

The Work Session meeting of the Town Board of the Town of Clarence was held on Wednesday September 10, 2025 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 8:30 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, Town Engineer Timothy Lavocat and Town Attorney Lawrence Meckler.

Director of Community Development - Jonathan Bleuer

#### PUBLIC HEARINGS:

##### **Stephen Development**

This is located at 9030 Main Street. North side of Main Street, east of Shimerville Road. Its is an existing 9.8-acre parcel in the Commercial zone, containing the Clarence Driving Range.

The applicant is requesting 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 holding a Public Hearing.

#### FORMAL AGENDA ITEMS:

##### **Annual Community Development Block Grant Program**

The applicant is requesting consideration for potential funding for the Federal Community Development Block Grant (CDBG) request. Based on comments received, the Town has currently identified the following project for consideration: Rural Transit Services, Inc.

The Town Board has the authority to act after setting and holding a Public Hearing.

#### WORK SESSION ITEMS:

##### **RMI Properties, LLC.**

This property is located at 10594 Main Street, west of Bank Street. It's is an existing 0.27-acre vacant parcel located in the Hollow Traditional Neighborhood District.

The applicant, Scott Irish-Bronkie, is requesting consideration of a Special Exception Use Permit or a Temporary Conditional Permit for the installation and operation of a dog memorial park. Known as Maxi's Memorial Dog Park, the project consists of community space that honors the memory of pets while providing a gathering place for residents and their dogs. A fenced-in off-leash area with lighting and pet water stations is also proposed, accessed via a bridge over Ransom Creek.

A referral to the Planning Board would allow for a thorough review and recommendation of this proposal.

The board is talking about maintenance and all agree there would be no town involvement because it is private property.

##### **Annual Excavation Permit Renewals**

Consider the annual renewal of the following excavation permits:

- A. New Enterprise/Buffalo Crushed Stone, 8615 Wehrle Drive
- B. Lakeside Sod, 6660 Goodrich Road
- C. Michael Development, 10001 Wehrle Drive
- D. Michael Development, 10051 Wehrle Drive

The Town Board has the authority to consider these requests after setting and holding a Public Hearing.

All required paperwork, including up-to-date tax bills, NYSDEC permits, bonding, and necessary fees are being collected by the Planning Office, and will be on file prior to the Public Hearing.

#### TOWN BOARD REPORTS:

Supervisor Patrick Casilio

- Will set Public Hearings.

- He thanks Tim Lavocat for all his work at the Fogelsonger Park and shares people's thanks and praises for a job well done with him.
- Rec Center renovations will be moving forward. There is an updated drawing that should be within the budget.
- Discussion of employee history.
- Motion for Clarence Center sidewalks.
- Budget should be out in October.

Councilman Peter DiCostanzo

- Motion to appoint Mary Morris to a full term.
- Motion for promotions.
- Transfer of funds for tree purchase with Parks Department.

Councilman J. Paul Shear

- Motion to send Bob from Planning Board to a conference in October.
- Got a quote for gutters and guards for the Nature Center for \$2700 from Switala's. Waiting to hear back with answers for a few questions about them. We will talk to the Parks Department and see if they have a budget for those.
- Deer abatement hut needs to be replaced for \$1000.00.
- 52 requests for tree plantings this year. We have the same contract price in our final year with them at about \$550.00 per tree.
- Time to trim the trees that were already planted.

Councilman Daniel Michnik

- Youth Board Motion.

Councilman Robert Altieri

- No Motions.
- Lost two committee members.
- Town wide garbage concerns. Lawrence Meckler says Hamburg just put in place Town wide garbage and we will see how that goes. Looks like there would be a 25 % decrease in services that are in place now.

Town Engineer Timothy Lavocat

- New expanded parking lot at Fogelsonger Park. There will still be access to the park and the Glenwood pavilion while the construction is happening.
- Hopeful for Sheridan Dr sidewalks this coming spring. DOT says we are very close to final design. Waiting for the federal funding portion to be released so it can be finalized for bidding.

