

A Work Session of the Town Board of the Town of Clarence was held on Wednesday, January 2, 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 Bernard Kolber, Patrick Casilio, Peter DiCostanzo and Robert Geiger. Other Town officials present were Director of Community Development James Callahan, Assistant Planner Brad Packard, Town Attorney Lawrence Meckler, and Town Engineer Timothy Lavocat, Sr. Building Inspector David Metzger, Confidential Secretary to the Supervisor Karen Jurek and Planning Board member Robert Sackett.

Director of Community Development – James Callahan

Agenda items for consideration January 16, 2013:

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.

Supervisor David Hartzell

Grant writer Bernard Rotella contract will soon expire, if there is no objection from the Town Board Supervisor Hartzell would like to renew his contract for another six months. Town Engineer Lavocat stated that he has worked with Mr. Rotella on several projects and has been pleased with his work. Councilman Kolber stated that before the Town renews Mr. Rotella contract he would like to meet with him to see what he is working on to justify renewing his contract. Councilman Casilio stated that he has been working with Mr. Rotella and he has been the most responsive grant writer he has ever worked with. He always has suggestions as to where to find grant money. Supervisor Hartzell will schedule a meeting with Mr. Rotella.

Animal Control Officer Jerome Schuler met with Supervisor Hartzell regarding complaints for sidewalks that are not cleared. Mr. Schuler has taken on additional duties handling animal control for several other towns and cannot handle the sidewalks complaints any longer. Supervisor Hartzell suggested Code Enforcement handle the complaints from now on. Town Engineer Lavocat stated that Code Enforcement is too busy to handle the complaints. Councilman Geiger suggested Town Security be given the responsibility, they would have to be authorized to write appearance tickets. Karen Jurek stated that the only time someone goes out to check sidewalks is when a complaint comes in, two complaints were filed this week. The Town Board will discuss this further at the next Work Session.

Supervisor Hartzell would like to upgrade the position in his office from Clerk to Personnel Clerk. He feels that it is time to have someone that knows Human Resource frontwards and backwards. Currently Pam Smith is doing some HR and Karen Jurek is doing some as well, we have no one that focuses on it exclusively. With the upgrade, this person would be assisting with payroll, which Karen Jurek is currently doing and paperwork related to the hiring and firing including the Erie County forms which is massive every spring and fall. In speaking with Director of Administration and Finance Pam Smith, there are certain things that she does not want to do any more or may not be particularly good at that she could have this person do. Eventually, Supervisor Hartzell would like to hire someone that can do pre-employment testing, arrange Civil Service testing, skills improvement, jobs advancement and placement, and employee compensation (performance reviews). Initially this position would be 19 hours a week but eventually would grow. All the other towns have somebody that does personnel and maybe it is time for the Town of Clarence. Councilman Kolber suggested looking into firms that this work could be outsourced to. Karen stated that employees need a "go to" person when they have questions about benefits and payroll deductions etc.

Confidential Secretary to the Supervisor Karen Jurek stated that in 2009 she took over payroll – what two people were doing, she now does. It is a lot of work and the town is growing. If someone is hired for this position she would like to see someone that is experienced and could take some of the work load off her but she would oversee the work.

Councilman Kolber asked for a break down as to what everyone's responsibilities are. Karen stated that she does most everything for payroll except for insurances. Karen stated that she has looked at outsourcing payroll however it is expensive and you still have to do much of the inputting. She has budgeted to go to time clocks in all departments this year. Karen stated that she has a spread sheet listing all the duties her department performs. Councilman Casilio stated that it seems like Karen is doing more work than the other department and would like to see job duties for each department. Councilman Geiger questioned who does Karen's work when she is on vacation. Karen stated that she does a lot of work at home and spent New Year's Day working on payroll. There is a lot to do at the end of the year.

Supervisor Hartzell stated that Karen is not only the Executive Secretary to the Supervisor but also deals with the computers for all departments, some of the personnel work, purchasing etc. Councilman Casilio stated that Karen also does work for the Councilman. At one time there was a secretary assigned to the Councilmen. Karen stated that Debbie Griffiths helped handle the Councilmen messages and e-mails and both clerks assisted with various other tasks. Karen stated that if changes were going to be made in her office, she would like to see someone able to take some of her work load.

Karen stated that the town does background checks on everybody hired. Karen copies the paperwork, gives it to Paralegal Cindi Rosel and Cindi runs the background check, if they need a physical, Karen sends that person to Pam Smith who makes the appointment. Supervisor Hartzell will contact several companies to see about outsourcing and discuss this further at the next Town Board meeting.

