

The Work Session meeting of the Town Board of the Town of Clarence was held on Wednesday August 13, 2025 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 8:35 a.m.

Members of the Town Board present were Councilmembers Robert Altieri, Daniel Michnik, J. Paul Shear, Peter DiCostanzo, and Supervisor Patrick Casilio. Other Town officials present were Director of Community Development Jonathan Bleuer and Town Attorney Lawrence Meckler.

Director of Community Development - Jonathan Bleuer

PUBLIC HEARINGS: None

FORMAL AGENDA ITEMS:

**Stephen Development**

Located at 9030 Main Street. Requests a Public Hearing to consider a Temporary Conditional Permit for food truck parking and operation within the existing Clarence Driving Range parking lot in the Commercial zone.

**CAM Services**

Located at 10165 Main Street. Requests consideration of a building addition for an expansion of existing business operations in the Traditional Neighborhood District and Commercial zones.

Chris Morgan is operating a snow plow implement and landscape service on the site. He is a very neat and orderly individual. He would like to expand his middle building there 30X120 for a pull-thru inventory rack system. Racks on either side and believe this would be for sales mostly. If you see fit this could be referred to the Planning Board and they would have full authority from there.

Paul Shear asked if the side yard setback is ok. Jonathan Bleuer said it's expected it is, but we will have to have Fire review. There is an existing utility pole there that they know will have to be moved.

**VisoneCo Site Development, LLC.**

Located at 4880 Ransom Road. Requests Public Hearings to consider Rezoning from Residential Single-Family to Traditional Neighborhood District and a Special Exception Use Permit for a mixed-use project containing multiple-family housing and commercial space.

This project has been in review since 2014. The Planning Board has taken it up in 2024. The applicant has made some significant modifications to the project since the Planning Board level. They have reduced the unit count, reduced the size of the buildings and committed to offer units for sale rather than lease. That would satisfy the Legal Department requirement for deed restrictions for the use of all square footage on the property.

Patrick Casilio comments he is not confident with this idea and would much rather just see it developed and sold.

Lawrence Meckler states there is no requirement to set a public hearing.

Daniel Michnik is agreeing with Patrick and does not like the look of it or the entrance on Ransom Road. He is concerned about traffic in that area.

WORK SESSION ITEMS:

**EZ Camp RV Rental, LLC.**

Located at 6659 Goodrich Road. Requests consideration of a Temporary Conditional Permit for the operation of an RV rental business, with on-site fleet storage in the Industrial Business Park zone.

The applicant finally has a complete application. This is recommended to be sent to the Planning Board for review and they can then hash out all the details.

**NY Clarence I, LLC. NY Roll Road III, LLC., Epic Storage Solutions, LLC.**

Located at 8550 Roll Road and SBL's 1.11-4-14.1 & 43.19-3-1.1. Requests preliminary Conceptual review of a solar, self-storage, and commercial/warehouse project in the Industrial Business Park zone.

This is 93.5 acres for a 10 mega lot facility. It would include a phase 2 of the Roll Road storage project. They proposed a significant number of self-storage facilities, but are also open to

bump the number for the warehousing and bay type buildings. It is surrounded by industrial users and completely out of sight. It should be referred to the Planning Board for a very lengthy environmental review.

### **Stephen Development**

SBL 83.00-3-31. Requests Final Plat approval for phase 1 of a previously approved Industrial Business Park, known as the Clarence Solar Industrial Park, consisting of 6 sublots and the road dedication of approximately 1,212 linear feet of Research Parkway in the Industrial Business Park zone.

Engineering is very close to having all conditions in place. This may be able to be on the next agenda.

### **Joseph Reif**

Located at 10935 Stage Road. Requests a Special Exception Use Permit for the construction of an attached secondary living unit as part of new home construction in the Agricultural-Rural Residential zone. This is an existing 10.6-acre parcel.

This came as a pre-inspected modular home. The code enforcement officer visited the property and went down to the lower level and saw the makings of a livable unit. Then he walked up and realized that it is basically a copy of the lower level but not constructed. The applicant was told that is not allowable. Applicant stated he is building this for his parents and his in-laws. He has come in with an application for it. There is a stop work order in place.

### **Severyn Development**

Located at 9585 The Maples in the Spaulding Lake development. They are requesting a Special Exemption Use Permit for a secondary living unit as part of a new home construction.

They have a plan for a farmhouse style home.

### **TOWN BOARD REPORTS:**

Supervisor Patrick Casilio

- Several motions moving employees, retirements etc.
- There were issues at the Soccer Center with kids on dirt bikes harassing residents at the park. They were trying to kick up dirt and rocks with their bikes at the residents and their vehicles. They were causing damage rutting up the soccer fields.
- Sadly, a Clarence student was riding an e-bike and lost his life recently in an accident. We don't believe he was wearing a helmet.

Councilman Peter DiCostanzo

- Motion to add Alicia Baker to Assistant to the Town Assessor full time.
- NYSEG price gouging with rate hikes and delivery charges.

