they are seeking final plat approval.

Councilman Casilio asked how many sewer taps he was using on this entire development. Mr. Piestrak said they are proposing 346.

James Callahan said under the approval for Spaulding Greens Subdivision, approval was given with 380 sublots and this is within that number. A portion of that is in Sewer District No. 2, so there were calculation adjustments to both. It was approved and these lots are accounted for.

Motion by Councilman Casilio, seconded by Supervisor Hartzell to adopt the following resolution:

RESOLVED, that the Clarence Town Board grants the request of the applicant, Dominic Piestrak, for Final Plat Approval for the Spaulding Green Subdivision – Phase 5 and the dedication of public roads to accommodate 21+/- sublots subject to Town Attorney review and approval and the following conditions:

1. Dedication of approximately 930+/- linear feet of Meadowglen Drive; approximately 325+/- linear feet of Willowleaf Court; and approximately 252+/- linear feet of Glenview Drive.
2. No building permits will be issued until all the appropriate documents necessary to convey said roads to the Town of Clarence are submitted to, reviewed and approved by the Town Attorney.
3. Building permits will not be issued until proof of filing of the approved road deeds, easements and conservation easement and/or deed restriction are submitted to the Town Attorney.
4. Final Plan Approval must comply with all regulatory agency and local department conditions.
5. Appropriate fees paid by applicant.
6. Conditions of Town Engineer.

Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Casilio to approve the following: Clubhouse Applications - A. Clarence Farmers' Market – January – May 2013 Monthly Meetings; B. Cub Scout Pack 27 – March 2, 2013; C. Clarence Citizens for Veterans – Feb. 4 & 9, 2013; D. Girl Scout Troop 1498 – March 9 & 10, 2013; E. Clarence Girl Scouts – May 19, 2013; Legion Hall Applications – A. Cub Scout Pack 27 – Feb. 8, 2013; B. Ann Marie Prue – Feb. 10, 2013; C. Heather Weber – March 24, 2013; D. Clarence Log Cabin Quilters – Oct. 21 & 22, 2013; Clarence Nature Center Lodge – A. Clarence Toastmasters – March 2, 2013 and B. Nativity BVM Church – March 18, 2013. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

Motion by Councilman Casilio, seconded by Councilman Geiger that after proper audit and review by the Town Board, the following bills of January 17, 2013 are approved for

payment: General Fund - \$201,061.45; Highway Fund - \$85,990.94; Water District - \$1,641.12; Fire Protection Districts - \$13.85; Drainage District - \$24,890.30; Lighting Districts - \$790.63; Sewer Districts - \$1,345.30; Capital Fund - \$1,200.00; and Trust & Agency 203 - \$20,116.25 for a total amount of \$337,049.84. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Bernard Kolber. Motion carried.

“For the Good of the Town”

Supervisor Hartzell said we are public servants and we work for the Town. One thing we are going to be doing is a town-wide survey available on the Town’s website, at the Town Hall and sent out along with the Bee Newspaper. The last time it was done was 2009 and it cost over \$10,000. This will cost us \$176. There will be a short and long version available for anyone to fill out as they choose. The results should be ready by the middle of March.

There being no further business, Supervisor Hartzell adjourned the meeting at 7:57 p.m.

Nancy C. Metzger  
Town Clerk