

A Work Session of the Town Board of the Town of Clarence was held on Wednesday, April 15, 2015 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, Junior Planner Jonathan Bleuer, Town Attorney Lawrence Meckler, Town Engineer Tim Lavocat, Highway Superintendent James Dussing, Senior Building Inspector David Metzger, Planning Board Chairman Robert Sackett, Director of Administration and Finance Pam CuvIELLO and Parks Crew Chief James Burkard

Director of Community Development – James Callahan

Public Hearings:

Kenneth Schultz-Niagara Truck Equipment 8033 Transit Road

A Public Hearing is scheduled for 7:45PM to consider the request for a Temporary Conditional Permit for outside display of trailers/plows at 8033 Transit Road. The proposed site is located on the east side of Transit Road, north of Wolcott Road at existing commercial structure (formerly Gateway Equipment) in the Restricted Business Zone.

The structure and use thereof is identified as a pre-existing use in the Restricted Business Zone. The outdoor storage of equipment for sale/storage must be approved by the Town Board via a Temporary Conditional Permit. The applicant has provided a description of the intended display and an associated site plan. A Temporary Conditional Permit may be issued with conditions for initially up to 1 year.

Renewal of Temporary Conditional Permits

A Public Hearing is scheduled for 7:50PM to consider renewal of several Temporary Conditional Permits. The Zoning Office has never received any complaints on any of the applicants other than Louie's Car Care on Main Street and At Your Service on County Road. Both those applicants will be present to discuss any concerns the Board may have.

Supervisor Hartzell suggested putting a condition on Wild Bill's on County Road. Before the permit is renewed, the applicant should clean up the site. All the other businesses on County Road have to adhere to landscaping guidelines and Wild Bill's should have to as well. Councilman Casilio suggested renewing for six months and not a year. Director of Community Development James Callahan said that his office has never received a complaint on Wild Bill's. If that is the case, he would have asked the applicant to attend this evening's public hearing. Mr. Callahan further stated that he is recommending issuing five year terms to the remaining Temporary Conditional Permit holders, and the permits that the Board has concerns with can be renewed for less time. Putting the permits together every year is administratively time consuming. These are Temporary Conditional Permits, only the Town Board can approve them and can put whatever conditions they want on them. The only two businesses that formal complaints were filed is for Louie's Car Care and At Your Service. At Your Service is a landlord issue.

Councilman Kolber said that the Board did not have to take any action on these permits tonight. He suggested the Town Board think about this and discuss this further at a Work Session in May. Mr. Callahan noted that the Board has had the information for over one month. Councilman Kolber said that he has had the information but the Board has never really discussed it. There is a difference of opinion for the length of time the permits should be renewed for. Councilman Kolber further suggested pulling the file on Wild Bill's to review the requirements of his permit when it was first proposed to see if he is in violation.

Motion by Supervisor Hartzell, seconded by Councilman Peter DiCostanzo to enter in Executive Session pursuant to §105(1) F of the Open Meetings Law to discuss the employment history of a particular person. Upon roll call – Ayes: All; Noes: None. Motion carried. (6:16PM)

Motion by Supervisor Hartzell, seconded by Councilman Geiger to adjourn the Executive Session at 6:44PM. Upon roll call – Ayes: All; Noes: None. Motion carried. No action taken.

The Work Session resumed at 6:45PM.

Formal Agenda items:

George Smilanich 8575 Roll Road

Applicant is proposing to sell vehicles from the existing parking lot. The proposed site is located on the south side of Roll Road east of Harris Hill Road at existing industrial building located in the Industrial Business Park Zone. Per the Zoning Law, the Town Board may consider the request with a Temporary Conditional Permit. Utilization of the existing parking area for sales and the number of vehicles displayed are issues to be addressed. Applicant currently leases the building.

Eastern Transit Plaza 5445 Transit Road

Applicant is seeking a Special Event Permit to operate a “cruise night” (Sunday afternoons from June – September 3PM-7PM) at existing commercial plaza located in the Major Arterial Zone. Per the Special Events Local Law, the Town Board has approval authority for town-wide special events.

