

A Work Session of the Town Board of the Town of Clarence was held on Wednesday, July 9, 2014, at Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor David Hartzell called the meeting to order at 6:00 P.M. Members of the Town Board present were Councilmember's Patrick Casilio, Peter DiCostanzo and Robert Geiger. Councilman Kolber was absent. Other Town Officials present were Director of Community Development James Callahan, Junior Planner Jonathan Bleuer, Town Attorney Lawrence Meckler, Town Engineer Timothy Lavocat, Senior Building Inspector David Metzger, Planning Board Chairman Robert Sackett, Deputy Town Attorney Steven Bengart, Confidential Secretary to the Supervisor Karen Jurek, Director of Administration and Finance Pamela CuvIELLO and Highway Superintendent James Dussing.

### **Director of Community Development – James Callahan**

#### ***Public Hearing:***

Acquisition of .97 acre parcel at 6170 Heise Road

The town is considering acquiring the property at 6170 Heise Road to support the recreational trail use adjoining the property. The proposed site is located on the west side of Heise Road and the north side of Clarence Center Road on existing vacant land located in the Residential Single Family Zone.

#### ***Formal Agenda items:***

Douglas McCall 10360 Main Street

Applicant is proposing to display and sell vehicles at existing residential property located on the north side of Main Street, west of Hillcrest in the Clarence Hollow TND. Per the Zoning Law, the Town Board may consider the use with a Temporary Conditional Permit. Display area location and operational details will have to be addressed. A Public Hearing is required to consider the request.

Rock the Barn 9015 Main Street

Applicant requests a Special Event Permit for their annual music festival to be held July 18 and 19, 2014 at 9015 Main Street – proceeds to benefit Meal on Wheels. The venue is located on the south side of Main Street, east of Shimerville Road on existing vacant land located in the Commercial and Restricted Business Zone. Per the Special Event Law, the Town Board has final approval authority for town wide special events. Applicant is coordinating all security and logistical issues.

### **Supervisor David Hartzell**

- Set a bid date for August 1, 2014 at 10AM for the purchase of (1) 2015 Rear Wheel Drive 12 passenger van
- Set a bid date for the purchase of (2) 2015 Four door, Four Wheel Drive Sport Utility vehicles

### **Councilman Patrick Casilio**

- Approve request by Clarence Center VFC for their annual Labor Day Parade on September 1, 2014
- Authorize NYSEG to activate three street lights in Hidden Pond Phase II, Part IV on Meadowglen Drive and Glen Iris Drive
- Authorize payment to Town of Amherst for flood gauge metering of Tonawanda Creek at Rapids Road

- Post the position of Engineer Aide for the Engineering Department
- Authorize Supervisor Hartzell to sign Utility Work Agreement with NYSDOT for relocation of one street light on Transit Road

Councilman Casilio is investigating the placement of street lights on Shimerville Road between Jessica Place and Clarence Center Road at the Rubino development. The Town Board approved the development however did not address the street lights. The neighborhood association is requesting the lights for safety reasons especially riding from Shimerville Road to the bike path.

Town Security is up and running and all the logistics have been worked out.

#### **Councilman Peter DiCostanzo**

- Declare a 1995 Ford pickup, 1999 Van and 1999 Ford pickup as surplus in the Parks Department

The Ethics Board cancelled their July meeting. Councilman DiCostanzo and Town Attorney Meckler will meet with the Ethic's Board next month to discuss the proposed changes to the Ethic's Code.

Councilman DiCostanzo spoke to a resident requesting Pickleball courts. It is a popular sport and is described as a cross between ping pong and tennis. Four Pickleball courts could fit on one tennis court. The request came in for a Pickleball court or converting one of the town tennis courts to a Pickleball Court. Councilman DiCostanzo will meet with Parks and Recreation to see if the courts at Parker Park can be converted.

Councilman DiCostanzo has one Executive Session item regarding a potential land purchase.

