

A Work Session of the Town Board of the Town of Clarence was held on Wednesday, April 27, 2016, 2016 at Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 6:00 PM. Members of the Town Board present were Councilmember's Peter DiCostanzo, Robert Geiger, Christopher Greene and J. Paul Shear. Other Town Officials present were Director of Community Development James Callahan, Junior Planner Jonathan Bleuer, Assistant to the Supervisor Karen Jurek, Town Attorney Lawrence Meckler, Town Engineer Tim Lavocat and Senior Building Inspector David Metzger.

Towne BMW 8215 Main Street

Applicant is proposing a complete renovation of the existing structure with a new façade and site plan amendments. The proposed site is located on the south side of Main Street, east of Transit Road at existing automotive sales and service operation located in the Commercial Zone. Per the Zoning Law, the Town Board has an opportunity to comment on commercial upgrades prior to formal review and approval by the Planning Board. Architectural style, building materials and landscaping issues may be addressed as part of the overall project review. Referral to the Planning Board will initiate formal review of the project.

Enterprise Automotive 6755 Transit Road

Applicant is proposing a small addition and a façade update to the existing structure. The proposed site is located on the southeast corner of Transit and County Roads at existing automotive sales operation located in the Traditional Neighborhood District. Per the Zoning Law, the Town Board has final review and approval authority for architectural style in the TND. The proposed addition will meet all setbacks. The existing use is allowed via a Special Exception Use Permit that is currently valid. The Planning Board has forwarded a recommendation on the architectural upgrades with conditions. Councilman Shear noted that part of the concern with the proposed addition is that it takes away from the greenspace however, the Planning Board negotiated extra trees to make up for the loss of greenspace.

Bevilacqua Development 6031 Transit Road

Applicant is proposing to demolish the existing carwash and construct a new retail plaza with drive-thru restaurant that will connect to the owner/applicants new (previously conceptually approved) office park to the east. The proposed site is located on the east side of Transit Road, north of Clarence Center Road at existing Buggy Wash carwash located on 1.37 acres in the Commercial Zone. Per the Zoning Law, the Town Board will have final approval authority for the drive-thru via a Special Exception Use Permit. Referral to the Planning Board to review and approve the site plan will initiate formal review of the proposal. Councilman Shear stated that there were many concerns regarding this project when first presented at the Planning Board Executive meeting. Previously the developer was trying to provide interconnectivity between the office park and the rear of the property and it became awkward. The main entry is between the Verizon Store and Buffalo Pharmacy. The Planning Board pointed out that it may be better to reduce the one access to try to streamline and reduce conflict. The new plan presented accomplishes this however it will still need review by the Planning Board. Noco is willing to make a connection to the proposed site.

Work Session items for consideration May 11, 2016:

Rocky's Big City Games and Sports Bar 4545 Transit Road

Applicant is proposing a new façade for the restaurant/bar. The proposed site is located on the east side of Transit Road, north of Main Street within Eastern Hills Mall and the Major Arterial Zone. Per the Zoning Law, the Town Board has an opportunity to comment

on the upgrades prior to formal review by the Planning Board. Architectural style and building materials are issues to be addressed. Supervisor Casilio stated that the applicant has a sign truck in front of Eastern Hills Mall that he was told to get rid of approximately six weeks ago. The sign truck was to be removed before they presented this project. Supervisor Casilio suggested until the sign truck is removed, the applicant is not to be put on the agenda. He is not in compliance with town code. Councilman Shear suggested putting the applicant on the agenda subject to removal of sign truck. Mr. Callahan will inform the applicant of this.

Natale Builders – Creekwood Meadows Open Space Design Development

Applicant is proposing a modification to the previously approved design to accommodate 30-residential lots on a private road system. The proposed site is located on the north side of Roll Road west of Newhouse Road on existing vacant land located in a residential single family classification and within Erie County Sewer District #5. A previously approved Open Space Design Development was approved in 2006. Per the Zoning Law, the Town Board has final approval authority on Open Space Design Developments. The Planning Board has forwarded a recommendation on the project with conditions. There is an exit to the north connecting to Field Brook, it is not a through street but a gated access for emergency vehicles only.

Bristol Village 8455 Clarence Center Road

Applicant is proposing to add duplex units and additions to the memory care and assisted living portions of the existing use. The proposed site is located on the south side of Clarence Center Road, east of Newhouse Road at existing long term care facility located in a Planned Unit Residential Development (PURD). As the PURD Zoning no longer exists, per the Zoning Law the Town Board has the authority to approve amendments within existing PURDS. The Planning Board has taken an action under SEQRA to issue a Negative Declaration on the project and forwarded a recommendation on the proposed PURD Amendment.

Braunscheidl LGS Property Services 9610 County Road

Applicant is seeking approval to construct a new commercial structure in the Industrial Business Park Zone to accommodate an existing property management service company. The proposed site is located on the north side of County Road east of Goodrich Road at existing vacant property located in the Industrial Business Park Zone. Per the Zoning Law, the Town Board has the opportunity to review new proposals prior to forwarding to the Planning Board for formal review and approval. The Planning Board has issued a Negative Declaration on the project, approved the Concept Plan and has forwarded a recommendation on the use. Parking will be located on the side of the building. Councilman Shear noted that the plans indicate two driveways however, this will have to be addressed with Erie County Highway. The neighbors to the rear of the property on Martin Road have requested a berm with trees and landscaping. The applicant has indicated that he would comply with this request.

Eastern Hills Mall 4545 Transit Road

Four separate automotive dealerships in the vicinity are seeking formal permission to store excess inventory at the mall parking lots. The dealerships are Transitowne Dodge, West-Herr Chevrolet, Mercedes-Benz and Ray Laks Acura. The proposed site is located on the east side of Transit, north of Main Street in existing shopping mall located in the Major Arterial Zone. Per the Zoning Law, the Town Board has sole authority to approve automotive uses. Permitting may be considered via a Temporary Conditional Permit. Limits on the numbers and terms of storage should be defined.