Councilman Kolber asked how many hours are spent on payroll. Karen stated that the Friday before payroll is due, she prepares for payroll and then spends Monday and Tuesday inputting. In the summer it is busy because she has to do all the paperwork and input for the seasonal help. This time of year is extremely busy as well because she has to change all the rates and deductions etc. Other than that, she spends two full days on payroll every other week. She would like to still be able to oversee payroll but have someone help with the work.

Councilman Bernard Kolber

Councilman Kolber has one item to discuss in Executive Session regarding the proposed acquisition of real property but only when publicity would substantially affect the value thereof.

Councilman Patrick Casilio

Councilman Casilio stated that Parks Security is limited to 19 hours a week. Currently they do not have a lot to do however, they could patrol the sidewalks. Councilman Casilio has been working with Karen Jurek about changing their classification to Regular Part Time. Working over 19 hours would have to

come off the Civil Service list which would mean our current security personnel would have to take a Civil Service test. Karen Jurek stated that we would have to create the position

Supervisor Hartzell stated that he is meeting with Parks Security Chief Joseph Meacham the second week of the month to plan the following months schedule to get a better handle on the number of hour's security is working.

Councilman Casilio has one item to discuss in Executive Session regarding personnel.

Councilman Peter DiCostanzo

Judy Shisler has submitted her letter of resignation at Senior Clerk Typist in the Parks Department. Parks Crew Chief James Burkard would like to hire someone before Judy leaves so she can train that person.

Winterfest is scheduled for January 27th.

Clover Senior Housing will be on the January 9th, 2013 Planning Board agenda.

Councilman Robert Geiger

There was an Eagle Scout ceremony at the Nature Center on Saturday. There were issues with the alarm system however the problem was resolved.

Karen Jurek – Confidential Secretary to the Supervisor

Karen Jurek researched Cloud storage for the town's backup data files. The fee is \$468 per month for the town's amount of data. Cloud storage refers to saving data to an off-site storage system maintained by a third party. Instead of storing information to your computer's hard drive or other local storage device, you save it to a remote database. Currently we are using three sets of backup tapes that get rotated. Karen takes a different tape off-site every Friday. Karen stated that she is not completely sold on Cloud storage. Cloud storage would keep one backup every night, where we rotate three weeks of backup tapes. We would only pay for the storage we actually use. If the town wanted two days worth of backup the price would double. Karen will continue to research this and will obtain other quotes.

Motion by Councilman Casilio, seconded by Councilman Kolber to enter into Executive Session pursuant to § 105(1) F of the Open Meetings Law to discuss the employment history of a particular person, § 105(1) H. The proposed acquisition of real property but only when publicity would substantially affect the value thereof. Upon roll call – Ayes: All; Noes: None. Motion carried.

There being no further business, the Work Session adjourned at 6:31PM.

Darcy A. Snyder
Deputy Town Clerk

Motion by Supervisor Hartzell, seconded by Councilman Kolber to adjourn the Executive Session at 7:20PM. Upon roll call – Ayes: All; Noes: None. Motion carried. No action taken.

Organizational Meeting of the Town of Clarence was held at the Clarence Town Hall, One Town Place, Clarence, New York on Wednesday, January 2, 2013.

Supervisor David Hartzell called the meeting to order at 7:30 p.m. Councilman Patrick Casilio led in the pledge to the flag, followed by prayer given by Donald Ehrenreich of Nativity of the Blessed Virgin Mary Church.

Members of the Town Board present were Councilmembers Bernard Kolber, Patrick Casilio, Peter DiCostanzo, Robert Geiger and Supervisor Hartzell. Other Town officials present were Town Attorney Lawrence Meckler and Town Engineer Timothy Lavocat. Many Town department heads and employees were also present.

Motion by Councilman Casilio, seconded by Councilman Kolber to accept the minutes of the previous work session and regular meeting held December 19, 2012. Upon roll call – Ayes: All; Noes: None. Motion carried.

Supervisor Hartzell said it has been one year since he took office and he thanked the Town Board, Deputy Supervisor Kathy Hallock, Town Attorney Lawrence Meckler, the department heads and all of the employees for their hard work during 2012. He continues to be impressed by the dedication of the employees, how well they work together and how truly efficient they are.

