

A Work Session of the Town Board of the Town of Clarence was held on Wednesday, July 13, 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, and J. Paul Shear. Councilman Greene was absent. 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, Senior Building Inspector David Metzger, Director of Administration and Finance Pamela CuvIELLO and Planning Board Chairman Robert Sackett.

Director of Community Development – James Callahan

Public Hearing:

The Oak Stave 5989 Transit Road

A Public Hearing is scheduled to consider a Temporary Conditional Permit for outside dining at The Oak Stave 5989 Transit Road located on the southeast corner of Transit and Clarence Center Road at existing retail plaza with restaurant/bar located in the Commercial Zone. Applicant is requesting nine tables and 36 seats along with permission for background music. Hours of operation and the use of background music are items that will be addressed.

Formal Agenda Items:

Renewal of Temporary Conditional Permits

No documented complaints are identified for the Temporary Conditional Permits up for renewal other than the four listed below. The Town Board may set a public hearing to consider the renewal of up to five years on these permits.

➤ United Four Wheel Drive 10187 Main Street

This TCP was originally approved in 1991 after a request for a Special Exception Use Permit was not granted. Subsequent renewals have extended the operation. The name of the business is now United Demolition and Excavating LLC. No detailed conditions were identified in the original Temporary Conditional Permit however the property contains numerous pole barns and has vehicles stored in the yard area. RJ's Automotive (a separate TCP) also operates at this location. The business is located on the south side of Main Street west of Shisler Road in the Clarence Hollow Traditional Neighborhood District. Operation of a heavy equipment storage/excavation business is not in keeping with the long term goals of the Clarence Hollow TND. There are two operations going on in this area and a new landlord. The owner of United Four Wheel Drive is also living in a recreation vehicle on the premises.

➤ Louie's Car Clinic 9385 Main Street

Existing automotive repair facility that originally received a Special Exception Use Permit for automotive repair in 1997 after several years of operating under a Temporary Conditional Permit. In 2007 the Town Board issued a Temporary Conditional Permit on top of the existing Special Exception Use Permit to allow for the display and sale of six vehicles in the front of the shop. The applicant is requesting a renewal to continue for the display and sale of vehicles. The Town Board may consider renewal of Temporary Conditional Permits for up to five years. This business is located on the south side of Main Street between Goodrich and Thompson Road in a commercial classification. The extreme congestion of vehicles on the site and the storage of vehicles behind the fenced yard are issues to be addressed. The Town Board has concerns with the number of vehicles being stored at this location. Supervisor Casilio suggested that the applicant get rid of some of the vehicles being stored in the back of the building and relocate some of the cars in the front of the building to the back.

➤ **George Smilanich Automotive Sales 8575 Roll Road**

Existing commercial building located in the Industrial Business Park Zone. The applicant received a Temporary Conditional Permit for automotive sales in May of 2015. Conditions identified that no more than 3-vehicles were to be displayed for sale. Applicant is requesting a renewal to continue the automotive sales operation. The Town Board may consider renewals for TCP for up to five years. This business is located on the south side of Roll Road, east of Harris Hill Road in an Industrial Zone classification. Numerous complaints have been registered, the applicant is displaying many more than 3-vehicles at any given time which is in violation of the conditions of his permit.

➤ **Michael Shields - Amish Sheds 8570 Main Street**

Existing vacant commercial property located in the Harris Hill Traditional Neighborhood District. The applicant received a Temporary Conditional Permit for sale of Amish goods in November 2014. Conditions of the approval included no more than six items displayed at any given time, setback in line with existing buildings, no lighting, only one sign per TND standards and Landscape Committee approval. This business is located on the north side of Main Street, east of Harris Hill Road in the Traditional Neighborhood District. The Town Board may consider renewals of TCP for up to five years. Numerous complaints have been registered identifying too many objects on display and numerous sign violations. Councilman DiCostanzo stated that when this proposal was first presented to the Board, the applicant agreed to display six items. He has violated the conditions of his permit by displaying many more items including play sets, Adirondack chairs etc.

