

The Work Session meeting of the Town Board of the Town of Clarence was held on Wednesday July 22, 2026 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 8:00 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: None

FORMAL AGENDA ITEMS:

7631 Transit Road, LLC.

This property is located at 7631 Transit Road. It is on the southeast corner of Transit Road and Wolcott Road. It is an existing 6.88-acre property in the Residential Business zone.

The applicant is requesting a Public Hearing to consider a Special Exception Use Permit for a conceptually approved commercial retail building for Lenco Supplies.

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

WORK SESSION ITEMS:

Mattina Development, LLC.

SBL 44.00-1-55 is on the southwest corner of County Road and James Ryan Parkway. This is a proposed 3.36-acre subplot within the previously approved Cimato Industrial Business Park, located in the Industrial Business Park zone.

The applicant is requesting preliminary Conceptual review of a proposed commercial plaza. This project consists of two 1-story multi-tenant commercial buildings.

The applicant is currently constructing a previously approved commercial plaza on the southeast corner of County Road and James Ryan Parkway, which is a separate project.

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

Mattina Development, LLC.

SBL 44.00-1-55 is east side of James Ryan Parkway, south of County Road. It is a proposed 1.91-acre subplot within the previously approved Cimato Industrial Business Park.

The applicant is requesting preliminary Conceptual review of a proposed commercial and flex warehouse plaza. Additionally, the applicant is concurrently proposing another separate and distinct project on the southwest corner of county Road and James Ryan Parkway.

A referral to the Panning Board would allow for a thorough review of this proposal.

Paul Shear asks if there is enough sewer capacity. Tim Lavocat answers he is not sure of the build out of these and not sure if it will be warehouse or restaurants. We will have to see.

Daniel Michnik asks if gas pumps are allowed in that area. Jonathan says yes, they would.

Flavors of India

This property is located at 4401 Transit Road. It is on the east side of Transit Road and north of Main Street. It's an existing 20-acre parcel in the Major Arterial zone, containing the existing Shops at Main/Transit Plaza.

The applicant is requesting consideration of a Temporary Conditional Permit for outside dining to the front of the existing business.

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

TOWN BOARD REPORTS:

Supervisor Patrick Casilio

- Conversations with the Sheriffs about the crime wave taking place here. The thieves are also going into peoples open or unlocked garages.

- Highway had a bid for a body and crane system. This is for the back of a maintenance truck.

Councilman Peter DiCostanzo

- There were 4 residential single family home permits for June.
- Motion for Trina and Alicia to do a training.

Councilman J. Paul Shear

- Update on the Parks Department, they have trimmed 161 street trees. Will be adding a line item in the budget for tool and replacement trees. Some trees were lost due to lack of watering. We are not replacing those.

Councilman Daniel Michnik

- Summerfest was rescheduled to August 23, 2026 from 12:00pm-4:00pm.
- Jessica is really doing a great job with the Youth Bureau.

Councilman Robert Altieri

- Thanks to Jonathan for all his hard work getting the 2nd grant for the playground. It's really appreciated.

Timothy Lavocat states we had pre bid meeting yesterday for the recreation facility. We had a lot of interest with a lot of contractors. We will have opening bids on July 30th. Hopefully we will get started in August.

Motion by Supervisor Casilio, seconded by Councilman Shear, to adjourn the work session at 8:42 a.m. and enter into Executive Session pursuant to §105 (1) f of the Open Meetings Law to discuss employment history.

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

Janel A. Farolino
Deputy Town Clerk

Motion by Supervisor Casilio, seconded by Councilman Shear, to adjourn the Executive Session at 9:05 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, July 22, 2026 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 9:12 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. Town Engineer, Timothy Lavocat was absent.

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to approve the Work Session and Town Board minutes of July 8, 2026 with one correction to page 137. The correct end date for Epic Bounce Inc. should be August 31, 2026 not August 21, 2026.

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

Supervisor Casilio thanked everyone for coming in early, we lost a former Town of Clarence Supervisor, Daniel Herberger, the board will be attending his funeral after this meeting.

Motion by Supervisor Casilio, seconded by Councilman Shear for the following resolution:

WHEREAS, the last penny was minted on November 12, 2025, at the U.S. Mint in Philadelphia, PA; and

WHEREAS, banks are no longer able to purchase any additional pennies, which in turn means the Town may no longer be able to obtain pennies from banks; and

WHEREAS, tax bills must be collected exact to the penny without rounding, and that the Town of Clarence Tax Collector may not be able to make change if cash payment is provided in excess of the amount owed; and

WHEREAS, the Town Board of the Town of Clarence believes that a reasonable solution is to require that tax bill payments paid in cash must be in the exact amount due and owing, which will allow the Town to continue to accept cash payments for the benefit of its residents.