Motion by Supervisor Casilio, seconded by Councilman Shear, to adjourn the work session at 9:09 a.m. and enter into Executive Session pursuant to §105(1) f/h of the Open Meetings Law to discuss employment history and acquisition of real property.

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

Janel A. Farolino  
Deputy Town Clerk

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo, to adjourn the Executive Session at 10:00 a.m.

Upon roll call – Ayes: All; Noes: None. Absent: None. Motion carried. No action taken.

Regular meeting of the Town Board of the Town of Clarence was held on Wednesday, September 10, 2025 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 10:06 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, Town Attorney Lawrence Meckler and Town Engineer Timothy Lavocat.

Supervisor Casilio mentioned that three people were viewing the meeting through the online link.

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to approve the Work Session and Town Board meeting minutes of August 27, 2025.

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

Motion by Supervisor Casilio, seconded by Councilman Shear that the Town Board of the Town of Clarence will hold a Public Hearing on Wednesday October 8, 2025 at 10:15 a.m. at the Clarence Town Hall, One Town Place, Clarence, New York with a request to approve a cable television franchise agreement by and between the Town of Clarence and Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications.

On the question, a copy of the agreement is available for public inspection during normal business hours at the Town Clerk's office, One Town Place, Clarence, New York 14031. At such public hearing, all persons will be given an opportunity to be heard. Written and oral statements will be taken at that time. Time limitations may be imposed for each oral statement, if necessary.

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

Motion by Supervisor Casilio, seconded by Councilman Michnik to approve Change Order No. 1 to the Fogelsonger Park Improvements Project Professional Services Contract between the Town of Clarence and Wm. Schutt Associates in the add amount of \$21,200.00 for the expanded scope of services as described in William Schutt Associates Agreement Amendment dated September 5, 2025.

On the question, this will be paid from Capital Project 154.

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

Motion by Supervisor Casilio, seconded by Councilman Shear upon the recommendation of the Town Engineer, the Town Board awards the Survey, Preliminary Design, Environmental, Final Design and Bid Phase Services for the Clarence Center Sidewalk Improvements Project to C & S Engineers, Inc. of Buffalo, New York in the amount not to exceed \$1,145,000.00 and authorizes the Supervisor to sign and enter into an agreement with C & S Engineers, Inc. upon review and approval of the Town Attorney.

On the question, the Clarence Center Sidewalk Improvements Project is being funded by a Federal Aid Local Project Agreement through the NYSDOT. This project is funded by 80% federal funds and 20% Town of Clarence funds. To be paid from Capital Project 158. General Fund will allocate \$150,000.00 Fund Balance.

Timothy Lavocat stated for clarification, the maximum award through DOT is 80% or up to a maximum of \$5,000,000.00.

Supervisor Casilio asked if we still need to hire a manager to run the project.

Timothy Lavocat stated this phase gets us through bidding up through awarding a construction contract and all included with a supplemental agreement with CNS which will come later through NYS DOT.

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

Motion by Councilman DiCostanzo, seconded by Councilman Michnik that the Clarence Town board hereby appoints Mary Morris to the position of Assessor for the Town of Clarence for a 6-year term, effective October 1, 2025 and ending September 30, 2031.

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

Motion by Councilman DiCostanzo, seconded by Councilman Shear upon the recommendation of the Parks Department Superintendent Jason Holden, he requests the promotional appointments of Steve Moreno and Tyler Skowronski to the positions of Groundskeeper Step 1 at the budgeted rate of pay of \$35.1933 per hour according to the Blue-Collar Contract, effective September 15, 2025.

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

Motion by Councilman DiCostanzo, seconded by Councilman Altieri upon the recommendation of the Parks Department Superintendent Jason Holden, he requests the promotional appointment of Josh Sweeney to the position of Maintenance Worker Step 1 at the budgeted rate of pay of \$30.5448 per hour according to the Blue-Collar Contract, effective September 15, 2025.

On the question Councilman DiCostanzo stated that we have some retirements which always means movement with our people.