Work Session items for consideration July 27, 2016:

William Stewart 8953 Gaskin Road

Applicant is proposing to fill and grade an existing vacant area in the residential zone to address existing drainage issues. The proposed site is located on the south side of Gaskin Road, west of The Fairways/Fairway Circle at existing residential property located in the Residential Single Family Zone. Per the Clearing, Filling and Grading Law, the Town Board has final approval authority. This request is subject to Engineering Department review and approval and reclamation of lot to address existing drainage issues.

Wolf's Nursery 8400 County Road

Applicant is seeking a Clearing, Filling and Grading Permit to create a wetland area for offsite wetland impacts (wetland bank). The proposed site is located on the south side of Lapp Road, east of Transit Road on existing vacant land located in the Agriculture Rural Residential Zone. Per the Clearing, Filling and Grading Law, the Town Board has final approval authority. This request is subject to Engineering Department review and approval.

Domenic Piestrak – north side of Roll Road east of Harris Hill Road

Applicant is proposing to extend Harris Hill Road and create a public storage facility. The proposed site is located on the north side of Roll Road east of Harris Hill Road proposed as an extension of Harris Hill Road on existing vacant land located in the Industrial Business Park Zone. Per the Zoning Law, the Town Board has final approval authority for uses in the Industrial Business Park Zone. The proposed use is an allowed use in this zone. Referral to the Planning Board would initiate a formal review of the project.

Planning Board Chairman Robert Sackett noted that often when applicants come before the Planning Board with a new project along Main Street in the TND, the Planning Board will ask the applicant for a landscape plan or request they put a stonewall along the front of their building or they look at the roof line etc. Often times the applicant will say that there is nothing comparable around. The environment you create in the TND you sow.

Director of Administration and Finance – Pamela CuvIELLO

Pam distributed copies of the June 2016 budget monthly report. The Budget vs. Revenue Report shows that we are above budget in the amount of \$412,874 however, there are some large expenditures in August and December (Bond payments). These expenditures will offset these revenues. Budget vs. Actual Expenditures, year to date the variance is only \$3,430. which is above what was expected to be paid.

Highway Fund Revenues are minimal until they get their State Aid (CHIPS money) and snowplow monies (Services from other Government). State Aid does not come in until September. Highway Fund Expenditures are under what they have anticipated to spend by \$85,821.

Councilman DiCostanzo requested that the monthly reports be distributed a week prior to a Town Board meeting so the Board has a chance to dissect and review the report and then be able to ask questions, comment and discuss the budget at the Town Board meeting.

The Labor-Management Healthcare Fund Financial Report for May was distributed. The Town of Clarence is +\$3,625.56. Unfortunately it was not enough to offset the overall deficit that we have from January – May which is -\$27,887.51. Town Attorney Meckler stated that our premiums are locked in until January 2017 if we don't make up the difference in the next six months, we are not responsible for it but the employees will not receive a refund check.

Pam noted that Key Bank bought out First Niagara Bank. Key Bank has never done anything with the municipal market in WNY. Knowing this, Pam was looking for an alternative to put the Towns investments (cash) in that are currently with First Niagara Bank. New York Cooperative Liquid Assets Securities System (NYCLASS) is a short-term, highly liquid investment program designed specifically for public-sector funds that provides the opportunity to invest funds on a cooperative basis in short-term investments which are carefully chosen to yield. Pam said it would be just like having your money in Chase Bank in a Money Market Account except this is money that is pooled by multiple places across WNY and across the state of NY. Pam stated that she is not looking for approval tonight but asked the Town Board to review the information she distributed. Currently the town is getting .10 on our money NYCLASS daily yield is at .30 heading to .35 which is significant. Your money with NYCLASS moves on a daily basis. Supervisor Casilio asked what the risk is. Pam CuvIELLO stated that the risk is no different than with JP Morgan Bank, you don't lose what you put in. Supervisor Casilio reiterated that it is not insured and the town would not lose what they put in. Pam said that was correct. Pam also included a list of people who are invested with program.

Pam CuvIELLO distributed a report on the usage of the Town Pool. Revenue year to date totals \$26,000. The reports are balanced every day before the deposits are made. Before they are posted to the General Ledger, everything balances. Average attendance per day 249, 192 family passes have been sold. Karen Jurek set this program up with Steve Fisher, it is also connected to the photo id program. Karen also had Steve create an insurance program to track all town employees and for billing the retirees for their insurance.