Councilman J. Paul Shear – No Motions

Councilman Daniel Michnik

- Motion to remove a Youth Bureau member.

Councilman Robert Altieri

- Approval of 2 houses for demolition on Main St.

Town Attorney Lawrence Meckler

- Weber property set to close on August 20.
- Public hearing to change Town Code regarding bike-path use etc.

Motion by Supervisor Casilio, seconded by Councilman Shear, to adjourn the work session at 9:43 a.m. and enter into Executive Session pursuant to §105(1)e of the Open Meetings Law to discuss collective negotiations.

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

Janel A. Farolino  
Deputy Town Clerk

Motion by Supervisor Casilio, seconded by Councilman Shear, to adjourn the Executive Session at 10:00 a.m. 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, August 13, 2025 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 10:14 a.m.

Members of the Town Board present were Councilmembers Robert Altieri, Daniel Michnik, Paul Shear, Peter DiCostanzo and Supervisor Patrick Casilio. Other Town officials present were Director of Community Development Jonathan Bleuer and Town Attorney Lawrence Meckler.

Supervisor Casilio apologized for the delay and stated that we will be going right into the public hearing for today.

Public hearing to consider an amendment to our local law on Town Property Law. This amendment would specifically allow the local police force the power to impound e-bikes, electric vehicles that are ridden in a manner to be considered unsafe and or dangerous.

Supervisor Casilio stated that the law also allows for the gas-operated vehicles to be impounded. It gives the authority, as you may or may not have seen with Judge Judy talk about juvenal's in Washington DC, there is not much they can do. I am not pretending to be a police officer because I am not, but even if a person steels a car, it's an appearance ticket. Especially with juvenal's, the law enforcements hands are tied with what they can do. This law is geared towards any individual on our bike trails that is being reckless on a scooter, electric bicycle, electric dirt bike, gasoline powered dirt bike, UTV or ATM. This is something to open the door to get our codes up to date. I wrote in an article for the Clarence Bee, this is a fast-growing industry in towns, counties, states and nationally having the expansion of these types of electric bikes/vehicles and we are just trying to bring things up to date and under control. Sadly, last week the Town of Clarence lost someone to an incident with these bikes and it's sad when these things happen. Additionally, we will be looking at a rule about safety helmets as well. I do have to say people on bicycles have been seriously injured as well in the Town of Clarence and it would address all those things. I am going to read some of the reports that I get, that are documented on social media.

From Brendan Ball - "Tonight, at the soccer center, my friends and I were playing cards when three kids started harassing us. They followed us around, stalked us, and even blew dirt in our faces with their dirt bikes. I'm not usually one to call out someone's' parenting, but this was unreal – I've never met more disrespectful kids in my life. They tried to blow rocks at my car with their dirt bikes, knowing we couldn't make them leave. We tried ignoring them, but they just wouldn't stop, so we eventually packed up and left. Parents – please teach your kids some respect. These kids weren't just being playful; they were intentionally starting trouble with anyone who came by, and it wasn't right."

Supervisor Casilio stated maybe I have forgotten what it's like to be young, but to take actions like that you would think that you would want to go someplace else. If law enforcement ends up showing up this law would give them, if the parents don't respond or come to the scene, to have a tow service come take the bike from them. Then the parents can go to the tow service and redeem the bikes if they choose. I will also read from a letter from Tom's Pro Bike about a big miss interpretation that we are trying to ban electric bikes, it's the reckless use of these bikes.

From Toms Pro Bike, Thomas Lonzi - "I am writing to address the growing concerns surrounding e-bike usage in our community. While e-bikes have recently drawn negative attention, I believe the issue is not with the bikes themselves, but with a small number of operators who fail to follow the rules of the road, as well as the overly broad classification of what constitutes an "e-bike."

Currently, the term e-bike can apply to a wide range of vehicles – from pedal-assist bicycles limited to 20 mph, to gas-powered dirt bikes and mopeds. This broad categorization has unfairly tarnished the reputation of responsible e-bike riders.

Some have proposed banning e-bikes from bike paths. I respectfully disagree. The majority of e-bike riders – operating pedal-assist bicycles, with no throttle – use them safely and follow the rules.

Instead, I believe the best approach to improving safety is enforcing responsible speed limits. On bike paths, this should be a maximum of 15 mph, clearly posted with signage and enforced as necessary. This would encourage safe riding for all users.

Additionally, many unsafe incidents involve “illegal e-bikes,” defined as throttle-operated bicycles capable of exceeding 20 mph. I recommend these bikes be subject to impoundment, with riders receiving citations for violations.

In summary, e-bikes themselves are not the problem. With targeted enforcement – especially regarding speed limits and illegal high-speed bikes – we can maintain safety and fairness for all who use our roads and paths.

Thank you for your attention to this matter. I would be happy to discuss this further or assist in any community initiatives related to bicycle and e-bike safety.”