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

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to approve a Transfer of Funds from 2025 General Fund Parks Budget:

From- 1.7110.102 (Part- Time Personal Services)  
To - 1.7110.4140 (Landscaping)  
In the amount of \$17,500.00

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

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to accept the quote from Russell's regarding the purchase of 125 trees that will be planted at various Town properties in an amount not to exceed \$17,500.00, as they were the lowest quote received.

On the question, Councilman DiCostanzo stated this will be paid through the Parks 2025 budget. Most of the trees will be for Memorial Park but we want to give the Parks department leeway that if he needs, he can use them in other places as well.

Supervisor Casilio stated we have sick and crooked trees that is why they are going there.

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

Councilman DiCostanzo wished everyone a safe and successful school year as the years is just starting. Additionally good luck to all the sports teams and all the parents.

Motion by Councilman Shear, seconded by Councilman DiCostanzo to approve Councilman Bob Altieri attend the 2025 Annual Upstate New York American Planning Association (APA) Conference to be held at the Hyatt Regency Rochester, New York from October 8 through October 10, 2025. Registration, hotel, meals, mileage, tolls and all reasonable and necessary costs covered by the Town.

On the question, the cost of the conference is a budgeted item.

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

Councilman Shear mentioned coming up on September 20, 2025 the Fallfest will be in Clarence Center and is always a great time, stop down if you can.

Motion by Councilman Michnik, seconded by Councilman Altieri to re-appoint the four (4) following individuals as Student Members to the Youth Board:

Samantha Engler  
Reed GianGrasso

David Brophy

Anna (Moon) Schwartz

Student Member terms run from July 1, 2025 – June 30, 2026

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

Councilman Michnik mentioned the event held by the Historical Society last evening in the Clubhouse. The seminar was about Teddy Roosevelt's career and there were about 90 people in attendance and was a great event, thank you to them.

Motion by Councilman Altieri, seconded by Councilman Shear to declare the attached list of Computer Equipment as surplus no longer needed for Town purposes to be disposed of as set forth by any state or local laws and/or rules and regulations.

On the question, these items will be properly disposed of through an electronic waste company.

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

Councilman Altieri mentioned that we have two people stepping down from committees, one from the Historic Preservation and one from the Greenprint Committee. If anyone is interested, please fill out an application online. Additionally, I wanted to mention the Honor Flight is having their annual gold tournament at Diamond Hawk County Club today. This is to support sending veterans to Washington DC.

Motion by Councilman Shear, seconded by Councilman Altieri to approve the request of the applicant, Clarence Chamber of Commerce/Amy Engler, for a Special Event Permit for the “Silent Disco” to be held on Friday, October 17, 2025 from 5:00 p.m. to 10:00 p.m. at the Clarence Town Park Clubhouse, 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 Chamber of Commerce 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.

Town Clerk, Karen Hawes, mentioned that the 2025–2026 School Tax bills have been picked up from Erie County. The bills will go out in the mail by the end of the week. All information can be viewed online and the pay option will appear once I have the warrant. Due to the taxes being a law, any taxes paid after October 15, 2025 will have penalties. If you have any questions, please contact the Town Clerks Office at 716-741-8938.

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 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 holding a Public Hearing.

Paul Stephen II was present to answer any questions. He stated that they operate a commercial kitchen at 9580 Main Street and a lot of the users are food truck owners so we thought it would go hand in hand to be able them space where they could operate their food truck in the Town of Clarence. They have unusual and ethnic cuisines to offer to the public. We feel that the driving range is a perfect venue for this because especially during the summer months the driving range is always packed and the only thing missing is food and refreshments. It is a pretty large parking area and even when the golf range is at capacity, the parking lot isn’t full. We thought if we put the truck parking in the front not only could the driving range attendees enjoy the food, people passing by could stop and enjoy them as well. I don’t feel there is a lot of lunch options in that area. We would only have one food truck at a time or even every single day we are testing this out to see what the demand is like.

Councilman DiCostanzo asked if all the food trucks were licensed.

Paul Stephen II replied yes, they are with Erie County Department of Health vendor licensing as well as instructed to get a truck license permit with the Town of Clarence as well.

Councilman DiCostanzo asked if he knew what kind of food trucks they would be having.