Supervisor Patrick Casilio

- Approve a Special Request – Brothers of Mercy Octoberfest and 5K Run/Walk
- Appoint Motor Equipment Operator in the Highway Department
- Appoint Heavy Motor Equipment Operator in the Highway Department
- Change the Title of Van Driver from RPT to PT
- Appoint van driver RPT for Going Places Van
- Consider Unpaid Leave of Absence for Town Employee
- Change Order – Court and Police Facilities Project

Town Engineer Lavocat stated that the Change Order for the Court and Police Facilities Building in the amount of \$29,716 include additional topsoil excavation, fill placement, compaction and testing at a cost of \$18,578, additional security fencing \$3,869, Erie County Highway Work Permit \$7,269.

Councilman Peter DiCostanzo

Authorize the Supervisor to sign Memorandum of Agreement with White Collar Unit

Parks Crew Chief James Burkard indicated it would cost approximately \$20,000 to convert a tennis court to a pickle ball court. Supervisor Casilio suggested phasing this project in so it is not so much money up front.

Councilman Robert Geiger

- Approve Programs for Clarence Youth Bureau 2016 Summer Series
- Appoint a student member to the Clarence Youth Board
- Special Event Request – Meet in the Center – Community Fall Fest
- Authorize the Youth Bureau to use the Town vehicle assigned to the Assessor’s Office for planned field trips

Councilman Geiger briefly discussed having a drone fly over the Taste of Clarence. Councilman Geiger will obtain more information including permits and insurance to present at the next Town Board meeting.

Councilman Paul Shear

Upon recommendation of the Planning Board, the Town Board seeks Lead Agency status on the proposed Camp-Roll LLC Open Space Design Subdivision. There are many concerns from the surrounding neighbors. Town Engineer Lavocat will be meeting with several Thompson Road residents next Tuesday.

Several applicants have been interviewed for the alternate position on the Planning Board. An applicant has interviewed for the alternate position on the Zoning Board of Appeals as well.

Animal Control has trapped several skunks in Clarence Center.

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo to enter into Executive Session under §105 (1) F employment history of an individual and § 105(1) D current litigation. Upon roll call – Ayes: All; Noes: None. Motion carried.

There being no further business, the Work Session adjourned at 6:58 PM.

Darcy A. Snyder
Deputy Town Clerk

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo to adjourn the Executive Session at 7:05 PM. Upon roll call – Ayes: All; Noes: None. Motion carried. No action taken.

Regular meeting of the Town Board of the Town of Clarence was held on Wednesday, July 13, 2016 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 7:08 p.m. Pledge to the flag was led by Councilman Paul Shear, followed by a prayer given by Councilman Geiger.

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

Motion by Councilman DiCostanzo, seconded by Councilman Shear to accept the minutes of the work session and regular meetings held June 22, 2016 with an amendment on page 187 to correct the beginning of the last paragraph to read: "A Public Hearing was held to consider.... "Imposing a Temporary Moratorium, for a period not to exceed Two Hundred Forty (240) Days, on Automotive Uses along Main Street from Westwood Road to Davison Road within the Commercial and Traditional Neighborhood Districts in the Town of Clarence." Upon roll call – Ayes: All; Noes: None. Absent: Councilman Christopher Greene. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Geiger to approve the following special event:

Brothers of Mercy Oktoberfest and 5-K Nature Run/Walk.

To be held on Friday, September 9, 2016 from 5:30 p.m. to 10:00 p.m. at 4520 Ransom Road (Run/Walk will begin at 6:30 p.m.).

Number of People Expected: approximately 600+/-

On the question, Supervisor Casilio said the route for 5-K run is as per the submitted map. Certificate of Insurance on file for the Town. All the appropriate authorities will be notified. The applicant will obtain any permits they may need from Erie County and New York State for use of their highways, if applicable.