Town Attorney Meckler has written a letter to Eastern Hills Mall indicating that car storage on this property is illegal without proper permitting. As a result, four applications were received requesting permits for storage of vehicles at Eastern Hills Mall. The mall manager from Eastern Hills Mall wrote a derogatory letter to Supervisor Casilio regarding the actions of our Planning Department. The manager wanted to erect a temporary sign at the mall entrance because he had clients coming in within two days. The Town made adjustments to allow him to put up a permanent/temporary sign up after meeting with him at the Town Hall approximately six weeks ago. To date, the sign still has not been erected. Two years ago, they were supposed to erect a LED sign and included in the LED sign would be advertisements for Rocky's and other vendors in the mall. The LED sign is still not up hence Rocky's has a sign truck at the street which is against town code. At the meeting with the mall manager and Town Attorney Meckler, it was pointed out that he is displaying cars for sale besides storing cars and that is not allowed per Town Code. Supervisor Casilio does not mind the storage of cars behind the mall however, since Macy's has gone, the entire parking lot is filled with cars. Supervisor Casilio also mentioned the parking lot lights are being left on all night long and there are new homes being built behind the mall. In their discussion with the mall manager, Supervisor Casilio thought they had an understanding that the cars displayed for sale would be removed along with the temporary signs. None of this has happened to even consider granting a permit to store vehicles. At one time, the Town did grant temporary permits for vehicle storage at Eastern Hills Mall. At that time the permitting process was very specific, no displaying cars with prices, balloons etc. it was strictly storage of cars at the back of the mall. The permit would be renewable yearly. Supervisor Casilio has checked with other towns in Erie County and no one has cars for sale at any other mall except at Eastern Hills Mall. Currently there are approximately 300 cars parked behind Eastern Hills Mall. Supervisor Casilio also brought up the parking lot lights. If lights are needed for security reasons, then have only one or two lights on, not all 20 lights all night long.

Previously the town issued one week Special Event Permits to the mall for different events. Supervisor Casilio did not have a problem with that but it is the continuous parking of cars that he takes issue with. It is hard to govern when you have a major landmark breaking town rules.

Director of Community Development James Callahan stated that the dealerships are requesting permission to store their vehicles and the only way the Board can consider this request is with a Temporary Conditional Permit. Mr. Callahan is looking for direction from the Board. The vendor with the shed displays has obtained a Temporary Conditional Permit. Supervisor Casilio stated that he does not like to see the sheds at the mall entrance. He referenced the Boulevard Mall and the placement of the sheds behind the tree line at Maple Road and Niagara Falls Blvd.

Town Attorney Meckler stated that a letter was sent to the mall manager with specific requests: the Mall shall turn-off the lighting in the rear of the property by no later than 11PM in those areas where vehicles are stored by various auto dealerships, the Mall shall apply and obtain proper permitting for the storage and display of vehicles, including obtaining a temporary conditional permit for same, prior to entering into any agreements for storage of vehicles on its property, do not allow for the sale of vehicles at the Mall location. The Mall shall no longer permit the displaying of vehicles for sale. Special Events can be approved by the Town Board, The Mall shall use its best efforts to have the building and premises owned by Sears properly maintained, including the filling of holes in the Sears parking lot as well as requiring appropriate lighting be utilized during the Malls night-time hours of operation, the Mall shall immediately remove and hereinafter not permit Bill Board Sign trucks to remain on its premises. By Town Code, Bill Board sign trucks are not allowed. Town Attorney Meckler stated that they would have to comply with all aspects of the letter.

The agreement the Town had with the mall manager was that the cars were to be removed from the front of the mall and they are still there.

Town Attorney Meckler stated that it would be reasonable to request that all vehicles be removed from the front of the mall to the rear before the Board would consider granting a permit. If they do not comply in two weeks then all cars will have to be removed from the mall parking lot.

Director of Community Development James Callahan stated that in the past the mall has been issued Special Event Permits and Temporary Conditional Permits but this has snowballed out of control.

James Callahan will notify the Mall that all vehicles parked in front of the mall have to be removed by May 6th, 2016 in order to be considered for the May 11th, 2016 Town Board agenda. If the vehicles are not removed by May 6th, 2016 than all the vehicles must be removed from the mall parking lot. If they comply, then the applicants will be put on the May 11th, 2016 agenda to consider a permit for long term storage to the rear of the mall with conditions.

Day in the Park – Fireworks Display Permit

Requests Fireworks Display Permit for June 25, 2016.

Supervisor Casilio and Town Engineer Lavocat have received on-going requests from a resident that wants the town to clean up trees and brush from an easement. The location is along the sewer easement in Shadow Woods. It is private property that the town has an easement on. When the sewer line came through from 2011 to present, some of the trees in the easement have died. One of the residents Mr. Hermans has put the town on notice that dead trees (11 trees in all) pose a risk to his property. Once the town was put on notice, Town Engineer Lavocat secured signatures from the property owner to allow the town to remove the hazard, which is what the Town did. The trees were dropped along the wood line – the hazard was removed and the complaint was addressed. Mr. Hermans was made aware that the town was simply removing the hazard and had no intention of removing the trees because there is no easy way to get to the site to haul the trees out without doing damage to manicured lawns. The property owner lives on Heise Road and signed a release allowing the town to get on the property within our easement to simply drop the trees. Mr. Lavocat further noted that this is Federal Wetlands. Some of the trees were three foot in diameter and would costs thousands of dollars to remove. Prior to any work being done, Mr. Hermans was made aware that the trees were just going to be dropped and left on site. Town Engineer Lavocat stated that the hazard was removed.

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo to recess the Work Session at 7PM and will reconvene after the Town Board Meeting. Upon roll call – Ayes: All; Noes: None. Motion carried.

The Work Session reconvened at: 8:40PM

Councilman Robert Geiger

Councilman Geiger is requesting the Town Board approve funds for several bands for Hollow Fest. He distributed a break-down on the cost for the various bands that will be playing at Hollow Fest. Clarence Hollow representatives Paul Cambria and Jean O'Connell were present to answer any questions the Board may have regarding their request for funds. Councilman Geiger stated that deposits have been put down to secure the bands otherwise they will book elsewhere. Councilman Geiger quoted Town Law

§64(20) stating that “any town may provide for band concerts to be held at any place within the town annually between the first day of June and the fifteenth day of September.” He felt that this was very fitting because his request is not outside the law and did not seem improper. However, when you make the motion to cover the cost of the contribution you have to establish what budget line the monies will be taken from. The Director of Administration and Finance has been out of town so Councilman Geiger was not able to obtain that information so he was going to make the motion indicating that the monies will be determined by the CFO.