Brookfield Country Club 5120 Shimerville Road

Applicant requests a Fireworks Display Permit for April 24, June 20, July 4, July 11 and September 5th, 2015. All Bonds, insurance, Fire Chief approvals and fees are on file. Approval of general site plan of event activities and notification of emergency services to be addressed.

Work Session items for consideration April 29, 2015:

Cobblestone Center Phase II 8580 – 8590 Sheridan Drive

Applicant is proposing to modify the previously approved Concept Plan to amend the office building portion of the project. The applicant is proposing two mixed use structures in place of the previously approved office space. The mixed use spaces will include multiple family housing as well as potential medical office suites and small retail uses. The proposed site is located on the north side of Sheridan Drive east of Harris Hill Road in the Restricted Business Zone. Modification to the previously approved project will now require a Special Exception Use Permit for multiple family housing portion of the project. Referral to the Planning Board will initiate formal review of the project.

McGuire Development 5989 Transit Road

Applicant is proposing to demolish the existing residential structure and construct a new commercial plaza with Tim Horton’s Drive-thru. The proposed site is located on the southeast corner of Transit Road and Clarence Center Road at existing vacant and residential property located in the Commercial Zone. The Town Board is Lead Agency under SEQRA and will have final approval authority for the land use via a Special Exception User Permit for the Drive-thru facility. A variance is required for the east side setback, a public hearing is scheduled for 4/14/15 to hear this request. A public hearing will be required to consider the Special Exception Use Permit.

Harris Hill Commons

Applicant is requesting a Clearing, Filling and Grading Permit to remove 173 trees prior to May 5th and in advance of their PIP permit for the actual project to protect the habitat (Northern Long Eared Bat). Many of the trees are dead. The applicant has full Development Plan approval.

Town Attorney Lawrence Meckler

Town Attorney Meckler provided the Board with information regarding the town owned house at 10365 Main Street and what it could be used for. The house can be used for a town recreational purposes, this is not specifically defined in the Bond documents. The house can be used for any number of reasons but it has to be a town purpose and cannot be used by a private entity or private purpose. The house cannot be sold to a private individual because it sits on town property, further the town cannot sell the property because it is an extension of the Main Town Park.

Town Engineer Tim Lavocat

The Long Eared Northern Bat is affecting the Waterford Bike Path extension project. There is approximately 300 – 400 feet of woods that the bike path extension will be going through. If the town is to meet the May 4th deadline, the trees need to be cut down or the project will not be done this year. The Town Board was in agreement with Town Engineer Lavocat proceeding with the removal of the trees.

Town Engineer Lavocat received six Construction Manager Proposals for the Court Facilities Project. Town Engineer Lavocat will evaluate all proposals and make his recommendation to the Town Board.

Supervisor David Hartzell

- Appoint several Laborer PT-Seasonal employees in the Highway Department
- Resolution supporting Town participation in Countywide Government Efficiency Plan

Councilman Casilio questioned the Countywide Government Efficiency Plan. Supervisor Hartzell stated that in order for our tax payers to get a tax rebate, we have to stay under the tax cap and we also have to save 1%. We can either do this ourselves or join with Erie County who has a big consortium. If we do this ourselves, we have to hit the 1% or the taxpayers do not get a rebate. If we join with Erie County, even if we don't hit the 1% as long as Erie County makes their percentage then we get the rebate. A lot of the other towns have opted in with the exception of Orchard Park.

Councilman Casilio asked if the Town of Clarence hits the 1% but the County does not will Clarence taxpayers still get their rebate. Director of Administration and Finance Pam CuvIELLO stated that if Erie County submits the plan, they have to hit the 1%. Town Attorney Meckler stated that if we hit the 1% and Erie County does not, the town is still eligible for the tax refund. Pam CuvIELLO stated that she did not know if that was true and could not comment.

Councilman Casilio asked if this resolution could be put on hold for two weeks so he can get some definitive answers. Pam CuvIELLO stated that a plan has to be presented to Erie County by May 1st and to the State Comptroller by June 1st. Councilman Geiger questioned why the Board was not given more time.