Upon roll call – Ayes: All; Noes: None. Absent: Councilman Christopher Greene. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Geiger that upon the recommendation of Highway Superintendent James Dussing, Daniel Sutton and Raymond Valentine be appointed to the position of Motor Equipment Operator for the Highway Department effective July 16, 2016 at step one of the Blue Collar Union Contract for the MEO position. On the question, Supervisor Casilio said these are promotional appointments. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Christopher Greene. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo that upon the recommendation of Highway Superintendent James Dussing, Gary Smith and Lyle Judd be appointed to the position of Heavy Motor Equipment Operator for the Highway Department effective July 16, 2016 at step 2 of Blue Collar Union Contract for the Heavy Motor Equipment Operator position. On the question, Supervisor Casilio said these are promotional appointments. He added that we have had people retire and move to another department, so these employees are being promoted to the positions. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Christopher Greene. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Shear to change the title of Douglas Mutton as Van Driver RPT to Van Driver PT for the Going Places Van effective July 18, 2016. On the question, Supervisor Casilio said Mr. Mutton would like to be the fill-in Van Driver instead of the regular driver. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Christopher Greene. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Geiger to appoint Jennifer Burl as Van Driver RPT for the Going Places Van at the budgeted rate of \$12.6715/hr. effective July 18, 2016, subject to receipt of all pre-employment paperwork and pre-employment requirements being met. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Christopher Greene. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Shear to grant an unpaid leave of absence to Karen Smith from her position as Senior Clerk Typist in the Engineering Department from July 14, 2016 to and including August 9, 2016.

On the question, Supervisor Casilio said the granting of this request is due to extreme, extenuating circumstances for Ms. Smith and is subject to the provisions of Article 24 – sections 1 through 6 of the Town of Clarence White Collar Unit Contract. Any future requests by Ms. Smith or other persons in the future will be taken on a case-by-case basis at the discretion of the Town Board. The Town Board is not creating a precedence setting policy by granting this request.

Upon roll call – Ayes: All; Noes: None. Absent: Councilman Christopher Greene. Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Geiger to approve Change Order No. G001 to the Contract between the Town of Clarence and Building Innovation Group, LLC for the Town of Clarence Court and Police Project in the amount of \$29,716.

On the question, Supervisor Casilio said this Change Order includes the following: 1. Additional topsoil excavation, associated fill replacement, compaction and testing at a cost of \$18,578; 2. Additional construction security fencing at a cost of \$3,869; and 3. Additional items required under the Erie County Highway Work Permit at a cost of \$7,269. To be paid from Capital Project 1502.

Upon roll call – Ayes: All; Noes: None. Absent: Councilman Christopher Greene. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to authorize the Supervisor, Patrick Casilio, to sign the Memorandum of Understanding between the Town of Clarence and the White Collar Unit modifying the language of Article 6, Section 6.3 to provide clerical coverage in the Building and Engineering Department from the hours of 7:00 a.m. until 3:30 p.m. Monday through Friday. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Christopher Greene. Motion carried.

Motion by Councilman Geiger, seconded by Councilman Shear to approve the following programs for the Clarence Youth Bureau 2016 Summer Series:

Just for Little Girls Movie Sleepover for girls in grades K-2 to be held at the Youth Bureau on Friday, July 8th from 7:00 p.m. to Saturday, July 9th to 8:30 a.m.

Just for Girls Movie Sleepover for girls in grades 3-6 to be held at the Youth Bureau on Friday, July 29th from 7:00 p.m. to Saturday, July 30th to 8:30 a.m.

Family Camp-out in Meadowlakes Park on Friday, August 20th, 6:30 p.m. to Saturday, August 21st, 8:20 a.m.

Two Youth Bureau staff members will be present at these programs. Parent permission is required and emergency contact information is provided for each child participating.

Upon roll call – Ayes: All; Noes: None. Absent: Councilman Christopher Greene. Motion carried.

Motion by Councilman Geiger, seconded by Councilman Shear that upon the recommendation of the Clarence Youth Board and the Clarence Youth Bureau, to appoint Dominic Mariano as a student member of the Clarence Youth Board for a one year term beginning July 1, 2016 and ending June 30, 2017. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Christopher Greene. Motion carried.

Motion by Councilman Geiger, seconded by Councilman Shear to approve the following special event:

Meet In the Center “COMMUNITY FALL FEST”.