Supervisor Casilio stated we need to remember that e-bikes are silent except for the tires slapping the road. We have incidents, more than likely kids, expecting everyone to get out of their way. If you are walking down the bike trail you have the possibility of someone coming down the trail going against you at 50 mph. We felt we have to get a law in place with direction from law enforcement if someone is acting irresponsible, we have the opportunity to impound the bike.

Counselman DiCostanzo stated that he goes on these group rides on Saturday mornings, some weeks we have 30 to 40 of us, somewhere between 25 to 50% of the people are elderly and have a peddle assist bike. We are not looking to do anything about those people, they are generally responsible bike riders. This is not the new target to the change in our law.

Supervisor Casilio stated that law enforcement had pulled somebody over in the middle of the night running down the road without lights without a helmet. It’s an opportunity to call the parents to pick the child and bike up and if not then they can take the bike away from them. This is County and State wide, young people running up and down the roads with no safety equipment at all. The other night I had a person on a one wheel, like a surf board with one tire, going down Main Street in all dark clothing with no lights or anything. This board is responsible for our bike paths and sidewalks, we should at least give law enforcement the opportunity, if someone is acting reckless to take whatever they are using away.

Kathy Campagna was present and thanked the Town for extending the bike path on Wehrle Drive that allows us to connect into the bike path.

Supervisor Casilio stated that they got a bad reputation on that being so close to the road.

Kathy Campagna said well, yes it would have been nice to have a barrier and still would be but I understand expenses as well. It still allows us to link to the bike path without getting in your car, so thank you for that. With that being said, within the law is there some way to paraphrase the definition of an e-bike. My husband and I are not as limber as we use to be and we have peddle assist e-bikes that we run three times a week on the bike path. Generally, you are saying e-bikes so I just wanted to be clear, I have a helmet, lights and a bell, is someone going to stop me.

Lawrence Meckler stated what this new law does is just include e-bikes as part of the law. However, if you are riding carefully, not destructively and not riding negligently, you can still ride.

Kathy Campagna stated isn’t that still kind of vague. I go faster on an e-bike, I have a little thing that tells me I am going 9 mph on my 20-mile ride to Akron, I just don’t want to be stuck.

Lawrence Meckler reiterated that the purpose of this is just for those who ride dangerously and if they do the law enforcement now the ability to impound the bikes, it is not meant for the people who ride responsibly. This law will not prohibit e-bikes just the reckless use of them.

Supervisor Casilio stated, remember the State of New York has three levels of peddle bikes and we can’t tell what size batteries go in them which comes into play if there is an accident. We have to create a law that is enforceable too.

Kathy Campagna stated that avid bikers flash by me on my e-bike being reckless, I just want to be sure I’m ok, I don’t want to stop riding.

Lawrence Meckler stated you are good.

Wendy Merkle was present stating she owns apartments on Clarence Center Road and has family on Railroad Street in Clarence Center. I was here at the meeting that was initially set up for what to do about car thefts and the Sheriff’s came which was nice. That meeting was quickly taken over talking about the middle school kids in the community, particularly in Clarence Center who are absolutely terrorizing the neighbors. From my understanding this law is written to help law enforcement to be able to do something about the kids because we can’t get the parents to engage. A lot of these kids are in single family households, and I am a single parent also, I believe this is an expensive community to live in where kids can’t launch or buy a house. I know if I didn’t help my two kids they wouldn’t be living in the town where they grew up. These parents are struggling to make ends meet, they are latch key kids who know that they cannot be punished, they can’t be arrested, they know it a dare taunting the community. I can believe what you are reading about these issues because I had an issue last year. I was driving to Railroad Street and the core group of

about five kids, but there can be as many as twenty, they were in the middle of the road so I beeped my horn at them to let them know I was coming. My car is a little pink car with eyelashes so my horn is not intimidating but they didn't like that I beeped at them. They decided to ride slower and stay in the middle of the road and one of them popped a wheely and landed the front tire on the hood of my car. This made me really mad so at this point I got out of the car, which was probably not the best idea. No one was ever doing anything about these kids so I caught the slowest kid with the smallest bike and asked him what are you guys doing. At this point now one of the other kids pulls a knife on me, I am not afraid of anything so I tried to get the knife away from that kid. One of the other kids was filming everything, you couldn't really see the knife so it looked like I lunged for the kid. The police were called and when they showed up, they wanted to prosecute me for grabbing the kid and lunging at him. I regret what I did, the neighbors came out in force to support me, talked me down convincing me to apologize which I regret. I should have taken this to trial so that all the kids and parents had to go to court so I could have all of their names. I did talk to the mom who was consolatory at the time but nothing happened. I am absolutely in favor of this law to take place.