#### **Councilman Robert Geiger**

- Post the position of Youth Activities Leader PT-Seasonal for the Youth Bureau at the rate of \$9.59 per hour

Historic Preservation Committee member Carol Conwall has scheduled a meeting for July 24<sup>th</sup> at the Clubhouse to discuss the Lapp-Regel barn on Greiner Road.

#### **Town Attorney Lawrence Meckler**

Town Attorney Meckler has one item to discuss in Executive Session regarding personnel.

Town Attorney Meckler has some concerns about establishing a Pickleball Court. He is concerned that if it loses its popularity, the town will have to expend money to turn the courts back to tennis courts.

#### **Town Engineer Tim Lavocat**

The Main Street sidewalk project is a Federal project paid with Federal funds. The administrative portion is intense. The Town Board must establish a three member committee for the consultant selection. The NYS DOT recommends the committee be made up of a Project Manager (Town Engineer Lavocat), the department liaison (Councilman Casilio) and a member of the Legal Department (Lawrence Meckler). Mr. Lavocat is hoping to have a consultant hired by September or October to get the project design to state standards and bid the project in June or July 2015.

**Update on Comptrollers Audit Recommendations:**

Highway Superintendent James Dussing

Director of Administration and Finance Pamela Cuvillo

Audit Recommendation: *The Parks Crew Chief should consider contacting the Erie County Department of Weights and Measures and request a calibration test of the fuel pump meters to ensure their accuracy.* Supervisor Hartzell talked to EC Department of Weights and Measures today and they will come out and perform a calibration test of the fuel pump meters at no cost to the town. Highway Superintendent Dussing suggest they check the meters at the Highway Department as well.

Audit Recommendation: *The Parks Crew Chief should require parks employees dispensing fuel to document each transaction in a log. The Parks Crew Chief should regularly compare documented amounts to the master meter readings to ensure fuel dispensed according to the log agrees with meter readings.* Councilman Casilio stated that he would like to see what the Parks Department is doing about this since they are keeping the fuel key system. He would also like to see how they are monitoring tank levels for any abnormalities or unusual trends in usage. Councilman Casilio further stated that Parks Employees are supposed to record their mileage every time they fill up their vehicle, he would like to see these reports.

Audit Recommendation: *Highway Department officials should adjust the fuel monitoring system specifications to require that a valid odometer reading is entered before fueling is allowed.* The Highway Department continues to work with its fuel system software vendor to ensure these procedures are put in place and will be implementing a system upgrade as part of this process. The Highway Department is working with S&W Services to get the program to not allow incorrect mileage be put in at the time of fueling. Highway Superintendent Dussing stated that he has contracted with a vendor to update the system which will also include training.

Audit Recommendation: *Highway Department officials should identify the vehicles associated with the 12 unidentified fuel keys.* The unidentified fuel keys have since been matched to their corresponding vehicles, this must be kept updated on an ongoing basis as there appears to be a switching of keys occurring. To help prevent this going forward, the Highway Superintendent is looking into a more permanent way to affix a number to each fuel key.

Highway Superintendent Dussing is waiting for the Town Board to approve the purchase of cameras for the fuel pumping station and the Engineering/Building Department. Supervisor Hartzell suggested getting the cameras installed, Parks Department presently has cameras. The money could come from Building/Engineering and Highway Department budgets. Councilman Casilio suggested checking on the internet capability from the quotes that were received.

Audit Recommendation: *The Board should evaluate the 10 highway heavy equipment vehicles that reflected no fuel usage in 2013 to determine if they are necessary for highway department operations.* The Highway Department maintains two trucks with 90-gallon tanks bolted to them; any vehicle or equipment fueled by these tanks would not be reflected on the fuel usage reports. A log book is being created to document fuel usage on these vehicles going forward. A 1983 BOMAG roller is being traded in 2014 as it is no longer in use. The 2007 International 7600 SFA is a plow truck and was not

used significantly during the months selected for testing (January – August 2013) and therefore no fuel usage was necessary. In addition, the 1989 International packer and 1994 Crane carrier packer are used in the fall for leaf pickup and were not in service during the selected months. The 1989 Ford garbage truck is no longer in use but is being kept for spare parts. Vehicle keys for all vehicles no longer in service as well as vehicle keys for those vehicles who fuel almost exclusively for the 90-gallon tanks are being removed and deactivated. Councilman Casilio did not want to see the fire companies fueling up at the highway fuel station other fire departments fuel up elsewhere. It is an added responsibility/liability for the town having non-employees opening the gate or getting hurt on town property. Highway Superintendent Dussing stated that the fire company gets billed for the fuel they use.