NOW, THEREFORE, be it hereby

RESOLVED by the Town Board, that tax bill payments paid in cash must be in the exact amount of the tax bill; and be it further

RESOLVED, that this resolution shall take effect immediately.

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

Motion by Supervisor Casilio, seconded by Councilman Michnik that upon the recommendation of the Highway Superintendent after reviewing bids, to award and approve the purchase of the following item for the Highway Department:

132” Long Steel Utility Crane Body and Crane from Kaminski and Sons Truck Equipment, Buffalo, New York, at a cost of \$80,870.00, as this was the only bid received. To be paid from Highway Other Equipment Budget line 2.5110.0279.

On the question, bid is available for review upon request.

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

Supervisor Casilio stated that the Town Board is well aware of the crime streak going on in the Town of Clarence. Eighteen cars that have been stolen between the Sheriff’s Department and the New York State Troopers over the last ten days. There has been some direct contact with citizens and the criminals coming up the driveway. I will be focusing on in my column what the law enforcement is stating. You may be saying I have my fob or my fob is not in the car, keep locking cars and keep valuables out of them. We did have broken windows, if you leave a purse or laptop, something with value in the car visible they will break the window. Sheriff’s and

Troopers are stepping up on patrols and you will be hearing helicopters flying as well in the near future. What I have learned while investigating this is it is County wide, happening in the city and not specific to our Town. We have reports from Amherst and Lancaster with more concentration in the suburbs, keep locking your cars and taking the fobs with you. We are working on it with law enforcement and I will have a statement on this in the near future.

Motion by Councilman DiCostanzo, seconded by Councilman Shear at the request of the Town of Clarence Assessor, to have Assessor Staff employees, Trina Boller and Alicia Baker, virtually attend an on-line computer course; namely, Computer Skills for the Workplace (Self-Guided), as sponsored by SUNY Erie Community College. The course has three months access from date of enrollment. The tuition fee is \$147.00 per person, and both employees will log on for class during work hours, on a rotating basis for time during the week.

On the question, this is a budgeted item

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

Councilman DiCostanzo stated in June we had a total of four residential single-family permits, with a total of 49 for the year of 2026. Three of the houses are very expensive and one is reasonable.

Councilman Michnik stated that Summerfest has been changed to August 23, 2026 at the Main Street Town Park from 12:00 p.m. until 4:00 p.m. The event was cancelled last week due to the storm coming in.

Councilman Altieri stated that the wrap up meeting for the Fireworks in the Park was last week and went very well. Again, thank you to everyone that was involved as well as all of the citizens who came out. Two things that did stand out was garbage, we had so many people who did come out that next year we will come up with an organization who will be responsible for picking up the garbage. Secondly, at the end of the fireworks there was chaos again with getting out of the parking lot, we will try to adjust that next year. We did have the Sheriff's Department at Main Street and on Shisler Road trying to direct cars but this is very difficult when everyone is leaving at the exact same time. We will try to do a better job next year.

Supervisor Casilio stated that he just received a text from the Sheriff's Department stating that they did recover three stolen vehicles last night from Clarence and Buffalo traced back to the Perry Street. A pair of air pods were left in the vehicle that the owner was able to trace.

Motion by Councilman Shear, seconded by Councilman Altieri to approve the request of the applicant, Cheryl Hufnagel, for a Special Event Permit for the "50th Annual Clarence Arts & Crafts Society Fall Show" to be held at the Main Town Park Clubhouse, 10405 Main Street, Clarence, NY, on Saturday, September 12, 2026 from 10:00 a.m. to 4:00 p.m., and on Sunday, September 13, 2026 from 10:00 a.m. to 4:00 p.m., subject to meeting all conditions of the Special Event Permit, Memorandum of Agreement, and the receipt of the required Certificate of Insurance naming the Town of Clarence as an additional insured from the applicant.

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

Motion by Councilman Michnik, seconded by Councilman DiCostanzo to approve the request of the applicant, the Clarence Center Volunteer Fire Company, for an Application for Display of Fireworks for Saturday, July 25, 2026, from 9:30 p.m. to 10:00 p.m., at 9415 Clarence Center Road.

On the question, approval for the Applications for Fireworks Display are subject to receipt of all the appropriate paperwork, fees, insurances, and fire chief approvals are on file in the Planning and Zoning Office.

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

Motion by Councilman Altieri, seconded by Councilman Shear to approve the request of the applicant, Brookfield Country Club, for a Fireworks Display Permit for Saturday, August 1, 2026; Saturday, August 8, 2026; and Saturday, August 15, 2026, from 9:00 p.m. to 10:00 p.m. on the respective dates.