Frank Daddario, a resident from Akron, stated that he is an avid bike rider, you made a couple of statements in the paper about e-bikes. I have been riding for nine years and I have never heard another bike unless you put a baseball card in the wheel. If you are a good rider, you come up on people, ring your bell or horn and say passing on the left. Just like you would do in a car except you put your blinker on. If you follow the rules of the road, you don't have any problems. Any person on a two-wheel bike, I ride a recumbent bike with top speed of maybe 28 mph with the peddle assist, or the speed bikes are doing over 30 mph, believe me. While maybe not reckless, the speed too is an issue and those guys never say anything either about passing. You don't have a bike problem in clarence you have a kid problem and unfortunately as a former teacher I could go through their records and pick out who they are.

Supervisor Casilio stated, I don't disagree with you but it is not my place how to tell parents how to raise their kids, I have to be responsible for people who ride on town property.

Frank Daddario stated he understands but doesn't know how you are going to enforce this unless you are going to put two officers on the paths with bikes. These people will just take off on you.

Supervisor Casilio stated that he has had a motorcycle for 55 years and why at that age you would want an electric dirt bike you just have to be responsible for it. Like I have stated in the past, normally you would go to a motorcycle shop with your parents, buy a small motorcycle or mini bike with instructions from the owner. Literally from a push of a button on their phones on a computer can buy a specialty electric dirt bike, get it in two days and run up and down the roads with it. I wanted to mention as well just up the road in Newstead we had approximately a 50-year-old man ran a stop sign on the bike trails with a helmet and was almost sent by helicopter to the hospital, I don't how he is doing today but it was not a good accident. Even people on bicycles have to be responsible. I will keep saying this law is a tool for law enforcement to use if somebody is not being responsible no matter what the age is.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to close the public hearing.

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

Motion by Councilman DiCostanzo, seconded by Councilman Altieri after a public hearing was held on August 13, 2025 to consider the adoption of local law number one to amend Chapter 143 of the Town Code as follows:

Section 143-1. Q is amended to read:

- (a) Bicycles: to ride a bicycle other than on established roadways and parking area.
- (b) Motor assisted bicycles and scooters, including any electrical bicycle as defined under New York State Vehicle and Traffic Law s.102-c: to be ridden or operated in violation of New York State or Local Laws.

Section 143-2 is amended as follows:

- (a) Violation of any of the foregoing rules and regulations shall constitute an offense and a person guilty of such offense shall be punishable by a fine not exceeding \$250.00 or by imprisonment not exceeding 15 days or by both such fine and imprisonment.

- (b) Enforcement officers authorized under this chapter who observe a motor-driven vehicle or motor assisted bicycle or scooter as defined herein being operated in violation of New York state or the Local Laws that creates a risk of harm to persons or property may remove or may arrange the removal of motor-driven vehicle or motor assisted bicycle or scooter to a garage, pound, or other place of safety where it shall remain impounded subject to the provisions of this section. The agent impounding the motor-driven vehicle or motor assisted bicycle or scooter shall promptly notify the owner and the local authority that the motor-driven vehicle or motor assisted bicycle or scooter has been impounded.

A motor-driven vehicle or motor assisted bicycle or scooter so impounded shall be in the custody of the local authority and shall not be released unless:

- i. The person who redeems it has furnished satisfactory evidence of ownership; and
- ii. Payment has been made for the reasonable costs of removal and storage of the motor-driven vehicle or motor assisted bicycle or scooter. Payment prior to release of the motor-driven vehicle or motor assisted bicycle or scooter shall be not required where the impounded motor-driven vehicle was stolen or rented or leased pursuant to a written agreement for 30 days or less except for costs of removal and storage of the vehicle to any entity rendering such service.

On the question, Supervisor Casilio stated that I understand we have do have to clean up some aspects of this and better define vehicles. What is a motorized vehicle and what may be coming in the future that they maybe not as a law but as a rule on our bike trails.

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

Supervisor Casilio thank you to everyone who attended today.

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to approve the Work Session and Town Board meeting minutes of July 23, 2025.

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

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo upon the request and recommendation of James A. Dussing, the Highway Superintendent, the following employees are promotionally appointed to the two (2) open full-time Highway Department positions of Working Crew Chief Step 1, to be paid at the union rate of \$37.1545 per hour as per the Town of Clarence Blue Collar Unit #6771 contract regulations, with a start date of August 16, 2025:

Timothy Norris

Raymond Valentine

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

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo upon the request and recommendation of James A. Dussing, the Highway Superintendent, the following employees are promotionally appointed to the two (2) open full-time Highway Department positions of Heavy Motor Equipment Operator (HMEO), to be paid at the union rate of \$36.4642 per hour as per the Town of Clarence Blue Collar Unit #6771 contract regulations, with a start date of August 16, 2025:

Nicholas Jurek

Edward Kohout

On the question, due to the rate of pay for the HMEO's at step 1 position being lower than the MEO Step 2 position that these employees are being promoted from, they will be promoted directly to HMEO Step 2.