Pam says the County has a much larger base that they can draw from to generate savings. We have a better chance going with Erie County than doing this alone.

Supervisor Hartzell stated that the Town has to make the tax cap in addition to signing the resolution.

Pam CuvIELLO further stated that when you go to the State Comptrollers website, they do not give you the items that would qualify for the cap, they have not provided any guidance to the Towns or Counties.

Councilman Bernard Kolber

Councilman Kolber attended the Historic Preservation Commission meeting, the committee members are once again asking about the status of the house at 10365 Main Street, they are very concerned about it. Councilman Kolber again brought this matter to the Town Board but no action or discussion took place.

The unveiling of the Barn Survey will be done at Day in the Park. Information and applications will also be available for anyone interested in seeking historic designation status for their property.

Councilman Kolber updated the Town Board on the Zoning Board of Appeals meeting he attended. The meeting was handled very well by the ZBA Chairman.

Councilman Kolber spoke with James Callahan and James Burkard relative to the proposed football park on Kraus Road. Councilman Kolber is still trying to see if the plan can be redesigned to move it forward.

Councilman Patrick Casilio

- Identify the responsible local official for the Main Street Sidewalk Project
- Set Bid Date for Main Town Park Restrooms Facility Project
- Set Bid Date of Main Town Park Pole Barn Addition Project

Councilman Peter DiCostanzo

- Appoint Ryan Andres and Randall Bolt to position of Laborer FT for Parks Dept.
- Appoint Laborers PT-Seasonal for the Parks Department
- Declare equipment as surplus from the Parks Department
- Accept the Auditors Report on the Financial Statements

Councilman DiCostanzo has received an application from Donald Lavocat for appointment to the Landscaping Committee.

Councilman Robert Geiger

- Grant permission to Jerry Schuler and Anne Cimato to attend a seminar
- Post position – Youth Activities Leader PT-Seasonal for Youth Bureau

The evacuation plan at the Youth Bureau has to be updated, security lights have been replaced, and fire extinguishers have been filled and will be maintained by the town. New lights have been installed on the front of the building.

Youth Bureau Director Kinney is requesting a BJ's Wholesale Club card. Currently Dawn and Jessica have their own individual cards and then have to be reimbursed the tax money-which is not the correct way to do it. Councilman Geiger is recommending the Town apply for a BJ membership for 14 months. If we provide a business letter from the Town, two membership cards will be issued for \$40. This will allow other organizations within the town use of the card as well. The Town Board was in agreement with this. There is money in the Youth Bureau Budget for the membership.

There was some vandalism at the Farmers Market and at the lavatory at Parker Park.

There being no further business, the Work Session adjourned at 7:20PM.

Darcy A. Snyder
Deputy Town Clerk

Regular meeting of the Town Board of the Town of Clarence was held on Wednesday, April 15, 2015 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor David Hartzell called the meeting to order at 7:30 p.m. Pledge to the flag was led by Councilman Robert Geiger, followed by prayer given by Father Yetter of St. Mary's Church.

Members of the Town Board present were Councilmembers Robert Geiger, Peter DiCostanzo, Patrick Casilio, Bernard Kolber and Supervisor Hartzell. 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 Kolber to accept the minutes of the morning work session held April 1, 2015. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Supervisor Hartzell, seconded by Councilman Geiger to accept the minutes of the work session and regular meetings held March 25, 2015. Upon roll call – Ayes: All; Noes: None. Motion carried.

Supervisor Hartzell reported that he attended the school board meeting and they have received extra funds from the State that will allow them to avoid layoffs. They are considering bringing back nine of the teachers who were laid off. The final decisions on the budget will be made before the vote in May.

Supervisor Hartzell said the Conservation Advisory Board met on April 9th and has suggested that the Town install extra parking spaces for the bike paths at the Wehrle Drive and Heise Road entrances. They also suggested additional bike racks at Memorial Park and Meadowlakes Park. The Town will review these recommendations.