*Audit Recommendation: Town officials should combine the fuel needs of the Highway and Parks Departments and purchase all fuel from the vendor providing the best total price. At the present time, although the departments are using two different vendors, they are receiving fuel at the State contract price from each vendor. In the future the departments will consider purchasing all fuel from one vendor. Highway Superintendent Dussing felt that the State has much bigger buying power than the Town of Clarence. He could go through the motions of going out to bid but Highway Superintendent Dussing did not feel he could get a better price than off of State contract price.*

### **Vehicle Fleet Management**

*Audit Recommendation: The Board should establish a comprehensive vehicle fleet policy. The Highway Superintendent is in the process of reviewing and updating the Town's previous fleet policy in coordination with recommendations of Town Council and inquiring of other similar-sized towns as to the policies they have in place. Lumsden is currently looking into leasing vs. purchasing of vehicles. Supervisor Hartzell stated that it would be interesting to see if it is possible to lease fire engines vs. buying them. Supervisor Hartzell suggested the town consider this.*

*Audit Recommendation: The Board should ensure that a needs assessment is prepared for its consideration prior to authorizing the purchase of vehicles or equipment. These procedures will be put in place as part of the Town's comprehensive vehicle fleet policy.*

*Audit Recommendation: The Board should examine other alternatives to reducing the fleet, such as sharing vehicles between departments or reimbursing employees for business use of their personal vehicles. The Board is actively reviewing its current fleet and will reduce the number of vehicles once it is determined whether it is reasonable to do so.*

*Audit Recommendation: The Board should revisit the number of vehicles designated as "take home" vehicles to ensure that there is an identifiable benefit to the Town. The Board is actively reviewing the allowed "take home" vehicles and will adjust its policy as necessary based on the outcome of this review. Lumsden review will help with this decision.*

Councilman Casilio requested that Highway Superintendent Dussing look into GPS for all town vehicles. If the Town Board is responsible for their use, they should know where the vehicles are at all times.

Highway Superintendent Dussing stated that historically the Highway Superintendent has always purchased and maintained town vehicles he did not feel it was up to him to delegate who gets to take a vehicle home. The policy must come from the Town Board.

Councilman Casilio stated that a policy exists however it has to be cleaned up. The identification of vehicles is not consistent within the town. Only town employees ride in town vehicles. The policy has to be cleaned up so everyone is on the same page. Councilman DiCostanzo suggested Highway Superintendent Dussing and Pam Cuviallo make their recommendations to the Town Board and the Town Board will make any modifications.

Councilman DiCostanzo further stated that employees that are taking town vehicles home are receiving a benefit and it has to show up on their W2 forms. Karen Jurek stated she is not sure we are coding the mileage properly, this has to be looked at as well. Councilman Casilio did not feel it was being done correctly either. Lumsden said it was not being coded right on payroll. Karen Jurek stated that she needs this corrected before January.

Motion by Councilman DiCostanzo, seconded by Councilman Geiger to enter into Executive Session pursuant to §105(1) F of the Open Meetings Law to discuss the employment history of a particular person; § 105(1) H the proposed acquisition of real property but only when publicity would substantially affect the value thereof. On the question, Director of Community Development James Callahan, Deputy Town Attorney Steven Bengart and Highway Superintendent James Dussing, Confidential Secretary to the Supervisor Karen Jurek and Deputy Town Clerk Darcy Snyder were asked to remain in the meeting. Upon roll call – Ayes: Councilman Geiger, Councilman DiCostanzo, Councilman Casilio, Supervisor Hartzell; Noes: None. Absent: Councilman Kolber. Motion carried.