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

Motion by Supervisor Casilio upon the request and recommendation of James A. Dussing, the Highway Superintendent, the following employees are promotionally appointed to the two (2) open full-time Highway Department positions of Motor Equipment Operator (MEO) Step 1, to be paid at the union rate of \$35.1933 per hour as per the Town of Clarence Blue Collar Unit #6771 contract regulations, with a start date of August 16, 2025:

Michael Andres

Matthew Druar

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

Motion by Supervisor Casilio, seconded by Councilman Shear upon the recommendation of James A. Dussing, the Highway Superintendent, Andrew Hint is appointed to the position of Automotive Mechanic/Promotional in the Highway Department at Step 1, of to be paid at the union rate of \$37.1724 per hour, as per the Town of Clarence Blue-Collar Unit #6771, with a start date of August 16, 2025.

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

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo upon the recommendation of James A. Dussing, the Highway Superintendent, Tyler McCaulley is appointed to the position of Assistant Automotive Mechanic/Promotional in the Highway Department at Step 1, to be paid at the union rate of \$35.1933 per hour, as per the Town of Clarence Blue-Collar Unit #6771, with a start date of August 16, 2025.

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

Motion by Supervisor Casilio, seconded by Councilman Altieri that the Town of Clarence agrees to pay the annual maintenance fee to the Erie County Water Authority for two (2) new fire hydrants to be installed by the Erie County Water Authority as part of the Strickler Road Water Main Extension north of Memorial Park.

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

Motion by Supervisor Casilio, seconded by Councilman Michnik to authorize the Town of Clarence Supervisor to enter into and sign an Agreement for the addition of one (1) Special Patrol Officer per the agreement between the Clarence Central School District and the Town of Clarence for the provision of Special Patrol Officer Services, as of August 13, 2025.

On the question, the Town Board previously authorized the Supervisor to enter into and sign an Agreement with the Clarence Central School District for a Special Patrol Officer.

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

Motion by Supervisor Casilio, seconded by Councilman Altieri to appoint the following two individuals to the position of Special Patrol Officer-RPT, regular part-time, at the rate of \$46.7687 hourly, equivalent to \$55,000.00 annually, per the agreement between the Clarence Central School District and the Town of Clarence for the provision of Special Patrol Officer Services, as of August 26, 2025, subject to receipt of all pre-employment paperwork and pre-employment requirements being met. The Special Patrol Officer may carry or possess the approved firearm while on duty with a license issued pursuant to the penal law:

Robert A. Ellis

Scott A. Piel

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

Motion by Supervisor Casilio, seconded by Councilman Michnik to approve a salary increase for the following two (2) Special Patrol Officers-RPT (Regular Part-Time), at the request of the Clarence Central School District:

Michael Ballow to \$61,000.00 annually (equivalent to \$51.8707 hourly), effective August 26, 2025.

Jill Pezzino to \$56,000.00 annually (equivalent to \$47.6190 hourly), effective August 26, 2025.

On the question, the Town Board previously authorized the Supervisor to enter into and sign an agreement between the Clarence Central School District and the town of clarence for the provision of special patrol officer services for these two Special Patrol Officers at an annual compensation rate of \$57,000.00 for Michael Ballow and \$55,000.00 for Jill Pezzino.

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

Motion by Supervisor Casilio, seconded by Councilman Shear to approve an unpaid leave of absence for full-time laborer Highway Department employee Emily Wendt-Schultz for the purpose of a family vacation from August 21, 2025 through and including August 22, 2025.

On the question, the granting of this request is due to the fact that Ms. Wendt-Schultz’s vacation plans were made prior to her employment, which she was appointed on July 9, 2025. Ms. Wendt-Schultz is subject to the provisions of Article 22 – section 22.2 of the Town of Clarence Blue Collar Unit Contract. Any future requests by Ms. Wendt-Schultz or any 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: None; Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Altieri to declare the attached list of two (2) vehicles as surplus equipment no longer needed for Town purposes and to be removed from the Town’s inventory.

T-025	2013	Chevrolet Tahoe	1GNSK2E00DR343004
T-026	2013	Chevrolet Tahoe	1GNSK2E00DR343133

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

Motion by councilman DiCostanzo, seconded by Councilman Michnik to approve adding the title of Assistant to the Assessor Full-Time to the Town of Clarence Civil Service Inventory.

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

Motion by Councilman DiCostanzo, seconded by Councilman Shear to appoint current Town of Clarence employee Alicia Baker to Assistant to the Assessor Full-Time Provisional, effective September 3, 2025 at a salary of \$30.5000 per hour.