Supervisor Hartzell received information from the Highway Department on the CHIPS allocation from the State. The Town of Clarence is number 24 of all the towns in Erie County to receive this money in the amount of about \$1,600 per lane mile. We are number 4 in the number of miles of roads in the County. As an example, Newstead has less miles of roads and is getting over \$3,000 per lane mile. This is calculated by the State. He would like to have the Town submit a letter regarding our displeasure with the calculations.

Motion by Supervisor Hartzell, seconded by Councilman Geiger to appoint the following to the position of Laborer PT-Seasonal in the Highway Department effective April 20, 2015 at a rate of \$8.75 per hour subject to receipt of all pre-employment paperwork and pre-employment requirements being met: Brian Cummiskey, Ian Goeing, Austin Medole, Lucas Metzger, Mitchell Szabo, Joseph Wesolowski and Michael Wesolowski. Upon roll call – Ayes: All; Noes: None. Motion carried.

Supervisor Hartzell said he has a resolution supporting the Town's participation in the Countywide Government Efficiency Plan. It is to allow the Town of Clarence to participate with other towns and Erie County to come up with a 1% savings that will allow our taxpayers to receive a tax rebate from the State. It is a two-part process, the first part in which the Town had to hit the tax cap with the budget. The majority of the towns in Erie County are in it. Erie County is taking the lead and we look forward to working with them.

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

WHEREAS, Governor Andrew Cuomo and the New York State Legislature enacted the Property Tax Freeze Credit to provide property tax refunds to homeowners as part of the 2014-2015 State Budget; and

WHEREAS, the new law encourages local governments to generate long-term tax -relief for taxpayers by sharing services, consolidating or merging, and demonstrating and implementing operational efficiencies; and

WHEREAS, in year one of the program, which is 2015 for local governments, homeowners will receive the Freeze Credit if their local government stays within the property tax cap; and

WHEREAS, in year two of the program, which is 2016 for local governments, homeowners will receive the Freeze Credit for property taxes from any taxing jurisdiction in which the

homeowner resides that stays within the property tax cap and puts forward a State-approved Government Efficiency Plan demonstrating savings equivalent to one percent of their property tax levies in each of the following three years; and

WHEREAS, while local governments may take a variety of approaches to develop their Government Efficiency Plans, the State has strongly encouraged they convene and facilitate a process to develop and submit county-wide Government Efficiency Plans; and

WHEREAS, as exemplified in the recent establishment of the Buffalo Erie Niagara Land Improvement Corporation in 2012, this community has a history of receiving recognition by the State for demonstrating successful regional collaborations involving many municipalities; and

WHEREAS, Erie County has offered to coordinate the development of such Government Efficiency Plans as the ‘lead agency’ on behalf of all other interested municipalities; and

WHEREAS, the Town of Clarence is interested in intergovernmental cooperation with Erie County and other municipalities in submitting a county-wide Government Efficiency Plan and desires to memorialize its intention to participate in a coordinated Plan to allow its homeowners to receive the Freeze Credit.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Clarence seeks to ensure that Town of Clarence homeowners will receive the Freeze Credit as part of this new State law; and be it further

RESOLVED, that the Town of Clarence did not exceed its designated property tax cap for fiscal year 2015 and memorializes that it has no intention of exceeding the cap for fiscal year 2016, which if exceeded would disqualify the Town of Clarence from participation in the Property Tax Cap Freeze Credit Program; and be it further

RESOLVED, that the Clarence Town Board does hereby express its support for, and participation in an Erie County-wide Government Efficiency Plan; and be it further

RESOLVED, that the Town Board urges the New York State Division of the Budget to approve Erie County’s coordinated Government Efficiency Plan with local governments with the understanding that the Town of Clarence has played an active role in the identification of preexisting and implementation of new shared services, consolidations or merges, and operational efficiencies within the Town of Clarence for inclusion in the county-wide plan; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive; the Commissioner of the Department of Environment and Planning; the County Comptroller; the County Attorney; the Director of the Division of Budget and Management; and the Association of Erie County Governments.