There being no further business, the Work Session adjourned at 6:57PM.

Darcy A. Snyder  
Deputy Town Clerk

Motion by Councilman Casilio, seconded by Councilman Geiger to adjourn the Executive Session at 7:25 PM.

**Actions Taken:** Approve unpaid sick leave to Highway Department employee Timothy Blakely from July 16<sup>th</sup> until August 17, 2014. On the question, he will also be required to have an evaluation by PERMA before his return to work. Upon roll call – Ayes: Councilman Geiger, Councilman DiCostanzo, Councilman Casilio, Supervisor Hartzell; Noes: None. Absent: Councilman Kolber. Motion carried.

Regular meeting of the Town Board of the Town of Clarence was held on Wednesday, July 9, 2014 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor David Hartzell called the meeting to order at 7:30 p.m. Pledge to the flag was led by Councilman Robert Geiger, followed by music and prayer given by Head Granthi Bhai Joga Singh of the Niagara Frontier Sikh Society. Mrs. Singh and Surinder and Harry Arora were also present.

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

Motion by Councilman Casilio, seconded by Councilman Geiger to accept the minutes of the work session and regular meetings held June 25, 2014. Upon roll call – Ayes: Council Members Geiger, DiCostanzo, Casilio, and Supervisor Hartzell; Noes: None. Absent: Councilman Kolber. Motion carried.

Motion by Supervisor Hartzell, seconded by Councilman Casilio to set a Bid Date for August 1, 2014 at 10:00 a.m. in the Town Clerk's Office for the purchase of 1- 2015 - Rear Wheel Drive, 12 Passenger Van. On the question, Supervisor Hartzell said bid packages will be available at the Highway Department and the Town Clerk's Office. Upon roll call – Ayes: Council Members Geiger, DiCostanzo, Casilio, and Supervisor Hartzell; Noes: None. Absent: Councilman Kolber. Motion carried.

Motion by Supervisor Hartzell, seconded by Councilman Casilio to set a Bid Date for August 1, 2014 at 10:00 a.m. for the purchase of 2 – 2015 Four Door Sport Utility Vehicles. On the question, Supervisor Hartzell said bid packages will be available at the Highway Department and the Town Clerk's Office. Upon roll call – Ayes: Council Members Geiger, DiCostanzo, Casilio, and Supervisor Hartzell; Noes: None. Absent: Councilman Kolber. Motion carried.

Motion by Councilman Casilio, seconded by Councilman Geiger to approve the following special event as requested by the Clarence Center Volunteer Fire Company Benevolent Association, Inc.:

#### **Annual Labor Day Parade:**

Date: September 1, 2014 – Parade will begin at 1:00 p.m. to end at approximately 2:00 p.m. (line up begins at 12:30 p.m.)

Parade Route: *Lineup will begin at 12:30 p.m. in the Pine Breeze subdivision. The parade starts at 1:00 p.m. sharp from the Pine Breeze subdivision travels south on Goodrich Road, east on High Street, south on Elm, and west on Clarence Center Road to the Clarence Center Volunteer Fire Company.*

On the question, Councilman Casilio said all appropriate authorities will be notified. Upon roll call – Ayes: Council Members Geiger, DiCostanzo, Casilio, and Supervisor Hartzell; Noes: None. Absent: Councilman Kolber. Motion carried.

Motion by Councilman Casilio, seconded by Councilman DiCostanzo to authorize NYSEG to activate three (3) street lights in Hidden Pond Phase 2 Part 4 on Meadowglen Drive and Glen Iris Drive per the street light layout plan dated June 23, 2014 upon installation of all standards, fixtures and underground conductors by the developer and final acceptance of same by the Engineering Department. 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 the NYSEG street lighting agreement with the Town of Clarence. Upon roll call – Ayes: Council Members Geiger, DiCostanzo, Casilio, and Supervisor Hartzell; Noes: None. Absent: Councilman Kolber. Motion carried.