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

Motion by Councilman DiCostanzo, seconded by Councilman Shear to amend the motion from June 11, 2025, for the Harriet Tubman Underground Railroad Scenic Byway Nomination and Corridor Management Plan Adoption as follows:

WHEREAS, the historic qualities of the Harriet Tubman Underground Railroad New York Scenic Byway, as described in the corridor management plan, and the surrounding areas have been appreciated and celebrated for over a century by the residents of New York State, as well as tourists, historians, artists, authors, and other visitors to the region; and it is this unique combination of the journeys of Harriet Tubman and those Freedom Seekers who traveled on the Underground Railroad that create the special sense of place that is vital in telling the New York story of the human desire for freedom and the historic sites they utilized during their journey to emancipation; and

WHEREAS, the Steering Committee of the Harriet Tubman Underground Railroad New York Scenic Byway, composed of representatives of 22 municipalities along the proposed scenic byway route, committed to working cooperatively to protect and promote the historic, scenic, recreational, and economic well-being of the 544-mile Corridor throughout the state and agreed to pursue the nomination of the Harriet Tubman Underground Railroad New York Scenic Byway; and

WHEREAS, under the leadership of the Harriet Tubman Underground Railroad New York Scenic Byway Steering Committee, each of the 22 counties contributed to the development of this corridor management plan by encouraging public participation, confirming the vision and goals, and leading individual meetings of the Collaborative; and



WHEREAS, the Steering Committee of the Harriet Tubman Underground Railroad New York Scenic Byway, consisting of relatives of Harriet Tubman, descendants of Freedom Seekers, Harriet Tubman and/or Underground Railroad historians, representatives from state and federal agencies, has strengthened the historic integrity, representation, and the principles of the corridor management plan; and

WHEREAS, in the process of developing this corridor management plan, the Harriet Tubman Underground Railroad New York Scenic Byway Steering Committee has strengthened the bonds of inter-municipal cooperation, and the involved entities envision further benefit through scenic byway designation including sustained collaborative progress, increased funding opportunities for recommendations identified in the plan, enhanced partnerships with agencies responsible for the stewardship of resources along and adjacent to the byway route, and an improved visitor experience that interprets and promotes the corridor's intrinsic qualities and resources; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Clarence supports the designation of the Harriet Tubman Underground Railroad New York Scenic Byway which includes programs for stewardship and enhancement of the historic scenic byway and guidance to manage future activities along its corridor; and

BE IT FURTHER RESOLVED, that the Town of Clarence confirms that they will not approve any requests for new off-premise outdoor advertising signs along the designated Harriet Tubman Underground Railroad New York Scenic Byway route; and

BE IT FURTHER RESOLVED, that the Town of Clarence confirms that they will not approve any requests for new off-premise outdoor advertising signs along the designated Harriet Tubman Underground Railroad New York Scenic Byway route; and

BE IT FURTHER RESOLVED, that the Town of Clarence will work in partnership with the other municipalities along the Harriet Tubman Underground Railroad New York Scenic Byway and local and regional stakeholders in order to support future Byway programs, economic development, marketing, and collaborate with these interested entities to explore opportunities for cooperation to realize the Scenic Byway goals.

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

Jonathan Bleuer stated for the record, The Town of Clarence doesn't allow off premise advertising signs. Agricultural type seasonal signs are not considered off premise advertising signs.

Motion by Councilman Shear, seconded by Councilman Altieri for the following:

WHEREAS, the Town of Clarence is committed to advocating for the economic and physical well-being of its residents, many of whom are working families, seniors, and small business owners already struggling with inflation and rising utility bills; and

WHEREAS, New York State Electric and Gas (NYSEG), a subsidiary of Avangrid, has already implemented significant electric rate increases, with more under review by the New York State Public Service Commission (PSC); and

WHEREAS, the PSC recently released findings from an independent third-party audit which revealed major deficiencies in NYSEG's operations and transparency; and

WHEREAS, the audit resulted in one hundred and twenty-eight separate recommendations, underscoring widespread customer dissatisfaction with skyrocketing bills, unexplained rate increases, and poor customer service; and

WHEREAS, the auditor further recommended that Avangrid revise and simplify its cost allocation process and improve transparency, so ratepayers are not unknowingly subsidizing corporate inefficiency or inappropriate allocations; and

WHEREAS, the Town of Clarence believes our residents deserve clarity, accountability, and fairness—not unchecked rate hikes to fund a bloated, opaque utility structure that fails to prioritize customer service; and

WHEREAS, the aggressive green energy mandates pushed by Governor Kathy Hochul and the PSC are impractical and dangerous for Western New York, where full electrification is not feasible due to long, harsh winters—as demonstrated during the December 2022 blizzard, when natural gas fireplaces and generators saved lives amid widespread power outages; and

WHEREAS, the Town of Clarence supports renewable energy goals, but not at the expense of public safety, affordability, or regional practicality; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Clarence strongly opposes any further electric rate increases proposed by NYSEG, and urges the Governor Hochul and the PSC to halt any new approvals until Avangrid fully implements the one hundred and twenty-eight recommendations, including full transparency and cost accountability.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Governor Kathy Hochul, the New York State Public Service Commission, NYSEG, State Senator Patrick Gallivan, Assemblymember Paul Bologna, and the Erie County Legislature.

Adopted this 13<sup>th</sup> day of August

On the question, Councilman DiCostanzo stated that his bill was \$871.00 this past month which shocked us. Many people through the news and social media across the board seem to be having the same issue.