On the question, Councilman Kolber said we had the opportunity to do this as a town, but it was brought to our attention it would be easier to find the 1% savings countywide. He does have concerns if Erie County could not make it, but he thinks they have a better chance to find the savings than we could.

Councilman Casilio said he disagrees and believes that we could find the savings. There is no guidance from the State as to what the savings can be. We already have municipal agreements with other towns. He certainly does not want to see our residents lose out on the tax rebate program. He is leery of the County putting together a program that will not adversely affect us. We will have to see what happens over the next year.

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

Councilman Kolber said he is liaison to the Historic Preservation Commission and they are very proud of the barn survey that was done. They are going to unveil the study at the Day in the Park event for the people to see. They also encourage those who would like to have their home designated as an historic landmark to contact the Town. They do receive a rebate on a portion of their town tax.

Councilman Kolber said the Zoning Board of Appeals addresses projects outside of what the Town Laws allow. They had a significant item last night for a small plaza at Transit and Clarence Center Roads. He believes they did a stellar job in bringing the involved parties together for a better project.

Supervisor Hartzell recognized Alayne Donner from the Chamber of Commerce; Robert Sackett, Planning Board Chairman and Highway Supt. James Dussing who were all present.

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

WHEREAS, the New York State Department of Transportation (NYSDOT) has implemented a web based reporting system called Equitable Business Opportunities (EBO) to streamline and satisfy the Title VI Civil Rights Reporting requirements of Federal-Aid locally sponsored contracts, and

WHEREAS, NYSDOT requires each local municipality as a sub-recipient to NYSDOT of Federal funds and sponsor of Federal-Aid Contracts to identify a single primary user in order to access and use the system for Title VI compliance reporting requirements.

NOW, THEREFORE, BE IT

RESOLVED, that the Clarence Town Board identifies Timothy M. Lavocat, P.E., Town Engineer as the Town's Responsible Local Official authorized to access the EBO system; and be it further

RESOLVED, that this Resolution is effective immediately.

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

Motion by Councilman Casilio, seconded by Councilman Kolber to set a Bid Date for May 5, 2015 at 10:00 a.m. in the Office of the Town Clerk for the Main Town Park Restrooms Facility Project.

On the question, Councilman Casilio said Bid Documents will be available in the Office of the Town Clerk on April 17, 2015. This is a re-bid for this project to replace 50 year old facilities. It was redesigned to keep more in line with the budget. The new facility will better accommodate all of the activities in the park and will be open year-round.

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

Motion by Councilman Casilio, seconded by Councilman Kolber to set a Bid Date for May 5, 2015 at 10:15 a.m. in the Office of the Town Clerk for the Main Town Park Pole Barn Addition Project.

On the question, Councilman Casilio said the Bid Documents will be available in the Office of the Town Clerk April 17, 2015. This is a small addition for storage of equipment that was in the building where the new bathrooms are going.

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

Motion by Councilman DiCostanzo, seconded by Councilman Kolber to appoint Ryan Andres and Randall Bolt to the position of Laborer FT for the Parks Department at step 1 of the Blue Collar Union Contract effective May 4, 2015 subject to receipt of all pre-employment paperwork and pre-employment requirements being met. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Geiger to appoint the following to the position of Laborer PT-Seasonal for the Parks Department at the budgeted rate of \$8.75/hour subject to receipt of all pre-employment paperwork and pre-employment requirements being met: Effective May 4, 2015 - Jacob Dadswell; Effective May 7, 2015 - Alex Gay; Effective May 11, 2015 - Christopher Barardi; Matthew Colicchia; Brock Curtis; Emily Garrett; Joseph Lawrence; Jacob Petti; Effective May 14, 2015 - Jamie Burczynski; Stephen Weppner; Effective May 18, 2015 - Robert Blake; David Holt; Michael Roth; Vincent Taverena; Effective May 19, 2015 - Matthew Donnelly; Brianna Fasanello; Effective May 26, 2015 - Elliott Case; Travis Place; Tyler Skowronski; Effective June 1, 2015 - Jacob Matteson; Effective June 8, 2015 - John Ptak. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Geiger to declare the following equipment as surplus from the Parks Department gas monitoring system that is no longer needed for Town purposes: 1 – 10-Key Expansion Cabinet Model #EK UM AUX; 1 – Former 10 key Cabinet with base; and 2 – Pumps. On the question, Councilman DiCostanzo said they will attempt to sell this equipment. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Casilio to appoint Jon Aumiller to the position of Laborer PT-Seasonal for the Parks Department at the budgeted rate of \$12.18/hour effective May 11, 2015 subject to receipt of all pre-employment paperwork and pre-employment requirements being met. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Kolber to accept the auditor's report on the Town's December 31, 2014 financial statements. On the question, Councilman DiCostanzo said the audit firm, Lumsden McCormick formally presented the report