Supervisor Casilio disagreed with Councilman Geiger’s motion. Town Board members are elected officials, Councilman Geiger is saying the Chief Financial Officer is the one to decide where the monies come from superceding the Town Board’s responsibility to watch the budget. Councilman Geiger asked Supervisor Casilio if he knew where the money would come from and suggested the Parks Department Community Development Fund. Supervisor Casilio stated that he did not know where the money would come from.

Councilman DiCostanzo stated that he would like to see the financial results of past Hollow Fest events. Apparently the proceeds of the event were used to help the Hollow/local groups so it sounds like they are making money. So why is the town being asked to provide money for this event. There are plenty of other events in town such as the Taste of Clarence, should the Board be giving them \$5,000 as well to pay for their band or whoever else they bring to their event. Clarence Center Businesses host “Meet in the Center” every year – they don’t ask the town for \$5,000 for their event. If these events are making money, why should we be spending tax dollars?

Paul Cambria stated that they are making very little money and what they do make they put back into the Hollow such as decorations at holiday time and the lights on Ransom Road bridge. They also sponsor a scholarship at the high school. The Town of Clarence gives \$10,000 to Day in the Park for fireworks. Why would the town give money to that group? Councilman DiCostanzo stated that the town sponsors a fireworks show that is for the good of the entire town. Paul Cambria stated that their event is for the good of the town as well, they had a thousand people at their event for 4th of July fireworks. Paul Cambria asked how the Board can say that their event is not a community event when it is just as beneficial as Day in the Park. Paul Cambria asked who is to say there is only one event that is beneficial to the Town, he further stated that the Town Board cannot discriminate because you sanction one and not another. Paul Cambria further stated that if the Town Board says they are going to sanction one event and his event is not sanctioned there will be another discussion about it but it won’t be in town hall.

Supervisor Casilio stated that this board is trying to have a discussion. Paul Cambria disagreed and said the Board was trying to come up with every reason under the sun not to give Hollow Fest \$5,000, he said the town has the money. Paul Cambria again stated if the town sanctions one event over another, then there is going to be a problem and that problem is that Mr. Cambria will sue the town. He is coming to the board looking for support he will be glad to show the Board their financials from Hollow Fest. He is before the Town Board today asking for some sort of support for one of the biggest events in town (Labor Day Fair being the biggest).

Supervisor Casilio said that as a Town Board, they had not previously discussed this at all. When Hollow Fest started this event three years ago, they assured the Town Board that they would not need anything from the town other than the use of the Main Street Town Park and today you are asking for \$5,000 and it is not unreasonable for the Town Board to question that.

Paul Cambria stated that there is no obligation from the town however, they are asking the Town Board as their government and elected officials to support the merchants, support your tax payers and support your residents for a public event that entertains thousands of people. Supervisor Casilio stated that the Town does support Clarence Hollow. The Town spends approximately \$9,000 a year by putting up flags and taking them down, putting up Christmas decorations which were bought and put up before Hollow Fest came about plus the cleaning up after the event once Hollow Fest is over. The Town spends \$9,000 a year supporting Clarence Hollow and it is unfair for Mr. Cambria to say that the Town Board does not support or care about the hollow merchants. Supervisor Casilio stated that the hollow merchants already know what the town does for them. Paul Cambria said that they are asking the Town Board to support a very important event for them.

Town Attorney Meckler stated that Town Law is different, it allows the Board to do certain things and there are certain things the Board is not allowed to do. As Town Attorney, it is clear that the Hollow Association has made their request. Mr. Cambria should allow the Board to discuss and debate it to come up with the pros and cons to be able to make a decision. Other than what was discussed in the regular Town Board meeting and this Work Session that is the only time this topic has been discussed. Supervisor Casilio stated that the Board received a handout on the break down on the bands five minutes before the 7PM Town Board meeting. Town Attorney Meckler also stated that by paying for fireworks or paying for bands (which the town has never done) it is within the Town Boards discretion.

Jean O'Connell said that they have done many things for this town. She gave a slide presentation at Clarence Rotary Club showing all the money they have spent in this town. The Hollow Association is not like the Chamber of Commerce who does something for their own good, the Hollow Association gives back to the town to make the Hollow better.

Councilman Greene stated that the only person that has insinuated that the Hollow Association is not valued has been Paul Cambria. At no point has the Town Board tried to diminish the work the Hollow Association has done. Outside this board room, Councilman Greene has supported the Hollow Association in the votes he has done as a member of Clarence Rotary including the \$5,000 bike rack. On a personal level, he completely supports what the Hollow Association does and he would like to see the hollow be the most vibrant community, he would like to see it rival any other village area in WNY.

Paul Cambria said that Hollow Fest is a community event, there is nothing in it for him. He volunteers his time. All Jean O'Connell and Mr. Cambria are asking is that the Town Board support this community event with a small contribution of \$5,000, a mere pittance. This event supports a number of businesses and brings customers into the Clarence Hollow area and Mr. Cambria feels the Board should embrace this organization.

Supervisor Casilio stated that he worked very hard on the Town budget, he is \$40,000 away from going over the tax cap. Supervisor Casilio focus is staying below the tax cap so the residents of the town will continue to get their rebate checks. \$5000 may not be a lot of money to Mr. Cambria but when you are \$40,000 away from going over the tax cap, \$5,000 is a lot of money.

Supervisor Casilio stated that when Mr. Cambria and Mrs. O'Connell came to the Town Board requesting approval for their event three years ago they did not need support from the Town. His concern is that next year they will request more financial support. Paul Cambria said that the Town Board can tell them no. Supervisor Casilio said that Mr. Cambria has the right to come to the Town to request whatever he wants and the Board

has the right to discuss it. Paul Cambria stated that if the Town is going to sanction one kind of expression over another that is a problem, he does not want to sue the town. His goal is to get the Town Board to support Hollow Fest. Paul Cambria said he doesn't want to hear things that he says are not valid, like going over the tax cap, the rebates (refunds residents receive for staying under the tax cap) are a pittance to the residents of Clarence and the \$5,000 would be worth it for them.