Paul Stephen II replied Street Cravings is one truck that was at the Taste of Clarence who had long lines and one of the most impressive food trucks that I have ever seen, additionally they

won best dessert. G & T Tasty Wheel will be another truck that offers classic food like hamburgers and hot dogs, a Pilipino truck possibly coming next year, so we will really have a wide range of options.

Councilman Altieri asked for the time the trucks would be there.

Paul Stephen II replied we requested 11:00 a.m. until dusk is the goal until we figure out what the demand is catering to a lunch and dinner crowd.

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 Altieri, seconded by Councilman Shear that after a public hearing held at the duly convened Town Board meeting on Wednesday, September 10, 2025, and after all interested parties having been heard, the Clarence Town Board, hereby, approves the request of the applicant Stephen Development, for a Temporary Conditional Permit for food truck parking and operation within the exiting Clarence Driving Range parking lot at 9030 Main Street in the Commercial zone.

1. Initial permit shall be for a term no greater than one year.
2. Operation shall occur in compliance with site and business plans submitted by the applicant to the Planning Office on July 7, 2025.
3. All food trucks shall be licensed in accordance with Town of Clarence Local Law Chapter 147, and be properly insured and inspected per requirements of the Clarence Building Department.
4. Applicant meeting any requirements of the Town of Clarence Planning, Engineering, and Building Departments and any associated conditions.

On the question, Jonathan Bleuer asked the applicant if there was any desire for picnic tables or outside seating.

Paul Stephen II stated that it is late in the season this year but maybe next year if we see the need for them.

Jonathan Bleuer stated, on the question, we can add that if you are proposing outside seating, we would need plans for that as well to review.

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

Annual Community Development Block Grant Program, to set a Public Hearing to consider potential funding needs for Federal Community Development Block Grant request. Based on comments received, the Town has currently identified the following project for consideration:

- a. Rural Transit Services, Inc.
- b. \_
- c. \_

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to set a public hearing for Wednesday October 8, 2025, at 10:20 a.m. in the Town of Clarence in the Town Hall auditorium, One Town Place, Clarence, NY 14031 regarding the use of Federal Community Development Block Grant Funds in the Town of Clarence.

The Town of Clarence is eligible for a Federal Community Development Grant under Title I of the Housing and Community Development Act of 1974, as amended.

The purpose of the Hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low- and moderate-income persons in the Town of Clarence.

Citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Clarence's selection of potential projects to be submitted for possible funding by the Federal Community Development Grant Program.

Those needing special arrangements should call the Town of Clarence at 716-741-8930.

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

Motion by Councilman DiCostanzo, seconded by councilman Michnik to approve the rental applications as follows, Clubhouse: Clarence book Review Club September 15, 2025, Clarence Toastmasters November 1, 2025, Clarence Running Boosters November 10, 2025, Girl Scouts December 6, 2025. Legion Hall: Sue Ciminelli September 27, 2025, Clarence running Boosters October 24, 2025. Added Nature Center Canisius College A – ROTC October 9, 2025.

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

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to approve the bill pay for August 28, 2025 as follows: General Funds \$152,947.93; Highway Funds \$212,981.65; Water Funds \$922.00; Fire Protection Districts \$4,248.13; Sewer Funds \$289.51; and Capital Funds \$26,480.75 for a total bill pay of \$397,869.97.

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

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to approve the bill pay of September 11, 2025 as follows: General Funds \$255,223.10; Highway Funds \$96,835.26; Drainage Funds \$35,150.00; Lighting Funds \$706.37; Capital Funds \$72,036.94 and Agency Funds \$666.93 for a total bill pay of \$460,618.90.

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

Councilman DiCostanzo stated that tomorrow is September 11, please remember and never forget.

Councilman Altieri stated that his 10-year-old granddaughter is running for student council at her school looking to get more recess time daily.

There being no further business, Supervisor Casilio closed the meeting at 10:35 p.m. in memory of Emily Herberger, wife of Paul Herberger a long-time employee of the Town of Clarence and Chief of the Clarence Center Volunteer Fire Company.

Karen Hawes  
Town Clerk