Supervisor Casilio stated that while he is not defending the power companies he believes that some of this is a mistake and maybe there will be refunds. Everyone, consistently can't have \$850 bills and what makes this even worse is the lack of power. January 1<sup>st</sup> is the date that new homes must be electric and there isn't enough power to do that. These new homes don't have all electric and an annual bill of \$20,000.00, this will fall on everyone's shoulders.

Councilman Shear stated that his bill was only \$403.00, so there is hope.

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

Motion by Councilman Michnik, seconded by Councilman DiCostanzo to rescind the July 9, 2025 appointment of one of the two adults who were appointed to the Youth Board. Kate Duffy's appointment will need to be rescinded as it has been determined she is not a Town of Clarence resident.

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

Motion by Councilman Altieri, seconded by Councilman Shear to approve the motion to rescind the July 23, 2025 appointment of Dog Control Officer full-time Amy Noon.

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

Motion by Councilman Altieri, seconded by Councilman Michnik to appoint Amy Noon from Dog Control Officer Part-Time to Dog Control Officer Full-Time at the hourly rate of \$28.5441 per Step 1 of the White-Collar Unit effective August 14, 2025.

On the question, Supervisor Casilio stated the Town went through a lengthy interview process where we interviewed all the people who applied for the job. We had strong applications and one with a four-year degree in animal care.

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

Motion by Councilman Altieri, seconded by Councilman Michnik to approve the request of the applicant, Clarence Hollow Association, for a Special Event Permit for the "HollowFest Fall Festival," to be held on Saturday, October 4, 2025 from 12:00 noon to 11:00 p.m. at the Clarence Town Park, 10405 Main Street, subject to meeting all conditions of Special Event Permit, the Memorandum of Agreement requirements, the Building Department Operating Permit including the requirements allowing food trucks to operate in the Town of Clarence as per the Building Department, Emergency Management conditions, a list of all of the vendors who must submit a Certificate of Insurance naming the Town as an additional insured and the Clarence Hollow Association submitting the required insurance certificate(s) naming the Town as an additional insured which must include liquor liability to be reviewed and approved by the Town Attorney's Office.

On the question, all food trucks for this event must be licensed in accordance with Chapter 147 of the Town of Clarence Town Code and be properly insured. Applicant will be the sole vendor serving alcohol and must include Host Liquor Liability coverage on their Certificate of Liability Insurance. Bring your own bottle or self-service will not be permitted.

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

Stephen Development at 9030 Main Street. North side of Main Street, east of Shimerville Road. An existing 9.8-acre parcel in the Commercial zone, containing the Clarence Driving Range. The applicant is requesting a Public Hearing to consider a Temporary Conditional Permit for food truck parking and operation within the existing parking lot. The application states there would be no more than one food truck at a time, to be parked in the existing parking lot in spot(s) closest to Main Street. The Town Board has the authority to consider this request after setting and holding a Public Hearing.

Tyler Pitruzzella was present representing Stephen Development. We are seeking permission to park food trucks in our parking lot following proper town codes and insurances.

Supervisor Casilio asked if this is every week or every day?

Tyler Pitruzzella stated that are asking for permission from 12:00 p.m. until dusk time so we can find a good flow and rhythm at the driving range to see what time works best to have the food truck there. It won't be permanent, we are just hoping for a few hours each day depending on truck schedules.

Supervisor Casilio asked if this will be open to the public as well if someone is just driving down the street they can stop if they see the truck.

Tyler Pitruzzella stated, yes this is open to the public.

Councilman DiCostanzo stated that the trucks will get permits through the town correct.

Tyler Pitruzzella stated yes.

Motion by Councilman Michnik, seconded by Councilman Altieri to set a public hearing for Wednesday September 10, 2025 at 10:15am to consider the request of the applicant, Stephen Development, for a Temporary Conditional Permit for food truck parking and operation at 9030 Main Street in the Commercial zone.

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

CAM Services at 10165 Main Street. South side of Main Street, west of Shisler Road. An existing 1.4-acre parcel in the Commercial zone and Traditional Neighborhood District, containing a snowplow sales and landscape / property maintenance business. The applicant is requesting consideration of a building addition for an expansion of the existing business operation. The center building is proposed to be expanded to the east by approximately 30', resulting in 3,600 sqft of new storage and warehousing space. The applicant has an active Temporary Conditional Permit (TCP) for outside product display, which was granted by the Town Board in 2010. Since then, the applicant has complied with conditions and received TCP modifications and renewals with the most recent renewal occurring in April of this year. A referral to the Planning Board would allow for a thorough review and action on this proposal.

Christopher Morgan was present to answer any questions.

Supervisor Casilio stated that the project was miniscule and the board had no questions.

Motion by Councilman Shear, seconded by Councilman DiCostanzo to refer the request of the applicant, CAM Services, to Planning Board for consideration of a building addition for an expansion of existing business operations at 10165 Main Street in the Traditional Neighborhood District and Commercial zone.