Town Attorney Meckler said what is different with this issue is that this was not specifically budgeted for. For the record, it is the discretion of the Board whether or not to fund this event.

Paul Cambria stated that anyone who works at Hollow Fest is volunteer except for security that work the beer tent and the vendors. The amusement company will not sign with Hollow Fest unless they have fireworks. If they didn't have fireworks, they could have made \$5,000 - \$6000. Jean O'Connell goes out and solicits donations from all the businesses.

Councilman Greene agrees that the Hollow Association has done great things for Clarence Hollow however, the challenge the Town Board has is that there are many other organizations all over town that do great things for the community as well. They have to look at the bigger picture and not just a single occurrence. Paul Cambria stated that they are asking the Town Board to support a community event.

Supervisor Patrick Casilio

Supervisor Casilio had a preliminary meeting with three solid waste disposal companies. Another meeting will be set up sometime in May. Supervisor Casilio will meet each vendor separately. Supervisor Casilio receives many complaints about garbage blowing around the streets. Councilman Greene stated that there are grants available to be able to purchase totes.

NYS Trooper Michael Ballow is retiring and he would like to become a School Resource Officer for the Clarence School system. Mary Ellen Kloss from Clarence School District says they do not have any money to finance this position. The Town of Elma formed a police department with one officer, they purchased a police car, bought a uniform. They now have a retired State Trooper that is now an Elma Police Officer who is the School Resource Officer for the Iroquois School District. The Iroquois School District reimburses the town for his salary. There is a three year grant to pay for the SRO, but as part of the grant the Town would have to guarantee carrying the program after the three years. Supervisor Casilio was going to contact Mary Ellen Kloss and see what their commitment is, if the school is not committing to pay then there is no use going any further. If the Town Board does move forward, we are committed to a car and a uniform at least. A retired State Trooper is only allow to make between \$29,000 and \$39,000 per year. Because we do not have a police department, the Town has to be the pass through for the school. Town Attorney Meckler stated that this could have many ramifications. Councilman Shear stated that a police vehicle would require insurance, gas, maintenance etc. and asked if the SRO would require a drug sniffing dog, a bullet proof vest, and will he be required to carry a gun/mace etc. Supervisor Casilio stated that the NYS Police would come in and do any investigating. He suggested using one of the park security vehicles. Councilman DiCostanzo concurred with Town Attorney Meckler. He further stated that local School Resource Officers are typically employed by a local police or sheriff's agency and work closely with administrators in an effort to create a safer environment for both students and staff.

Councilman Greene questioned whether or not there was a significant issue where there is a safety concern at school now. Supervisor Casilio will send an e-mail to Mary Ellen Kloss to see if the school is committed.

Supervisor Casilio did check on the grant for cameras. Even though there are less funds, he would like to go with a live camera feed. Once the grants have been secured, more information will be forthcoming.

Supervisor Casilio has moved forward with paperwork for a grant for the Police and Court Facilities Project.

Councilman Peter DiCostanzo

At the last Work Session, Director of Administration and Finance Pam CuvIELLO handed out the actual revenues vs. budgeted for March however there was no discussion. Councilman DiCostanzo suggested that these monthly reports be discussed at a morning Work Session. Councilman DiCostanzo further suggested to Pam that if there are big variances, in any of the line items she should comment on why there is a variance.

Supervisor Casilio stated that Donald George, the intern in the Accounting Office made a suggestion which will help start the budget process for next year. He suggested giving department heads limited access to the server so they can enter their requested budget information. Department Heads can only access their part of the budget and cannot see what other Department Heads are requesting.

Clarence IDA representative Paul Leone attended the Public Hearing for two IDA projects. Salvatore's project on Transit got mortgage tax and sales tax abatements. Pallet Services is taking over the new Buffalo Shirt Factory and will receive mortgage tax, sales tax and some level of property tax abatements.

Councilman DiCostanzo attended the Main Street revitalization steering committee meeting. Subcommittee meetings will be forming. Councilman DiCostanzo attended the seminar at Darwin Martin House, the presenter was very good.

Councilman DiCostanzo met with Joseph Floss regarding renewing insurance through NYMIR, they had the best price.

Councilman Robert Geiger

The farmers market will start their "flower days" on Saturday and will be opening on June 6th.

Councilman Geiger received a check from Clarence Contemporary Club for use at the Nature Center. The check is in memory of Melinda Gray. Councilman Geiger will forward the check to Pam CuvIELLO when she comes back from vacation.

Director of Community Development James Callahan is trying to come up with some dates with Wendell Engineering to figure out whether to address the plans for the football league. The plans are going to be scaled down to try to come up with something doable. Councilman Shear suggested giving Wendell a number up front and ask them what they can come up with using that figure. If you don't give them some criteria then they could come back with a plan that is out of reach.

The town may have to spend \$1.2million dollars to correct the EPA findings. Town Attorney Meckler stated that the \$1.2million dollars is being bonded at a good rate.

Councilman Geiger would like to see a study done on the money derived from the green print properties when they were still on the tax rolls.

Mary Ellen Kloss from Clarence High School notified Supervisor Casilio that the high school football field would be available on Saturdays for the town football league. Councilman Greene will talk to the school regarding use of the concession stand.

Councilman Paul Shear

With regard to Hollow Fest and the request for money for live bands, Councilman Shear would like to look at their financials and see what they do with their money, what they take in and what they spend. Town Attorney Meckler spoke with the Association of Towns to see how you would reimburse for the bands. The town would have to receive a specific bill from a specific musician and reimburse them directly. Supervisor Casilio stated that Councilman Geiger is acting as liaison to Hollow Fest and his assignment is to obtain the financial statements from Hollow Fest, find out what organizations are participating in the event and what dollar amount they would be willing to accept if it's not the requested \$5,000. Day in the Park submits their financial report every year, there are many service organizations that participate in Day in the Park.

Town Attorney Meckler stated that the Town cannot just write anyone a check, you have to do it for a specific purpose. The town would have to receive a specific invoice from the band to make sure that is where the money is going. The town pays for the fireworks for Day in the Park directly, the money isn't given to the Day in the Park committee.