Motion by Councilman Casilio, seconded by Councilman Geiger to authorize payment in the amount of \$2,340.00 to the Town of Amherst for Flood Gauge Metering of Tonawanda Creek at Rapids as part of our joint funding agreement with the Town of Amherst.

On the question, Councilman Casilio said the flood gauge at Rapids is monitored remotely in real time by the Engineering Department to determine the flood levels in northern Clarence during flooding events. To be paid from the Joint Drainage Facility Account.

Upon roll call – Ayes: Council Members Geiger, DiCostanzo, Casilio, and Supervisor Hartzell; Noes: None. Absent: Councilman Kolber. Motion carried.

Motion by Councilman Casilio, seconded by Councilman DiCostanzo to post the position of Engineer Aide for the Engineering Department at the rate of pay per the White Collar Contract. Upon roll call – Ayes: Council Members Geiger, DiCostanzo, Casilio, and Supervisor Hartzell; Noes: None. Absent: Councilman Kolber. Motion carried.

Motion by Councilman Casilio, seconded by Councilman DiCostanzo to authorize Supervisor David C. Hartzell to sign and enter into a Utility Work Agreement with New York State Department of Transportation for the relocation of one streetlight luminaire on Transit Road in the Town of Clarence as part of NYSDOT Project No. 5BOW.01 – Bridge Replacement on Transit Road over Gill Creek.

On the question, Councilman Casilio said the relocation of the streetlight luminaire will be done by New York State Electric and Gas at no cost to the Town of Clarence.

Upon roll call – Ayes: Council Members Geiger, DiCostanzo, Casilio, and Supervisor Hartzell; Noes: None. Absent: Councilman Kolber. Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Casilio to declare the following equipment from the Parks Department as surplus, which will go to auction on July 26, 2014: 1-1995 Ford F350 4x4; VIN No. - 2FTHF36F5SCA30332; 1-1999 Van 4x2 E250; VIN No. - 1FTPE2428XHB62025; 1-1999 Ford F-250 4x4; V10 – VIN No. - 1FTNF21S9XEE27450. Upon roll call – Ayes: Council Members Geiger, DiCostanzo, Casilio, and Supervisor Hartzell; Noes: None. Absent: Councilman Kolber. Motion carried.

Councilman DiCostanzo said they just spent some time in the work session further discussing the New York State Comptroller's recommendations regarding vehicle usage and fuel. We are working toward implementing some of their recommendations.

Councilman DiCostanzo said they have discussed a possible pickleball court to be set up in the Town. It is a cross between tennis and ping pong and played on a much smaller court than tennis. It has become very popular and they hope to use a tennis court that is not used very often or a piece of pavement to set it up on.

Motion by Councilman Geiger, seconded by Councilman DiCostanzo to post the position of Youth Activities Leader PT-Seasonal for the Youth Bureau at the rate of \$9.59 per hour. Upon roll call – Ayes: Council Members Geiger, DiCostanzo, Casilio, and Supervisor Hartzell; Noes: None. Absent: Councilman Kolber. Motion carried.

Councilman Geiger said there is a new group started called the Clarence Heritage Committee that is meeting to discuss ways to preserve the Bishop Lapp farmstead and vista. There are some brochures for anyone who is interested.

A Public Hearing was held to consider the purchase of approximately .97 +/- acres of vacant land located at 6170 Heise Road for an amount not to exceed \$5,000 plus any closing costs and disbursements. Funds to be allocated from the General Fund and/or Recreation Fees. James Callahan said the location is at the intersection of Heise Road and Clarence Center Road consisting of vacant land in the Single Family Residential Zone. The Town has the opportunity to purchase the property to enhance the recreation trail.

Councilman Casilio said it is a good piece of property at a very reasonable price to add to that section of the bike trail.

Supervisor Hartzell said the Town has tried to buy in the past, but it was much more expensive.

Councilman Geiger said he would like to see as much of it as possible to remain green. There was talk about additional parking.