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

VisoneCo Site Development, LLC. at 4880 Ransom Road. West side of Ransom Road, south of Main Street. An existing 3.16-acre vacant parcel located in the Residential Single-Family zone. The applicant is requesting Public Hearings to consider Rezoning from Residential Single-Family to Traditional Neighborhood District and a Special Exception Use Permit for a Conceptually approved mixed-use project containing multiple family housing and commercial space. The project consists of five 2-story buildings, each containing four multi-family housing units. Three of the buildings contain commercial in the form of live-work space, totaling 10,124 sqft. During the annual Master Plan review in 2014, the Town Board referred this property to the Planning Board for review. The applicant then gave this parcel consideration, meeting with various Town departments and committees to understand the constraints and requirements of the area. In March of 2024, the applicant submitted an updated proposal. In April of 2024, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). Since that time, the applicant addressed comments received, reduced the number of multi-family units from 23 to 20, reduced the size of the buildings to better match the

character of the area, committed to install a public sidewalk on Ransom Road to Main Street, and committed to offer the units for-sale with deed restrictions and condominium association rules to protect the intended use of all spaces. In July of this year, the Planning Board issued a Negative Declaration under SEQRA, Concept Plan Approval subject to 18 conditions, and recommendations of Rezoning, Special Exception Use Permit, and Architectural Style. The Town Board has the authority to consider these requests after setting and holding Public Hearing.

Tom Celik from VisoneCo Site Development, LLC was present to answer any questions.

Supervisor Casilio stated that he still has questions on this so we are not ready to move forward at all. Especially, if I am interpreting this correctly is they are for sale.

Tom Celik stated the reason for that is we though the Town would like that better as there would be deed restrictions. There was some question regarding live work component and thought it would be best suited. We were open to for rent but again we made that decision walking in step with the Town.

Councilman Michnik asked what happens if you don't sell all the units?

Tom Celik stated they plan to presell the units, we have already had one person who has only heard about it on the news that is interested. We believe we will sell these units.

Councilman Michnik asked if they have looked into any other plans for that property?

Tom Celik replied we have owned this parcel for a long time and came to the Town in, I believe 2013 or 2014 looking at all sorts of projects. We believe this development fits the character of the Hollow creating positive economic impact. It will create density for the small businesses in the area as well as increasing the Town of Clarence's commercial compacity in this neighborhood. As far as rezoning goes, I would like to know and Jonathan can confirm on Ransome Road all of the properties prior to the bike path are TND. I believe we are the only property prior to the bike path that is single family property. This fits the characteristics of the Town and would sincerely appreciate it if you would consider holding a public hearing for Rezoning and Special Exception Use.

Supervisor Casilio stated that my action would be to either go ahead with this or a motion to table to iron some things out.

Lawrence Meckler stated you really have two options, you could set the public hearing to consider or you can table it until the next meeting if you still have questions prior to a public hearing.

Supervisor Casilio stated that the applicant stated they have owned the property for a long time so a couple more weeks shouldn't be a problem at all, I would like Planning to at least talk about it with them first.

Tom Celik asked if there were any questions that they could ask now while there were here. We went through the Planning Department and Planning Board considerably going back and forth for many months and years so I am curious as to what questions you have that we can discuss.

Supervisor Casilio stated none at this point from me at least. Like you said it has been a lot of years so we want to make sure we get this project right. We are going through rezoning which we don't have to do at all. Would you rather withdraw the application totally, we can just do that?

Tom Celik relied obviously not we have spent a lot of time and money on this already. We have people and businesses that support it and we fell it fits the Town. I would ask you to please consider setting the public hearing to see what the public has to say.

Supervisor Casilio thanked Tom for his comment.

Motion by Supervisor Casilio, seconded by Councilman Michnik to table VisoneCo Site Development, LLC application.

Upon roll call – Ayes: Councilman Altieri, Councilman Michnik, Councilman DiCostanzo, Supervisor Casilio; Noes: Councilman Shear; Absent: None; Motion carried.

Motion by Council DiCostanzo, seconded by Councilman Michnik to approve the applications as follows: Clubhouse: Erie County Board of Elections September 17-19, 2025; Clarence Senior Center November 12, 2025. Legion Hall: Heather Milone August 31, 2025; Angela Perrine September 25, 2025; Geri Salvo October 11, 2025; Jaclyn Baker November 1, 2025; George Emerling November 2, 2025. Nature Center: Western NY Land Conservancy August 27, 2025; Canisius University Army ROTC September 25, 2025.

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

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve the Bill Pay for July 31, 2025 as follows: General Funds \$149,049.35; Highway Funds \$63,767.77; Water Funds \$922.00; Drainage Funds \$594.00; Sewer Funds \$850.04 and Capital Funds \$99,814.50 for a total bill pay of \$314,997.66.

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

Supervisor Casilio stated that he hopes the Town Boards actions today, especially on our bike trails save a life. We are doing this for the safety of our young people and hopefully moving forward we will be able to save lives with it. With no further business I would like to close this meeting sadly on behalf of Mr. Bechtel who lost his life last week. Meeting adjourned at 11:12 a.m.

Karen Hawes  
Town Clerk