In meeting with Supervisor Casilio, Jean O'Connell said that Hollow Fest made \$15,000 last year, the Board would like to see how that money is broke out and where it is going.

The Arboretum Committee would like to put Steven Murtaugh into an emeritus position and have him step away from the board. James Burkard will fill the opening. The Town Board was in agreement with sending the letter to Mr. Murtaugh.

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo to adjourn the Work Session at 10:10PM and enter into Executive Session to discuss an Attorney-Client item. Upon roll call – Ayes: All; Noes: None. Motion carried.

Darcy A. Snyder
Deputy Town Clerk

Regular meeting of the Town Board of the Town of Clarence was held on Wednesday, April 27, 2016 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 7:04 p.m. Pledge to the flag was led by Councilman Christopher Greene, followed by a prayer given by Councilman Geiger.

Members of the Town Board present were Councilmembers J. Paul Shear, Christopher Greene, Robert Geiger, Peter DiCostanzo and Supervisor Casilio. Other Town officials present were Director of Community Development James Callahan, Town Attorney Lawrence Meckler and Town Engineer Timothy Lavocat.

Motion by Councilman Shear, seconded by Councilman DiCostanzo to accept the minutes of the work session and regular meetings held April 13, 2016. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Geiger to authorize New York State Electric and Gas to activate nine (9) streetlights within Spaulding Green Phase 6A on Glenview Drive and on Longleaf Trail, per the layout plan dated April 15, 2016 upon installation of all standards, fixtures and underground conductors and final acceptance of same by the Town of Clarence. Standards, fixtures and underground conductors are to be owned and maintained by the Town of Clarence. The connections, energy lamps and photo electric eyes to be supplied and maintained by NYSEG under the terms and conditions of NYSEG street lighting agreement with the Town of Clarence. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Geiger to set a Public Hearing for May 25, 2016 at 7:15 p.m. to consider the purchase of Development Rights only by the Town of Clarence of approximately 12.33+/- acres of vacant land, SBL No. 58.14-1-7, located on the Northside of Town Place and East side of Old Goodrich Road in the Town of Clarence, Erie County, NY at a purchase price not to exceed \$150,000.00 plus any closing costs, processing costs, baseline studies, future stewardship fees and any and all costs and disbursements relating to the acquisition of the Development Rights of the property for open space. Funds to be allocated from the open space bond resolution. On the question, Supervisor Casilio said this will allow the horse farm across the street to remain a horse farm. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo to adopt the following Proclamation:

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of the government, exists throughout the world; and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, the Municipal Clerk is the information center on functions of local government and community; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW THEREFORE, BE IT

RESOLVED, the Clarence Town Board extends its appreciation to our Town Clerk, Nancy C. Metzger, Deputy Town Clerks Darcy Snyder and Gayle Brace, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent; and be it further

RESOLVED, that the Clarence Town Board does hereby proclaims the week of May 1 through May 7, 2016 as Municipal Clerks Week in the Town of Clarence.

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

Motion by Supervisor Casilio, seconded by Councilman Shear that upon the recommendation of Town Engineer, Timothy Lavocat, Kate Sweeney be appointed to the position of Clerk Typist in the Building Department effective May 9, 2016 at Step 1 of the White Collar Contract, subject to receipt of all pre-employment paperwork and pre-employment requirements being met. On the question, Supervisor Casilio said the current Civil Service List for this position was canvassed and Kate is being hired from the list in accordance with Civil Service Rules. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Geiger to approve Change Orders No. 8 and No. 9 to the Contract between the Town of Clarence and Allgaier Construction Corp., Inc. for the Main Town Park Restroom Facility Project in the total amount of \$4,608.00. On the question, Supervisor Casilio said this is to be paid from Capital Project 1401. The Town Engineer said these are the final changes. Supervisor Casilio said he did a good job holding the line on this project. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Geiger to adopt the following Proclamation:

WHEREAS, the Town of Clarence’s continuing efforts to address the critical issues of safety, energy efficiency, and resilience in the built environment that affects our citizens, both in everyday life and in times of natural disaster, gives us confidence that our structures are safe and sound; and

WHEREAS, the Town’s confidence is achieved through the devotion of the Town’s engineering and building departments inspectors, code enforcement officers and staff, as well as other building safety and fire prevention officials, architects, engineers, builders, trades people, laborers and others in the construction industry that are the vigilant guardians who work year-round to ensure the safe construction of buildings; and

WHEREAS, these dedicated members of the International Code Council use a governmental consensus process that brings together local, state and federal officials with expertise in the built environment to create and implement the highest-quality codes to protect Americans in the buildings where we live, learn, work, worship, play; and

WHEREAS, the International Codes, the most widely adopted building safety, energy and fire prevention codes in the nation used by most U.S. cities, counties and states, include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildfires, floods and earthquakes; and

WHEREAS, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities’ largely unknown guardians of public safety, our local code officials, who assure us of safe, efficient and livable buildings; and

WHEREAS, “Building Codes: Driving Growth through Innovation, Resilience and Safety,” the theme for Building Safety Month 2016, encourages all Americans to raise awareness of the importance of building safety; fire prevention; disaster mitigation; water safety and conservation; energy efficiency and new technologies in the construction industry; and
NOW, THEREFORE, BE IT

RESOLVED, that the Clarence Town Board encourages our citizens to recognize and support “Building Safety Month” and to learn more about how they can contribute to building safety at home and throughout the Clarence community; and be it further

RESOLVED, that the Clarence Town Board acknowledges the essential services provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property and hereby proclaims May of 2016 as “Building Safety Month” in the Town of Clarence.

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

Supervisor Casilio announced that The Running Water Let Them LOL 5K Race route has changed and a new map was submitted to the Town. The route the group was planning to use was the same as another organization’s certified route and LOL could not use it. The new route map will be on file in the Office of the Town Clerk and is a certified route for Running Water 5K Run/1 mile Walk. This event is Sunday, May 1st beginning at Town Place Park.