and financial statements to the Town's Audit Committee in late March and to the Town Board at the work session of April 1, 2015. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman DiCostanzo thanked Chip Trapper and the Recreation Department for putting on the Fishing Derby on Saturday. The weather was not that great, but 88 kids turned out and caught about 30 fish.

Motion by Councilman Geiger, seconded by Councilman DiCostanzo to grant permission for Jerry Schuler and Anne Cimato to attend the Animal Control Problem Solving Through Education and Professionalism 2015 Seminar in the Town of Aurora, New York on Thursday, April 30, 2015 and Friday, May 1, 2015 from 8:30 a.m. to 4:30 p.m. with the use of a Town vehicle and all reasonable and necessary expenses to be paid by the Town.

On the question, Councilman Geiger said the cost of the seminar is \$70 per person and is a budgeted item. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Geiger, seconded by Councilman Casilio to post the position of Youth Activities Leader PT-Seasonal for the Youth Department at the budgeted rate of \$9.59 per hour.

On the question, Councilman Geiger said this is for one opening due to the resignation of Andrea Marinaccio. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman Geiger said the Senior Center submitted a copy of their audit to the Town and everything is in order.

The Senior Center is holding their 7th Annual Basket Raffle on Saturday from 11 a.m. to 3 p.m.

The Farmer's Market is going to start a new program this year for the kids to "Find Farmer Brown" hidden at the market on Saturdays. There will be prizes.

Town Attorney Lawrence Meckler said he believes the County Government Efficiency Plan could have started with a more concise resolution.

A Public Hearing was held to consider the request for a Temporary Conditional Permit for outside display of trailers/plows at 8033 Transit Road. James Callahan said the property is on the east side of Transit Road, north of Wolcott Road consisting of an existing commercial property in the Restricted Business Zone.

Ken Schultz said he is using a portion of the building.

Councilman Kolber said he visited his current location and was concerned about the appearance. However, Mr. Schultz said he did not own all of the stuff laying around there.

Mr. Schultz said he would be displaying new small dump landscape type trailers in the summer and plows in the winter months.

Councilman Casilio asked how many items would be on display and wondered if some type of fencing or buffering would be needed for the storage area.

Mr. Schultz said the storage area is at the back of the property. He would like to display five items at the front and store 15 to 20 items in the back.

With no one else speaking to the subject, motion was made by Supervisor Hartzell, seconded by Councilman Geiger to close the Public Hearing. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Casilio, seconded by Councilman Kolber to grant the request for a Temporary Conditional Permit for outside display of trailers/plows at 8033 Transit Road for the period of one year, subject to the following conditions:

1. Approval by the Town Engineer.
2. Approval by the Landscape Committee.
3. Display of five items permitted at the road.
4. Storage of up to 20 items at the rear of the property.

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

A Public Hearing was held to consider renewal of Temporary Conditional Permits 1 – 48 as listed on the agenda. James Callahan said the Town Board annually authorizes these uses on a temporary basis to ensure compatibility with surrounding uses. The permits can be renewed for a period of up to five years.

With no one speaking to the subject, motion was made by Councilman Kolber, seconded by Councilman Casilio to close the Public Hearing. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman Kolber said this was discussed in the work session. He believes the uses are best suited for different time frames from one to five years. He thinks by the next meeting, the Board can make this determination. There are only two from the list that have had any complaints.