Supervisor Hartzell said he believes most of the trees will remain. They may add two or three spaces for parking.

With no one else speaking to the subject, motion was made by Councilman Casilio, seconded by Councilman DiCostanzo to close the Public Hearing. Upon roll call – Ayes: Council

Members Geiger, DiCostanzo, Casilio, and Supervisor Hartzell; Noes: None. Absent: Councilman Kolber. Motion carried.

Motion by Councilman Casilio, seconded by Councilman Geiger to approve the purchase by the Town of Clarence of approximately .97 +/- acres of vacant land located at 6170 Heise Road, SBL No. 44.13-1-20, for recreation purposes to support the Recreation Trail use adjoining the property for an amount not to exceed \$5,000 plus any closing costs and disbursements. Funds to be allocated from the General Fund and/or Recreation Fees. Upon roll call – Ayes: Council Members Geiger, DiCostanzo, Casilio, and Supervisor Hartzell; Noes: None. Absent: Councilman Kolber. Motion carried.

Councilman Casilio said the family really made a donation by giving it to us for that price. We were trying to buy it for a lot more at one time.

Doug McCall requests a Public Hearing to consider a Temporary Conditional Permit for an automotive sales operation at 10360 Main Street. James Callahan said the location is the north side of Main Street, west of Hillcrest Drive consisting of an existing residential use in the Traditional Neighborhood District.

Doug McCall said he has been selling cars through a dealer located in Buffalo. He cannot continue as he is. His property is commercial and he would like to have two or three cars on site. Mr. McCall said he would also do minor repairs and detailing. He has quite a bit of parking area along the driveway. He originally asked for eight, but he has no problem if it is three.

Councilman Casilio said Mr. McCall owns and lives on the property.

Motion by Councilman Casilio, seconded by Councilman DiCostanzo to set a Public Hearing for August 13, 2014 at 7:45 p.m. to consider the request for a Temporary Conditional Permit for an automotive sales operation at 10360 Main Street. Upon roll call – Ayes: Council Members Geiger, DiCostanzo, Casilio, and Supervisor Hartzell; Noes: None. Absent: Councilman Kolber. Motion carried.

Rock the Barn requests a Special Event Permit for July 18 & 19, 2014 at 9015 Main Street. James Callahan said the location is the south side of Main Street east of Shimerville consisting of vacant property with a large yellow barn in the Restricted Business Zone. The applicant is proposing to hold the annual music festival to benefit Meals on Wheels.

Noel Dill said this is the 10<sup>th</sup> year for this event and over that time they have raised \$298,000 after bills are paid to support the Meals on Wheels program for Clarence, Akron and Newstead. It has grown from about 250 people to a two-day event with ten bands this year. People come out and have a great time. This program helps seniors remain independent in their own homes.

Motion by Supervisor Hartzell, seconded by Councilman Casilio to approve a Special Event Permit for “Rock the Barn” to be held on July 18 & 19, 2014 at 9015 Main Street. Upon roll call – Ayes: Council Members Geiger, DiCostanzo, Casilio, and Supervisor Hartzell; Noes: None. Absent: Councilman Kolber. Motion carried.

Anthony Ditsious re: Proposed access road from Eastgate Plaza to Greiner Road.

Supervisor Hartzell said the Town Board cannot take any action tonight on this subject. The Planning Board is considering this and there will be public hearings in the future.

Mr. Ditsious said he has watched the development of the Town of Clarence for the last 50 years and he became concerned when Benderson wanted to build a large shopping plaza so close to Greiner Road. Eastgate has three entrances to Transit Road, a state highway with a traffic signal in the middle. There was a motion passed to rezone to Major Arterial with the conditions that included no access to residential areas. The plans show no access to Greiner Road. The residents of Eastbrooke agreed to additional conditions including a shield to the air conditioning units and hardware on top of the buildings and there was to be no construction at night. Benderson agreed, but never put up the shields and they began construction at 4:30 a.m.