He is grateful for the long range vision shown by the Town Board in 2012. During the discussion on multiple family zoning, they were willing to look out 10 to 20 years from today and envision the Town of Clarence as they would like it to be and how the taxpayers would like it to look in 2021.

The Town of Clarence has one of the lowest tax rates in Erie County. It has over 1,000 acres of parkland, and a thriving greenspace program that promises to keep that rural feel we all acknowledge as an important part of Clarence. The success we enjoy today was based on the foundation that has been laid over the past 15 years by the former supervisors and their town boards.

Supervisor Hartzell said that his hope for 15 years from now is that the same can be said of our Town Board in that we always act in a financially prudent, physically sound manner adding services that benefit the Town residents as finances dictate and that we left the Town in better shape than when we started in the tenure as public servants.

Supervisor Hartzell wished everyone a happy, healthy new year and hopes that 2013 brings all that is needed and desired.

Councilman Kolber said thank you for another year. He is only a phone call or an email away if anyone has a problem he could help with. He said he bases his decisions on what the people want him to do.

Councilman Casilio said he would like to thank the Town employees, many of whom took the time to attend this evening.

Councilman DiCostanzo announced that WinterFest is coming up on January 27th from noon to 5 p.m.

He also added that if someone is looking to do an Eagle Scout project, they should contact Jim Burkard at the Parks Department.

Councilman Geiger said there was an Eagle Court of Honor Ceremony for Andrew Cassidy held at the Nature Center last week. It is a perfect place for a scouting or nature type activity. He congratulated Andrew on his accomplishment.

He cannot believe it has been a year already that he has been working with the Town Board and all the volunteers. Everyone does a great job.

Supervisor Hartzell said the Town Board must read all of the organizational items into the record.

Motion by Supervisor Hartzell, seconded by Councilman Kolber to approve the following items 1 – 25:

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:

January	2 and 16
November	6 and 20
December	4 and 18

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 Town Board Member and Department Reports only.)
11. Balance of Agenda Items (Limit of 3 minutes for public participation on 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 4:30 p.m. on Wednesday prior to the Wednesday Town 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:**

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	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	8:30 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:

Office Hours - Clerical	-Week Days	8:00 a.m. – 4:00 p.m.
Shop Hours & All Others	-Week Days	7:00 a.m. – 3:30 p.m.

Engineering and Building Departments:

Office Hours - Clerical	-Week Days	7:30 a.m. - 3:30 p.m.
Hours for all Others	-Week Days	7:00 a.m. – 3:30 p.m.

Youth & Recreation Departments:

-Week Days	8:30 a.m. – 4:30 p.m.
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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. To amend the Town of Clarence Town Policy Manual making the following changes:

- Section 702 Overtime – change to read: For the purpose of computing overtime, all hours worked and all paid time off shall be considered time worked.
- 702 FSLA Non-Exempt Employees – pay for all time worked over their normal work week.
- 702 Compensatory Time – worked in excess of their normal work week

7. Adoption of Employee's Salary Schedule as within the 2013 Adopted Budget except as noted in the Organizational Minutes.

8. New York State Retirement: The Town shall pay for all employees under the Retirement Plan Section 75-1.

9. All appointments are contingent upon completing and filing the annual Ethics Disclosure. Failure to do so will automatically revoke such appointment.

10. **Holidays:**

January 21, 2013	Monday	Martin Luther King Day
February 18, 2013	Monday	Presidents' Day
March 29, 2013	Friday	Good Friday
May 27, 2013	Monday	Memorial Day
July 4, 2013	Thursday	Independence Day

September 2, 2013	Monday	Labor Day
October 14, 2013	Monday	Columbus Day
November 11, 2013	Monday	Veterans' Day
November 28, 2013	Thursday	Thanksgiving Day
November 29, 2013	Friday	Thanksgiving Holiday
December 24, 2013	Tuesday	Christmas Eve ½ Day Holiday
December 25, 2013	Wednesday	Christmas Day Holiday
January 1, 2014	Wednesday	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.

11. Designation of Trick or Treat Night on Thursday, October 31, 2013 from 5:00 p.m. to 8:00 p.m.
12. March 11, 2013 is proclaimed Founder's Day in honor of Asa Ransom, the first settler and one of the founders of the Town of Clarence.
13. 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.