Date: Friday, September 23, 2016

Event Hours are from 5:30 p.m. until 9:00 p.m.

Number of People Expected: approximately 1,000+/-.

On the question, Councilman Geiger said that Goodrich Road from Clarence Center to Maple Street will be closed from 3:30 p.m. until 11:00 p.m. for the event. Railroad Street is to be posted on one side with “No Parking” signs. Approval is subject to receipt of the required Certificate of Insurance from the applicant naming the Town as an additional insured. All the appropriate agencies will be notified.

Supervisor Casilio added that this is a nice event to try and make.

Upon roll call – Ayes: All; Noes: None. Absent: Councilman Christopher Greene. Motion carried.

Motion by Councilman Geiger, seconded by Councilman Shear to authorize the Youth Bureau to use the Town vehicle assigned to the Assessor’s Office for planned field trips on the following dates: July 14th from 11-3:30; July 19th 9:30-4:00; July 28th 8:30-2:00, and August 24th 8:00-2:00. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Christopher Greene. Motion carried.

Councilman Geiger said they celebrated the installation of the new bike rack at the Farmer’s Market donated by the Clarence Rotary. The Gsell and Elber’s families, owners of the property were a big help. The Hollow Association donated a bike station with an air pump and some tools.

Motion by Councilman Shear, seconded by Councilman DiCostanzo that pursuant to Article 8 of the Environmental Conservation Law and upon the recommendation of the Planning Board, the Clarence Town Board seeks Lead Agency status and commences a coordinated review among involved agencies on the proposed Camp-Roll LLC Open Space Design Subdivision. This Type I Action involves the development of a 40+/- lot single family housing project on 31.45 +/- acres located on the north side of Roll Road west of Martha’s Vineyard in the Residential Single Family Zone. On the question, Supervisor Casilio said this is a ministerial part of the process. This project has a long way to go through review. Councilman Shear added that they received a lot of comments from the public at the initial review by the Planning Board. All of those items will be looked at in great detail. Upon roll call – Ayes: All; Noes: None. Absent: Councilman Christopher Greene. Motion carried.

A Public Hearing was held to consider the request for a Temporary Conditional Permit for outside dining at The Oak Stave, 5989 Transit Road. James Callahan said the location is at the southeast corner of Transit Road and Clarence Center Road in the Commercial Zone.

Speaking to the subject:

Anthony Insinna said they would like to have seating for 39 people under a canopy. The railings between the posts will be installed this week with one gate for emergency access. They are hoping to be open to the public August 19th.

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

Motion by Councilman Geiger, seconded by Councilman Shear to adopt the following resolution:

RESOLVED, that after a public hearing duly held on July 13, 2016, and after all interested parties being heard, the Clarence Town Board grants a Temporary Conditional Permit to the applicant, The Oak Stave, for outside dining for the new restaurant currently under construction at 5989 Transit Road, subject to the following conditions:

1. The Temporary Conditional Permit is granted for one year.
2. Hours of operation: Monday through Thursday 11:00 a.m. to 11:00 p.m., Friday and Saturday 11:00 a.m. to 1:00 a.m. and Sunday 10:00 a.m. to 11 p.m.
3. Outdoor seating not to exceed 9 tables and 36 seats.
4. No live entertainment permitted.

Upon roll call - Ayes: All; Noes: None. Absent: Councilman Christopher Greene. Motion carried.

James Callahan said the request is to set a Public Hearing to consider renewal of existing Temporary Conditional Permits as listed in item 12. a-u on the agenda. They all have requested renewal. There are no documented complaints on any use listed.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to set a Public Hearing for August 10, 2016 at 7:15 p.m. to consider the renewal of the existing Temporary Conditional Permit Renewals for items a. through u. as listed below:

- a. Top Notch Automotive, 8355 Goodrich Road
- b. Hoover Automotive, 8417 Transit Road
- c. RJ's Automotive, 10187 Main Street
- d. Ralph Graf Automotive, 9460 Tonawanda Creek Road
- e. Neiman Automotive, 8400 County Road
- f. Carson Automotive, 10589 Main Street
- g. Clarence Pizza Company Outside Dining, 6235 Goodrich Road
- h. Emily's Family Diner Outside Dining, 9980 Main Street
- i. Murphy Browns Outside Dining, 9500 Main Street
- j. Penny Lane Café Outside Dining, 10255 Main Street
- k. Niagara Truck Equipment Outside Display, 8033 Transit Road
- l. Calarco Landscaping, 8558 Stahley Road
- m. Bakowski Landscaping, 5640 Davison Road
- n. Gallagher Landscaping, 9780 Lapp Road
- o. Zbrezny Landscaping, 4951 Kraus Road
- p. Hewson Tree Trimming, 9000 Lapp Road
- q. Bronicz Wood Cutting, 4611 Shisler Road
- r. GCR Landscaping, 5750 Shimerville Road
- s. Burghardt Landscaping, 8694 Lapp Road
- t. Strickland Welding/Fabricating, 5880 Salt Road
- u. Seitz Paving, 8346 County Road

Upon roll call - Ayes: All; Noes: None. Absent: Councilman Christopher Greene. Motion carried.

Temporary Conditional Permit Applicants – To present details of their requests for renewal. James Callahan said the applicants were requested to attend due to concerns with the conditions of their current permits.

a. United Four Wheel Drive Excavating, 10187 Main Street – not present, no action.

b. Louie's Car Clinic, 9385 Main Street – James Callahan said the location is the south side of Main Street between Goodrich Road and Thompson Road. The current permit allowed for the display of six vehicles for sale.

Joe Urbino was present.

Supervisor Casilio said he was given a permit for six cars and there are about 20 with “for sale” tags.

Mr. Urbino said he is in and out quite often and has 5 employees. Things have gotten a little out of hand. Some of the vehicles should not have tags on them. This weekend he is having the lot sealed and marked for six spots. He has a huge service business and works for many dealers in the area. He also has a shop in Akron and will be moving some vehicles out there. Most of the vehicles in the back need to be worked on and sold. The confusion in the front is also because of the service portion of the business. He gets 8 to 12 service appointments per day.

Supervisor Casilio said he is glad that he has a successful business, but there is a study going on to determine how we can improve Main Street. It is not our job to manage your property, but there are a lot of trucks without plates taking up space. It might help to move the repair business to the side of the building.

Mr. Urbino said he takes full responsibility. He has no place else to park because there are too many on the property. They are so busy that it just takes time to get to them all in a timely manner. He loves being in Clarence and the only complaint he gets is there is nowhere to park. He is aware that he needs to tighten his ship.

Supervisor Casilio said he is here for the cars for display. It seems if he could get things straightened out in the back, the display area would be less congested.

Mr. Urbino said on Friday the lot will be sealed and painted for six boxes for display. They will be the only ones with tags on them.

Supervisor Casilio said he hopes we can work this out. He does not want to see another ten cars alongside the six that are unlicensed vehicles just being stored. They should be behind the fence. This renewal is for the six for sale.

Mr. Urbino said he is constantly moving cars around to work on. He does have a lot that still need work. He will do his best to make changes.

Supervisor Casilio said we will see where you are in two weeks. Mr. Callahan will contact him.

c. Smilanich Automotive, 8575 Roll Road. James Callahan said the location is the south side of Roll Road east of Harris Hill Road in the Industrial Business Park Zone. The existing permit was for display of no more than three vehicles for sale at any time. Complaints have been received.

George Smilanich said his business grew more than anticipated.

Councilman DiCostanzo said it was supposed to be classic cars and all inside. We were told you needed the three spots to get the license and now there is everything out there.

Mr. Smilanich said the loader is not his and the landlord asked him to park his trailers on the side because people were dumping there. There are also five employee cars.

Supervisor Casilio said when there is an operation that big, there are conditions that involve landscaping and building improvements.

Mr. Smilanich said he would like the opportunity to correct it.

Supervisor Casilio said if the Planning Department deems that the proper changes were done, we will discuss it in two weeks. This has been going on for some time and nothing was done.

d. Amish Sheds, 8574 Main Street. James Callahan said the location is the north side of Main Street east of Harris Hill Road. The current permit includes no more than six items displayed behind the setback line. More than six items have been sited.