On the question, approval for the Fireworks Display Permits are subject to receipt of all the appropriate paperwork, fees, insurance and fire chief approvals are on file in the Planning and Zoning Office.

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

Karen Lang, Town Clerk, commented on the resolution pertaining to tax payments requiring exact change. The US mint has stopped producing pennies which means I can no longer receive pennies from the Town's bank to make change. What this means for the tax payers is that exact payment is required for tax payments and the clerk's office is unable to round up or down according to the tax law. The clerk's office will make change if we are able to until we run out. Once we have no more pennies taxpayers must have exact change. In the event that you do not have exact change a partial payment will be made, the tax payer will be responsible for the remainder by producing exact change or writing a check. As always payments received after the due date will have penalties. If you have any questions, please contact the Town Clerk's Office.

7631 Transit Road, LLC. An Existing 6.88-acre property in the Restricted Business zone. Formerly home to Bitterman's Automotive complex of buildings and two residential structures, all of which have since been demolished, apart from one warehouse building on the east side of the property. The applicant is requesting a Public Hearing to consider a Special Exception Use Permit for a Conceptually approved commercial retail building in excess of 10,000 sqft for LENCO Supplies. The building is proposed to contain 43,800 sqft and be centered on the property, fronting Transit Road. The northwest corner of the property is reserved for an outparcel/lease area. The southern portion of the property is proposed to be a natural open space area. Finally, the existing warehouse building on the east side of the property is proposed to be preserved, rehabilitated, and used as part of the business operation. In 2023, Rane Property Management received Town approval to construct a mixed-use project containing commercial space, multiple-family housing, and accessory structures on the property. This construction never occurred and the property has since been sold. The Town Board referred this new proposal to the Planning Board in January of this year. In February, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). In May, the Planning Board issued a Negative Declaration under SEQRA. In June, the Zoning Board of Appeals issued a Use Variance for this retail operation. In July, the Planning Board issued Concept Plan approval, subject to nineteen conditions, and the recommendation of a Special Exception Use Permit. Town Board has the authority to consider this request after setting and holding a Public Hearing.

Sean Hopkins was present on behalf of the applicant, to answer any question on the project as well as Kevin Coppola, of LENCO Supplies. We are seeking a Special Exception Use Permit for a retail building in excess of 10,000 sqft. This project has been extremely well reviewed by the Planning Board and the Zoning Board of Appeals. SEQRA is complete, we did receive the use variance as Jonathan stated as well as Concept Plan Approval. We are hoping to move this project forward as soon as possible, the earliest we could schedule a public hearing would be appreciated. We welcome any questions anyone may have.

Councilman Shear stated that you have been very gracious and easy to work with, we appreciate that. The project is excellent.

Sean Hopkins stated we look forward to being in Clarence.

Motion by Councilman Shear, seconded by Councilman Altieri to set a public hearing for Wednesday August 12, 2026 at 10:15 a.m., to consider the request of the applicant, 7631 Transit Road, LLC, for a Special Exception Use Permit for a Conceptually approved commercial retail building in excess of 10,000 sq. ft. for LENCO Supplies, at 7631 Transit Road in the Restricted Business zone.

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

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to approve the applications as follows: Legion Hall: Linda & Ed Shaffer August 9, 2026, Joan Engasser November 1, 2026 and Kelly Kane January 16, 2027. Clubhouse: Erie County Board of Elections September 22, 23 & 25, 2026.

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

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to approve the Bill Pay of July 9, 2026 as follows: General Funds \$355,548.12; Highway Funds \$191,509.06; Water Funds \$1,032.00 and Capital Funds \$110,135.26 for a total bill pay of \$658,224.44.

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 July 16, 2026 as follows: General Funds \$125,879.25; Highway Funds \$71,895.66; Water Funds \$9,262.73; Drainage Funds \$1,167.85; Lighting Funds \$760.54; Capital Funds \$11,500.00 for a total bill pay of \$220,466.03.

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

With no further business, Supervisor Casilio closed the meeting in honor of past Town of Clarence Supervisor, Daniel Herberger who passed away last week. Dan was a great public servant, we have many employees who are related in one way or another to him and many of us will be attending his funeral. He was active for more than 30 years in the community and one of his biggest attributes was getting the Clarence Public Library where it is today on this campus. Additionally, he was the driving force to Memorial Park which is our baseball, softball and soccer facility that was packed last weekend as well as most weekends. Hats off to Dan Herberger, his force made it easier for us to do what we do for the Town today.

Karen Lang
Town Clerk