Mr. Ditsious said promises were made but never kept after approval was given. Residents of Eastbrooke met with the developer in 1994 and he agreed to no access to Greiner Road. There were statements made in 1996 that there would be no access to Greiner Road. One resident told of four deaths in that area that she knew of. A child from Eastbrooke was killed on Greiner Road. He asked how many does it take before you realize what you are doing to the residents in that area. Mr. Ditsious said they were there long before Eastgate and just want to be left alone. If there is a traffic problem, he suggests taking it to Sheridan Drive which is a four-lane state highway.

Mr. Ditsious said the residents of that area are concerned about the increase in traffic, child safety, increase in auto accidents, more traffic noise, increase in pollution, cars exceeding the speed limit, more accident deaths and a reduction in property values. He asked the Town Board if they would allow the traffic from Eastgate to drive down the street where they live every day. The developer should be legally forced to keep his commitment.

Mr. Ditsious said another traffic problem they have to live with every day is all of the driveway entrances along Greiner in that short area from Transit Road. It is a nightmare. He understands that the Town Board members all take an oath of office to serve. All he is asking is that they serve and protect the residents of the Town of Clarence. They hope the loyalty will be to the taxpayers of Clarence and not a developer who is making money on his project. The Master Plan says to promote the growth and traffic calming for the hamlets, maintain traditional neighborhoods, protect the residential neighborhoods and encourage community input.

Motion by Councilman DiCostanzo, seconded by Supervisor Hartzell to approve the following: Clubhouse Applications - A. Clarence Soccer Club – Monthly meetings for 2015; B. Rock Oak Homeowners Association – Dec. 12, 2015; Legion Hall Applications - A. Ken Pache – Aug. 30, 2014; B. Beverly Montalvo – Oct. 12, 2014; C. Sharon Groff – Oct. 18, 2014; D. Clarence Little League Football – 2015 Monthly Meetings. Upon roll call – Ayes: Council Members Geiger, DiCostanzo, Casilio, and Supervisor Hartzell; Noes: None. Absent: Councilman Kolber. Motion carried.

Motion by Councilman Casilio, seconded by Councilman DiCostanzo that after proper audit and review by the Town Board, the following bills of July 3, 2014 are approved for payment: General Fund - \$199,830.14; Highway Fund - \$77,257.74; Water District - \$35,602.61; Fire Protection Districts - \$520.60; Lighting Districts - \$843.73; Capital Fund - \$167,921.80; Aquatic Growth District - \$500.00; and Trust & Agency 203 - \$27,138.17 for a total amount of \$509,614.79. Upon roll call – Ayes: Council Members Geiger, DiCostanzo, Casilio, and Supervisor Hartzell; Noes: None. Absent: Councilman Kolber. Motion carried.

Supervisor Hartzell recognized Deb Wixon from the Chamber of Commerce.

“For the Good of the Town”

Lisa Walker MacLeay thanked the Town for purchasing her father’s property at 6170 Heise Road. She hopes that it does remain mostly green space, and hopes for a marker inscribed William McKenzie Walker be placed on the site.

Supervisor Hartzell thanked her and said we can do that. We will put benches there and it will become integral part of our trail system.

Howard Melancon said in regard to item 14 regarding Eastgate Plaza, he was at the meeting when the five Town Board members voted back in 1987. When the developer made his proposal to the Town Board, it stipulated that there would be no ingress/egress to Greiner Road. The Board voted on it and he hopes that it is in the minutes. He recalls that it was the only way they would vote for it.

Anthony Ditsious said in May 2001, Chairman Frey said they were waiting for a response from the DOT on whether they wanted a road to Greiner or not. Benderson will have to agree to whatever recommendation the DOT makes. There is a letter from the DOT to James Callahan dated May 9, 2001 stating that they reviewed the traffic impact study for BJ’s and the additional traffic from the proposed development will not have a significant impact on the current traffic on the state highway system. To him, that means you do not need an access road to Greiner. What does that mean to you?

There being no further business, Supervisor Hartzell adjourned the meeting at 8:17 p.m.

Nancy C. Metzger  
Town Clerk