5 – 9 years of full-time service	\$ 875.00
10 – 14 years of full-time service	\$ 1,000.00
15 – 19 years of full-time service	\$ 1,075.00
20 – 24 years of full-time service	\$ 1,175.00
25+ years of full-time service	\$ 1,325.00
14. 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 Town Personnel Policy Manual.
15. Residency Requirement as set forth in the Town of Clarence Local Law 1-2004, code 39.11-39.15.
16. Approval for all Elected Officials, Code Enforcement Officers, Town Engineer, Civil Engineer Provisional, 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. Pursuant to General Municipal Law §77-c, a per diem allowance in accordance with the rates adopted for federal income tax purposes will be allowed and paid in lieu of actual and necessary expenses.
17. **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, Civil Engineer Provisional, Dog Control Officer, Dog Control Officer RPT, Director of Community Development, Assistant Planner, Code Enforcement Officers, Sr. Code Enforcement Officer and Plumbing Inspector.
18. All mail will be distributed by the Supervisor's Office.

19. All appointments are for the year 2013 unless otherwise noted or unless otherwise set forth by law.
20. 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.
21. 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.
22. Appointment of David Wetzler, Guy Fleming, Randall Haentges, John Micciareello, Thomas Fulton, Karl King, Kenneth Stevens and James Budniak as Security Officer PT in the court office at the rate of \$16.96 per hour – minimum pay of two (2) hours. Appointment of Guy Fleming, Security Officer-Court Office as Supervisor in charge of equipment and scheduling of officers at a stipend of \$250.00 per year.
23. Appointment of Shirley Moore, Amy Major, Diane Nardolillo, Kelly Klemann, Evelyn Messineo, Karen DiLapo and Theresa Casey as Clerks P/T at the rate of \$12.18 per hour. Appointment of Deborah Griffiths as Clerk PT at the rate of \$13.13 per hour.

Appointment of Robin Sendlbeck as Clerk PT in the Supervisor/Town Board Office at the rate of \$14.18 per hour. Appointment of Diane Petrik-Huben as Clerk PT in the Youth Department at the rate of \$12.75 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, Vincent Delgato and Camille O'Reilly as Substitute Van Drivers at the rate of \$12.18 per hour.

Appointment of Camille O'Reilly as Laborer-RPT at the rate of \$13.57. Appointment of Robert Dickinson as Laborer PT at the rate of \$13.57.

Appointment of Anne Cimato, Donna Giezycki and David Mathis as Dog Control Officers-RPT at the rate of \$13.58 per hour.

24. 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.
25. Appointments in the Legal Department as follows:
 - a. Lawrence M. Meckler as Town Attorney for a term to expire 12/31/2013 at an annual salary of \$29,500.00. *(Note this is the second year of two-year term).*
 - b. Steven Bengart as Deputy Town Attorney with a term to expire 12/31/2013 at an annual salary of \$45,000.00.
 - c. David Donohue as Town Prosecutor PT with a term to expire 12/31/2013 at an annual salary of \$12,000.00.
 - d. Peter Vasilion as Town Prosecutor PT with a term to expire 12/31/2013 at an annual salary of \$11,000.00.
 - e. Appointment of Cynthia Rosel as Paralegal.

(Note: Both the Town Attorney and Deputy Town Attorney are also registered with the District Attorney's Office to be a prosecutor as needed).

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

Motion by Supervisor Hartzell, seconded by Councilman Geiger to approve the following items 26 – 42:

26. Appointment of Timothy Lavocat, P.E., Town Engineer - Department Head for the Engineering and Building Departments, and Administrator of Flood Plain and Town Sewer Districts.
(Note: This is the second year of the two-year term as Town Engineer).
27. Appointment of Kathryn Vergo, Civil Engineer Provisional as Deputy Flood Plain Administrator.
28. Appointment of Lauri Plis as Accountant RPT in the Accounting Department.
29. Appointment of David Bissonette as Natural Disaster Services Coordinator and David Baumler as Area Director of Civil Defense to coordinate emergency services
30. Appointment of Anthony Haas as Security Officer PT at the rate of \$15.80 per hour. Appointment of William O'Donnell and Alan Wolbert as Security Officer PT at the rate of \$14.64 per hour. Appointment of Roseanne Goetz, Rita Savage, Ronald Kline, George Brown, James Schmigiel, Robert Sugg, Adam Muchow, Daniel Decker and Phillip Montante, III as Security Officer PT at the rate of \$14.00 per hour.
31. Appointment of School Crossing Guards for the terms of March 4, 2013 through June 21, 2013 *(end of school year and start back first day of school)* September 3, 2013 through November 29, 2013: Rhonda Carpenter and Lorraine Hunt. Appointment of Arnold Castren and as Substitute Crossing Guard.
32. The Town Board approves the recommendation of the Highway Superintendent Theodore Donner to appoint Jeffery Hemline as Deputy Highway Superintendent, Charles McNiff as General Crew Chief, Gail Englert as Confidential Secretary to Highway Superintendent and Camille O'Reilly Laborer-RPT.
33. The Deputy Highway Superintendent, General Crew Chiefs, Deputy Town Clerks, Secretary to the Superintendent of Highways, Secretary to the Supervisor, Assistant Planner and Court Clerks 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. Flex Time may be used in lieu of overtime for the above listed non-union employees during the week in which the employee worked over their normal work day schedule.
34. Appointment of Clifford O. Trapper as Recreation Director II P/T. Appointment of Christopher Durr as Deputy Recreation Director P/T.
35. Appointment of James Burkard as Parks Crew Chief and Administrator of Street Lights. Appointment of Robert Linde as General Crew Chief in the Parks Department.
36. Appointment of James Callahan as Director of Community Development. Appointment of Brad Packard as Assistant Planner.
37. Appointment of James Callahan as Affirmative Action Officer for the Town of Clarence for a three-year term, to expire 12/31/2015. *(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).