Motion by Supervisor Casilio, seconded by Councilman Greene that upon the recommendation of Highway Superintendent, James Dussing, to award the bid of \$0.25 (twenty-five cents) per cubic yard for the removal of 2,290 cubic yards of leaf compost from the Town recycling area on Sheridan Drive to F. Cimato Topsoil & Grading, Inc. On the question, Supervisor Casilio said F. Cimato Topsoil & Grading, Inc. is required to remove the material

within 60 days from the time of the award of the bid and supply the necessary insurance certificate naming the town as an additional insured. Upon roll call – Ayes: All; Noes: None. Motion carried.

Supervisor Casilio said he has several items to discuss with the Town Board after this meeting. They ran out of time at the work session, so they will reconvene.

Supervisor Casilio said he along with many other firemen were involved in a major house fire last weekend. He was very happy to witness the level of professionalism and dedication displayed in the attempt to save this house for one of our residents.

Motion by Councilman DiCostanzo, seconded by Councilman Geiger to appoint the following to the position of Laborer PT-Seasonal in the Parks Department at the budgeted rate of \$9.00/hr. effective May 9, 2016: Nicholas Barnas, Keven Brady and Thomas Roth.

On the question, Councilman DiCostanzo said Michael Roth, who was appointed at the April 13, 2016 meeting has declined the appointment to the position.

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

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve the proposal of Brite-Way Janitorial Services to provide Floor Cleaning Services as per the proposal for the Town Hall, One Town Place and authorize the Supervisor to sign said proposal, subject to review and approval by the Town Attorney's office. On the question, Councilman DiCostanzo said this service will be provided once per month at a cost not to exceed \$195/month and all equipment and materials are included in the cost. The floors will be stripped and waxed for an additional fee of \$985.00 and this service would be performed only upon request on an as needed basis. We do not have the equipment to do that thorough cleaning once a month. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman DiCostanzo announced the LOL 5K Race on Sunday, May 1st at 1:30 p.m. It is a good cause.

Councilman DiCostanzo said he always mentions to be vigilant about locking things up. There were robberies in his neighborhood where they broke in. The three people were caught and some neighbors were able to get their belongings back.

Councilman Geiger welcomed the Williamsville government students that are here tonight.

Motion by Councilman Geiger, seconded by Councilman Shear to approve the following Special Events request:

St. Mary's Church 5K Chowder Chase Run/Walk to be held on Friday July 22, 2016 from 7:00 p.m. to approximately 8:30 p.m. This is in conjunction with their Annual Picnic and there are approximately 200 people expected to participate.

On the question, Councilman Geiger said the Route will start at St. Mary's Church on Stahley Road and finish there as per the submitted map. All the appropriate agencies will be notified. Upon roll call – Ayes: All; Noes: None. Motion carried.

Supervisor Casilio said in regard to the next item, we did not get a chance to discuss it in the work session. He asked if Councilman Geiger could hold it until the next meeting.

Councilman Geiger said the officials from the Clarence Hollow Committee are here and he would like to discuss it. These are funds to pay for the bands in the amount of \$5,000 for July 2nd, 3rd and 4th. He read a breakdown of the bands and the cost for each.

Jean O'Connell, president of the Hollow Association said they respectfully request \$5,000 to support this worthy thing they have been doing. This is the fourth season. Up to this time, they have not had Town support. The event has grown each year and with that the expenses grow too. They pay for fireworks and security. There are many volunteers, including kids from the school. The boy scouts clean up and they give them a donation. They give Mercy Flight a donation for coming. They started something new last year, "Touch a Truck" which also involves the fire company to bring trucks for the kids to see. It has turned out to be quite a 4th of July celebration. Hammerl Amusements, a Clarence business, brings the rides. They try to keep it to Clarence organizations. They pay a fair amount to those who sell food or wares. It is important to support and invest in the Hollow. They have done a lot of good things there with much more planned. She

would like to see the Town donate and they would put a banner across the stage saying it was compliments of the Town of Clarence.

Paul Cambria, resident and merchant of Clarence said they are a volunteer group of mostly merchants who meet regularly to come up with ideas for events. The merchants are collaborating to include all aspects of the community. There are seniors who volunteer, boy scouts and all of the residents who enjoy the event. They want to draw people to the town to patronize the merchants and have an event for all to enjoy. The proceeds are put back in to the community by way of holiday decorations or what have you. The Town supports organizations and events that we have and that is a great thing. They are not saying that they should detract from anyone else's event. They are here to say that they are residents, merchants and volunteers doing something that the entire community enjoys and would like the Town to support it. He would like them to recognize that it is a benefit to many who enjoy it. They are asking for a small amount of money in a town that has been blessed with an abundance of funds.

Supervisor Casilio said a motion at this time is inappropriate since the Town Board has not had an opportunity to discuss it. They do not know where the money is coming from. He has not spoken to the finance director. When this event was first presented a few years ago, it was with no financial obligation for the Town.

Paul Cambria said he does not think that when a resident, merchant and taxpayer comes before a public body that anything is out of order.

Supervisor Casilio said he is not saying the request is out of order, he is saying the motion is due to the fact that the Board has not discussed it at all.

Paul Cambria said when they started this event there was no obligation to the town. They are here to ask for support for something that benefits the community as a whole. It does not benefit him or Mrs. O'Connell. He believes this is exactly the kind of thing the Board should be supporting and embracing.

Supervisor Casilio said Mr. Cambria is representing his position, but he also has to represent his position for the taxpayers. We have asked for financial statements, as we do for anyone who asks for funds and there are not many. We have not yet received one.

Paul Cambria said they were not asked for one. It appears that this is a confrontation. He is a taxpayer and what about all of the taxpayers who attend the event.

Town Attorney Lawrence Meckler said in regard to the process, there was a work session at 6:00 p.m. and the intent was discuss this then. It is a public work session. Another issue took more time and they recessed until after the regular meeting to continue.

Paul Cambria said they are not begging here. They believe this is something that the Town should be a part of. They think they are entitled to ask for help to support this community event. It has grown. They would like to raise funds to contribute back in to the community.

Supervisor Casilio said you are asking for \$5,000 because you contribute back and they have not shown the Town Board the financial statements. He has asked the liaison, Councilman Geiger to request them. It is not an unreasonable request.