Motion by Councilman Kolber, seconded by Councilman Casilio to table the request for renewal of Temporary Conditional Permits 1 – 48 as listed on the agenda until the renewal periods can be determined. Upon roll call – Ayes: Councilmembers Geiger, Casilio, Kolber and Supervisor Hartzell; Noes: Councilman DiCostanzo. Motion carried.

George Smilanich requests a Public Hearing to consider a Temporary Conditional Permit for an automotive sales operation at 8575 Roll Road. James Callahan said the location is the south side of Roll Road, east of Harris Hill Road consisting of an existing commercial building in the Industrial Business Park Zone.

George Smilanich said he deals in higher end cars and the business is discrete. People will probably not even realize he is there. He needs a storage building and five or six parking spaces.

Motion by Councilman Casilio, seconded by Councilman Kolber to set a Public Hearing for May 13, 2015 at 7:45 p.m. to consider a Temporary Conditional Permit for an automotive sales operation at 8575 Roll Road. Upon roll call – Ayes: All; Noes: None. Motion carried.

Eastern Transit Plaza requests a Special Event Permit to operate a “Cruise Night” on Sunday Afternoons - June through September from 3:00 p.m. to 7:00 p.m. at 5445 Transit Road. James Callahan said the location is the east side of Transit Road, north of Greiner Road consisting of an existing plaza in the Major Arterial Zone.

Mike Hallac, of Dairy Queen and Brendon from Just Pizza were present. These two businesses and Ken from Griffon Gastropub are all involved in this event. Ken is the organizer and they believe they will all benefit from it. Mr. Hallac said the employees can park in the back. They can also use the grass area once everything dries up.

Motion by Councilman Kolber, seconded by Councilman Casilio to grant a Special Event Permit to operate a “Cruise Night” on Sunday Afternoons - June through September from 3:00 p.m. to 7:00 p.m. at 5445 Transit Road. Upon roll call – Ayes: All; Noes: None. Motion carried.

Brookfield Country Club requests Fireworks Display Permits for April 24, June 20, July 4 & 11, and September 5, 2015 at 5120 Shimerville Road. James Callahan said applications, fees, insurance and fire chief approvals have been received.

Motion by Councilman Kolber, seconded by Supervisor Hartzell to grant Fireworks Display Permits for April 24, June 20, July 4 & 11, and September 5, 2015 at 5120 Shimerville Road with all required paperwork and fees having been received. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Geiger to approve the following: Clubhouse Applications - A. Youth Bureau – July 6, 13, 20 & 27; Aug. 3 & 10, 2015; B. Youth Bureau – Aug. 1 & 8, 2015; Legion Hall Applications – A. Donna Wanamaker – May 17, 2015; B. Martin Helowicz – April 24, 2015; C. Rita Powell – June 14, 2015; D. Girl Scout Troop 30776 – June 20, 2015; E. Jennifer Braunscheidel – July 11, 2015; Nature Center Lodge – A. Girl Scout Troop 30630 – May 5, 2015; B. Rotary – May 22, 2015; Park Pavilion Special Requests – A. Youth Bureau – Aug. 7; Aug. 14 – 15, 2015; B. Clarence Hollow Association – May 25, 2015. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman Kolber, seconded by Councilman Casilio that after proper audit and review by the Town Board, the following bills of April 9, 2015 are approved for payment: General Fund - \$63,368.03; Highway Fund - \$46,981.60; Capital Fund - \$16,679.27; and Trust &

Agency 203 - \$707.77 for a total amount of \$127,736.67. Upon roll call – Ayes: Councilmembers Geiger, Casilio, Kolber and Supervisor Hartzell; Noes: None. Recuse: Councilman DiCostanzo as he was unable to review the bills. Motion carried.

“For the Good of the Town”

Councilman DiCostanzo announced that there is a new Chinese Take-Out Restaurant in the Harris Hill Plaza. The food is good and the people are very nice.

There being no further business, Supervisor Hartzell adjourned the meeting at 8:12 p.m.

Nancy C. Metzger
Town Clerk