38. Appointment of Pamela CuvIELLO as Director of Administration and Finance.
39. Appointment of Dawn Kinney as Executive Director-Youth Board, Jessica Notarius as Program Leader-Youth, Provisional, Nicholas Silvestrini as Youth Activities Leader RPT, Provisional at the rate of \$10.77 per hour and Deanna Brace as Youth Activities Leader PT at the rate of \$9.79 per hour.
40. Petty cash allowed for Town Clerk - \$300.00; Justice Court - \$50.00 for each Judge and Engineer - \$50.00.
41. Grant a one year leave of absence to Karen Jurek from the Civil Service Senior Clerk position in the Parks Department effective 1/1/2013 to continue as Confidential Secretary to the Supervisor.
42. Appointment of Karen Jurek as in-house Computer Network Coordinator and Web Site Coordinator with a stipend per the 2013 Budgeted rate.

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

Motion by Supervisor Hartzell, seconded by Councilman DiCostanzo to approve the following items 43 – 62:

43. Appointment to the Arboretum Advisory Committee for a one year term: Stephen Murtaugh, James Burkard, Roy McCreedy, Todd Norris, Peter Wolfe and Robert Fogelsonger.
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 Jr.
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).*
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 Clarence Center Community Character Protection Board for a one-year term: David Hallock, David Mosher and Mary Schutte.
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 12/31/2015: Elizabeth Mattson, Joel Radder and Peter Wolfe. Appointment of Peter Wolfe as Chairperson for a one-year term. *(There are currently two openings).*

52. Ethics Board -
(*There is currently one opening on the Ethics Board with a term to expire 12/31/2015*).
53. Appointment to the Fire Advisory Board for a one-year term: The elected year 2013 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 12/31/2016: Daniel Gamin. Appointment of Linda Mosher as Chairperson of the Historic Preservation Commission for a one-year term. (*There are currently two openings with terms to expire 12/31/2015 and opening for the Vice Chairperson/Secretary*).
55. Appointment to the Clarence Industrial Development Agency for a one-year term: Clayton Ertel, Mary Powell, Christopher Kempton, Michael Buettner, David Schuster, Elaine Wolfe and David Hartzell.
56. Appointment to the Landscape Review Committee for a one-year term: Robert Sackett, as member of the Planning Board and James Delellis. (*There is currently one opening*).
57. Appointment to the Clarence Library Board for a five-year term to expire 12/31/2017: Jason Varrone.
58. Appointment to the Planning Board: Paul Shear with a term to expire 12/31/2019 and Gregory Todaro with a term to expire 12/31/2014 (*term from Albert Schultz*). Appointment of Robert Sackett as Chairperson, Wendy Weber-Salvati as 1st Vice Chairperson, and Paul Shear as 2nd Vice Chairperson for a one-year term. Appointment of Steven Dale as Alternate for a one-year term.
59. The Sign Review Board shall consist of the Planning Board Chairperson and two members of the Planning Board.
60. Appointment to the Municipal and Farmland Protection Committee for a one-year term: Daniel Corbett, Keith Dawydko, Melvyn Hedges, Joanne Jackson, Charles Kelkenberg, Brett Kreher, John Leamer, Hans Mobius and John Szulis.
61. Appointment to the Plumbing and Drainage Board for a one-year term: Larry Merkle, Richard Haag, Daniel Loudenslager, Kathryn Vergo (as representative of Engineering Dept.), and Timothy Lavocat as Chairperson.
62. Appointment to the Recreation Advisory Committee for a one-year term: Michael Powers, Peter Wolfe, Henry Brodowski, Margaret Walker, James Delellis, Joel Radder and James Burkard.