Mr. Cambria said they would be happy to provide that and go through every penny. They were not aware it was requested. It should not be a reason to push them off or delay a decision.

Supervisor Casilio said historically, the Town Board discusses items at a work session and then places them on the next agenda of a regular meeting to be voted on.

Mr. Cambria asked what the process should be.

Town Attorney Meckler said you are given this opportunity to make your presentation and now it is up to the Town Board to make a decision.

Supervisor Casilio said this is a large sum of money that has not been budgeted for. They need to figure out if they are contributing, how much and where it is coming from.

Mr. Cambria said part of it could come from the several millions that the residents pay from Spaulding Lake, of which he is president of the homeowners. He does not think the Town is hurting for money.

Councilman Greene said he should come to the budget meetings and watch them go line-by-line. It is a grueling task when you have a .73 tax cap. They look after every penny.

Mr. Cambria said we expect that, and you should respect when someone from the community makes a reasonable request.

Supervisor Casilio said he has a great deal of respect for the residents in Spaulding Lake and that is why he is very careful on how the Town money is spent.

Councilman DiCostanzo said when he was a member of the Jaycees and they came to the Town to ask for permission to use the park or help with the fireworks, we went to a work session and talked over thing.

Mr. Cambria said he came to make a request, as asked by one of the elected officials. We need to have notice of what you need.

Supervisor Casilio said you need notice and so do they. This has come before the Board without notice at all.

Councilman Geiger said we moved on in the work session without addressing this item.

Supervisor Casilio said they will discuss it when they reconvene the work session after this meeting. Anyone is welcome to come. They did not have time earlier to discuss the councilmen's reports.

Councilman Geiger asked if they were going to eliminate decision on all the items under the Council Reports because they were not discussed earlier.

Councilman Geiger announced the Senior Center Basket Raffle is April 30th from 11:00 a.m. to 3:00 p.m.

Motion by Councilman Greene, seconded by Councilman DiCostanzo to approve the following special event:

The 10th Annual Ride for Missing & Exploited Children sponsored by the National Center for Missing & Exploited Children that will take place on Friday, May 20, 2016 that begins at approximately 7:25 a.m. to 5:13 p.m. per the submitted route map that includes where and the approximate time that the riders will be traveling through the Clarence area.

On the question, Councilman Greene said this is a police escorted, 100-mile, 2x2 paced bike ride throughout Erie County streets as per the submitted list. Number of people expected to participate is: 100+/-.

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

Councilman Greene said if anyone has children going off to college in the fall, the Youth Bureau is hosting a talk at the high school regarding how to keep yourself safe at college.

Motion by Councilman Shear, seconded by Supervisor Casilio to adopt the following proclamation:

WHEREAS, the month of May is designated as “National Preservation Month;” and

WHEREAS, historic preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride and maintaining community character; and

WHEREAS, historic preservation is relevant for communities and for Americans of all ages, all walks of life, and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals to preserve the heritage that has shaped us; and

WHEREAS, residents are encouraged to seek out, learn about and celebrate our heritage.

NOW THEREFORE BE IT

RESOLVED, that the Clarence Town Board hereby proclaims May, 2016 as “National Preservation Month” in the Town of Clarence.

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

Motion by Councilman Shear, seconded by Councilman DiCostanzo to appoint Paul Martucci to the position of Junior Planner Part Time - Seasonal effective May 16, 2016 and ending August 26, 2016 at the budgeted rate of \$12.42 per hour subject to receipt of all pre-employment paperwork and pre-employment requirements being met. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman Shear said on April 29th and 30th, the Historic Preservation Commission is hosting a training seminar on the fundamentals of historic preservation. It will be held at the Town Park Clubhouse on Friday evening from 6:00 – 8:00 p.m. and Saturday from 8:30 a.m. to 1:00 p.m. with lunch. Anyone interested can contact Jonathan Bleuer in the Planning Office. There are 35+ people registered for this regional program.

Town Engineer Timothy Lavocat announced that the Town of Clarence Stormwater Annual Report for 2015 is complete and available for public review and comment at the Engineering Department and on the Town website. Public comments should be submitted to the Engineering Department. The Stormwater Annual Report is developed in compliance with the United State Environmental Protection Agency -Stormwater Phase II Requirements.

Town Attorney Meckler clarified that work sessions are public meetings. For example, as soon as this meeting is over and the Board goes back in to the work session, all of the public is invited.

Towne BMW requests a Building Permit and Architectural Approval for a rehabilitation of an existing automotive sales use at 8215 Main Street. James Callahan said the location is the south side of Main Street, east of Transit Road consisting of an existing automobile dealership in the Commercial Zone. The applicant proposes a rehabilitation of the existing facility. The Planning Board will be lead agency in this review.

Bill Wincott of DR Chamberlin was present representing Towne Automotive Group. This renovation was brought by the BMW franchise. The new idea is a line of 10 cars making a 125 ft. long showroom. This entails demolishing about 10,000 sq. ft. of the existing dealership, constructing approximately 17,000 sq. ft. of the first floor and 10,000 sq. ft. to the second floor. The parts and service areas will be gutted and renovated. The first floor will include an enclosed delivery area. There are no changes to the front along Main Street. Additional service bays will be added. The footprint of the building on the ground will increase by 7,000 sq. ft. This area is currently blacktopped. They will add two islands to the greenspace out front. The only encroachment to the front is a 6-foot overhang on the second floor. The original showroom will be for certified pre-owned cars on the first floor. The outside will be glass and white aluminum panels. It is basically the same as now.

Supervisor Casilio said this is a different look with car display on the second floor. He noted for the record a concern for windows in the back looking directly at the neighbors. He would also like the Planning Board to look at the type of lighting on the cars at night.

Councilman Shear wanted to clarify that the building is not any closer to Main Street. The second floor will come over 6 or 8 feet.

Mr. Wincott said that is correct. The reason they are tearing down the existing building is to accommodate proper support of the second floor. The steel has to be replaced. They will most likely have to sprinker this building.

Supervisor Casilio asked if there were other examples of this around the country that they could look at. It would be helpful to the Planning Board.

Mr. Wincott said there are different looks, but they have to have the ten car display line. There is one in Philadelphia. They added the second floor to meet the dealership requirement.