Lou Visone and Michael Shields were present. Lou Visone said they received permission to display sheds and Mr. Shields did not think there would be a problem if he added lawn furniture that he sells from the shop he rents in the plaza. He does not think that it is that much out of character to what he was doing. He asked if this is an issue of people complaining.

Supervisor Casilio said it is an issue of what they said they were going to do and what is being done.

Councilman DiCostanzo said that is his biggest issue with any of these. People come in and agree to conditions set forth and then do not abide by them. There was not supposed to be anything in front of the setback and then signs popped up.

Mr. Visone said he is trying to afford the man a place to do business. He did not think the items of lawn chairs would be an issue.

Michael Shields said when he came to the Town before he had no intention of opening a store.

Councilman DiCostanzo said we are trying to improve the look of Main Street. Across the street the one tenant is spending a lot of money to fix it up and another almost looks like a garage sale.

David Visone said if he has to move out, there will be another vacancy. His business has grown substantially in the last year and would like to stay in the Town of Clarence.

Supervisor Casilio said he did receive complaints about the furniture on the plaza sidewalks there and across the street.

Lou Visone asked where the number six came from.

Councilman DiCostanzo said maybe there were six different styles and that is why they asked for six at that time.

Lou Visone asked if he could put the furniture inside the sheds.

The setback is in line with the buildings on either side.

Supervisor Casilio said we did not discuss the buggy last year either. If the Planning Department is satisfied that it is cleaned up in two weeks, they can come back on the agenda.

Lou Visone said he is a good tenant and we do not want to lose him.

Motion by Councilman DiCostanzo, seconded by Councilman Geiger to approve the following: Clubhouse Applications - A. Day in the Park Committee – July 26, 2016; B. Jim Schlabach – Dec. 2, 2016; C. Robert Lenz – March 18 & 19, 2017; D. Clarence Farmers Market – April 11, 2017; 2017 Monthly Meetings; E. Clarence Kiwanis – April 15, 2017; F. American Legion – May 29, Nov. 11 & Dec. 13, 2017; G. Clarence Book Review Club – 2017 Monthly Meetings; H. Clarence Concert Association – 2017 Monthly Meetings; July 9, 16, 23 & 30 and Aug. 6, 2017; Legion Hall Applications - A. Sue Freeman – Aug. 14, 2016; B. Girl Scout Troop

586 – 2017 Monthly Meetings; C. Clarence Mustangs Hockey – 2017 Monthly Meetings; D. Swallow Creek Homeowners Association – 2017 Meetings; E. American Legion – May 28 & 29, June 11 and 2017 Monthly Meetings; and Nature Center Lodge - A. Clarence Senior Center. Upon roll call - Ayes: All; Noes: None. Absent: Councilman Christopher Greene. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Geiger that after proper audit and review by the Town Board, the following bills of June 30, 2016 are approved for payment: General Fund - \$196,486.92; Highway Fund - \$118,903.08; Water District - \$1,333.29; Fire Protection Districts - \$103.08; Drainage District - \$7,057.40; Sewer Districts - \$17,581.03; Capital Fund - \$12,000.00; Aquatic Growth District - \$500.00; Trust & Agency 203 – \$26,565.00; and Trust & Agency 202 - \$52,197.30 for a total amount of \$432,727.10. Upon roll call - Ayes: All; Noes: None. Absent: Councilman Christopher Greene. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Shear that after proper audit and review by the Town Board, the following bills of July 14, 2016 are approved for payment: General Fund - \$154,526.21; Highway Fund – \$51,374.39; Drainage District - \$1,870.25; Lighting Districts - \$579.67; Capital Fund - \$52,137.30; and Trust & Agency 203 - \$157.34 for a total amount of \$260,645.16. Upon roll call - Ayes: All; Noes: None. Absent: Councilman Christopher Greene. Motion carried.

“For the Good of the Town”

Councilman DiCostanzo said some may think we are being hard on people, but the Board take the appearance of the Town seriously.

Supervisor Casilio said our employees spend hours with some applicants to try to get them to do what they said they would do. They are either ignored or the site is cleaned up for a short time and then back to what it was again.

There being no further business, Supervisor Casilio adjourned the meeting at 8:07 p.m.

Nancy C. Metzger
Town Clerk