Upon roll call – Ayes: All; Noes: None. Recuse: Councilman Casilio on item 55 regarding the appointment of Mary Powell as she is his sister. Motion carried.

Motion by Supervisor Hartzell, seconded by Councilman Kolber to approve the following items 63 – 75 and the resolution pertaining to the Highway Department:

63. Appointment to the Senior Center Board as follows:
 - a. For a one-year term to expire 12/31/2013 – Daniel Bobbett
 - b. For a three-year term to expire 12/31/2015 – William Westley, Holly Zuffranieri, Norman Kirchner, Maryanne Kermis and Barbara Anderson
 - c. To fill an opening with a term to expire 12/31/2014 – Robert Poczik
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 12/31/2015: Gayle Brace, Donna Callaghan, Robert Coniglio (*Representative of the School Board*) and Wendy Lennert. (*There is currently one opening*).
66. Appointment to the Zoning Board of Appeals for a five-year term to expire 12/31/2017: David D'Amato. Appointment of Jonathan Hickey to fill an opening with a term to expire 12/31/2016. Appointment of Daniel Michnik as Chairperson for a one-year term and Ryan Mills as Vice-Chairperson for a one-year term. (*There is currently an opening for an Alternate with a one-year term*).
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 Lumsden & McCormick, LLP 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.
71. Appointment of Manufacturers and Traders Trust Co., 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.
75. Set Public Hearing date of February 27, 2013 at 7:45 pm for the Annual review of the Master Plan.

Adopt the following resolutions pertaining to the Highway Department:

Resolved, that pursuant to the provisions of section 284 of the Highway Law, Town Board agrees that the 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 \$1,600,611.00 may be expended for general repairs upon 121.18 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, Tuscany Lane, Eastbrooke Place and Harris Hill Gardens.

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 2013 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 2013, along with the Town Engineer. All reasonable expenses will be covered by the Town of Clarence.

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

Supervisor Hartzell made the following appointments for 2013: Kathleen Hallock as Deputy Supervisor; Karen Jurek as Confidential Secretary to the Supervisor; and Mark Woodward as Town Historian.

Motion by Councilman Kolber, seconded by Councilman Casilio that after proper audit and review by the Town Board, the following bills of January 3, 2013 are approved for payment: General Fund - \$60,864.17; Highway Fund - \$16,305.46; Water District - \$34,791.52; Sewer Districts - \$53.36; Trust and Agency 203 - \$330.00; and Trust and Agency 202 - \$11,957.22 for a total amount of \$124,301.73. Upon roll call – Ayes: All; Noes: None. Motion carried.

Supervisor Hartzell said each member will read their liaison assignments for 2013. They act as a conduit between the various organizations in the Town and the Town Board.

Councilman Kolber will be the liaison for the following: Clarence Community Association, Clergy Association, Community Residences, Computers, Historical Preservation, Law-Legislation, Library and Service Organizations.

Councilman Casilio will be the liaison for the following: Arboretum Committee, Avoidable Alarms, Building/Engineering, Emergency Services, Fire Companies, Labor Management, Parks Security, Public Safety Issues & Recycling, Public Utilities/Street Lights, Master Sewer, Sewer Districts, Sidewalk Task Force and Traffic Safety.

(Note: Councilman Casilio is also appointed to the Capital Project Committee as representative of the Town Board.)

Councilman DiCostanzo will be the liaison for the following: Assessor, Ethics, Parks Department, Planning, Youth, Recreation Department and Zoning Board of Appeals.

Councilman Geiger will be the liaison for the following: Animal Control, Cable TV, Clarence Hollow Association, Clarence Senior Center, Environmental Management Council, Historical Society, Insurance and Municipal & Farmland Protection Plan Committee.

Supervisor Hartzell will be the liaison for the following: Capital Projects, Clarence School District, Clarence Chamber of Commerce, Grants, Industrial Development Agency, Highway Department, Recreation Advisory Committee and Town Hall.

There being no further business, Supervisor David Hartzell adjourned the meeting at 8:15 p.m.

Nancy C. Metzger
Town Clerk