Supervisor Casilio said there will be cars 20' above Main Street.

Motion by Councilman Greene, seconded by Councilman Shear to refer the request of the applicant Towne BMW for a building permit and Architectural approval for the rehabilitation of the existing automotive operation for the property located at 8215 Main Street to the Planning Board. Upon roll call – Ayes: All; Noes: None. Motion carried.

Supervisor Casilio said he has a business relationship with Enterprise Leasing, so he will recuse himself from all discussion on this matter.

Enterprise Automotive requests a Building Permit and Architectural Approval for a rehabilitation of an existing automotive sales use at 6755 Transit Road. James Callahan said the location is the southeast corner of Transit Road and County Road consisting of an existing automotive use in the Swormville Traditional Neighborhood District. The Planning Board has forwarded a recommendation. The Town Board is lead agency on this action.

Dave Sutton of Sutton Architecture said they are looking to do a small addition and façade improvement to the current building. The addition is 900 sq. ft. for a display bay during bad weather. There is no vehicle repair at this location. It is in the back of the building. They are doing a complete rehab of the building. The Planning Board was very sensitive to the Swormville overlay. They went back to the original design, rather than a flat roof. There will be new materials on the outside including a stone band around Transit and County sides of the building. The site plan is not being altered in any way. They were able to save the cupola. The stone product is a cultured stone. They will also add some landscaping around the addition to enhance the look from County Road.

Councilman Shear said the addition is biting into the greenspace on the property. He believes that it will be discussed further with the Landscape Committee.

Mr. Sutton said that is correct. They do take up a portion of the grass area and they agreed that they will look at landscape enhancements with the Landscape Committee.

Motion by Councilman Shear, seconded by Councilman Greene to grant the request of the applicant, Enterprise Automotive, for the construction of a small addition and a facade update to the existing structure located at 6755 Transit Road as per submitted elevations from Sutton Architects dated April 26, 2016, subject to the following conditions:

1. Stone veneer to wrap around from the west side to north side of existing structure.
2. Landscape Committee approval of an updated landscape plan prior to building permit issuance.
3. Subject to Open Space and Recreation Fees.
4. Keeping the cupola.

Upon roll call – Ayes: Councilmembers Shear, Greene, Geiger and DiCostanzo; Noes: None. Recuse: Supervisor Casilio. Motion carried.

Bevilacqua Development requests Concept Approval and a Special Exception Use Permit for construction of a new commercial plaza with a drive-thru at 6031 Transit Road. James Callahan said the location is the east side of Transit Road, north of Clarence Center Road consisting of the existing Buggy Wash in the Commercial Zone. The applicant is proposing redevelopment of the site.

Jonathan Bevilacqua said they are proposing an 8,470 sq. ft. single-floor retail plaza. The curb cuts will remain on Transit Road. The building facades will consist of a blended mix of materials. There were four areas of concern from the initial meeting with the Planning Board including traffic flow within the site, pedestrian access from the rear parking to the front, the driveway between Buffalo Pharmacy and the new plaza and the loss of greenspace that creates and truck access to the dumpsters and for deliveries.

Mr. Bevilacqua said they revised the plan by adding a sidewalk to increase pedestrian access along the southerly side of the building and aligned the sidewalks between the plaza and the pharmacy. They improved the circulation of the plaza. He has no tenants at this time. There will likely be a restaurant.

Supervisor Casilio said he is asking because of hours of operation and if it is coffee, would they be operating 24 hours a day.

Mr. Bevilacqua said currently there is not much greenspace. They will be adding landscaping to meet the Town requirements. There would be interconnection to the adjacent site.

Supervisor Casilio said there is no reason to set a public hearing at this time. He believes the referral will be made to the Planning Board.

Councilman Shear said the drawing shows 8 or 9 cars stacking for the drive-thru. He assumes if it is a restaurant, it will be on the north side of the plaza.

Mr. Bevilacqua said it could be for a bank or a restaurant.

Councilman Shear said it makes a difference in how much is required for a stacking lane.

James Callahan said the Town Board approves a Special Exception Use Permit and the site plan is approved by the Planning Board. It will have to come back.

Mr. Bevilacqua said they have extensive room for stacking. They would be willing to work with NOCO also. There is now more room for trucks.

Councilman Shear said he believes that this is a lot of building on a small site.

Supervisor Casilio said it has to meet the codes. He added that there will not be a Special Exception Use Permit without an identified tenant.

Councilman Geiger said he would like them to look at parking in the back and crossing in the traffic.

Mr. Bevilacqua said they have an almost identical site plan down the street and this site has better access and turnaround. They have not had any issues at the other location.

Motion by Councilman Shear, seconded by Councilman Geiger to refer the request of the applicant, Bevilacqua Development, for concept approval for the construction of a new commercial plaza with a drive-thru at 6031 Transit Road to the Planning Board. On the question, Supervisor Casilio added Councilman Geiger's comment concerning the back parking lot and people crossing over. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Greene to approve the following: Clubhouse Applications - A. Congressman Chris Collins – June 11, 2016; B. Garden Friends of Clarence – Dec. 7, 2016 and Legion Hall Application - A. Elizabeth Traquair – May 22 & Nov. 27, 2016. Upon roll call – Ayes: All; Noes: None. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Geiger that after proper audit and review by the Town Board, the following bills of April 21, 2016 are approved for payment: General Fund - \$120,082.85; Highway Fund - \$23,110.22; Water District - \$1,333.29; Drainage District - \$27,494.00; Sewer Districts - \$224.35; Capital Fund – \$38,704.47; and Trust & Agency 203 - \$1,650.00 for a total amount of \$212,599.18. Upon roll call – Ayes: All; Noes: None. Motion carried.

Councilman DiCostanzo announced the winner of the fishing derby was William Baehre who caught 22 fish. The biggest fish caught was over 10 inches.

Councilman DiCostanzo said he and Councilman Shear met with Boy Scout Troop 664. It was a very good session and they had some tuff questions for them.

There being no further business, Supervisor Casilio adjourned the regular meeting at 8:30 p.m. The Town Board reconvened to the work session opened prior to this meeting.

Nancy C. Metzger
Town Clerk