The Work Session meeting of the Town Board of the Town of Clarence was held on Wednesday October 14, 2026 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 Daniel Michnik, J. Paul Shear, Peter DiCostanzo, Robert Altieri 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:

AJ's Tree Service

This property is located at 9865 County Road. It is on the south side of County Road and west of Strickler Road. It's an existing 47-acre vacant parcel located in the Industrial and Agricultural-Rural Residential zones.

The applicant is requesting a Temporary Conditional Permit (TCP) for outside operations associated with an industrial tree service operation, including equipment sales/service/display/storage and material storage/processing/production.

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

7 Brew

This is property is located at 4301 Transit Road. It is on the east side of Transit Road and south of Main Street. It is an existing 23-5-acre parcel in the Major Arterial zone. It contains the existing Transitown commercial plaza.

The applicant is requesting a Special Exception Use Permit for a drive-through facility associated with a Conceptually approved coffee stand. It would consist of an approximately 510sqft building with a dual-lane drive-through, adjacent 281sqft cooler and associated facilities.

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

FORMAL AGENDA ITEMS: None

WORK SESSION ITEMS:

Picone Construction, Corp.

The locations for this are 10975 & 10985 Main Street. This is on the south side of Main Street and east of Schurr Road. It consists of two existing 1.5-acre parcels, each containing a residential duplex within the Hollow Traditional Neighborhood District.

The applicant is requesting preliminary review of rezoning consideration from Residential Single-Family to allow future commercial use to the rear of the existing duplexes.

A referral to the Planning Board would allow for a thorough revies of this proposal.

Delgato's Dozens

This property is located at 5615 Salt Road. It is an existing 0.7-acre parcel in the Agricultural Rural Residential zone. It contains an existing single-family residence.

The applicant is requesting consideration of a Temporary Conditional Permit to operate a bakery sales stand. The business would operate two days a week on the front porch.

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

Hayter Construction, Inc.

This property is located at 7767 Transit Road. It's on the east side of Transit Road and north of Wolcott Road. It is an existing 1.4-acre parcel in the Residential Business zone. It contains a commercially converted residence to the front and a showroom/garage to the rear.

The applicant is requesting consideration of a Temporary Conditional Permit to operate a construction company. The front building would be used for office space and the rear for meeting and storage.

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

TOWN BOARD REPORTS:
Supervisor Patrick Casilio

- Motion to accept grant funding for shoulder widening for Delaware Road.
- We have received two proposals for demolition of 10681 Main Street.
- Motion for new hire at Highway Department.
- Working on a resolution to hold repeat offenders accountable for the crimes they commit.

Councilman Peter DiCostanzo

- Motion for transfers of funds.
- Motion for Jason at Parks to buy a plow.
- Motion for new hire.
- Assessor's office is working on exemptions for taxes for veterans who are disabled.

Councilman J. Paul Shear

- October 24th at the Nature Center there is the family headlight walk. Around 200 families have signed up.

Councilman Daniel Michnik

- Motion for Youth Bureau to add 3 people to the board.

Councilman Robert Altieri

- Another Honor Flight Mission came in and there was a great turn out.
- Discussion of the fireworks for next year.

Motion by Supervisor Casilio, seconded by Councilman Shear, to adjourn the work session at 9:44 a.m. and enter into Executive Session pursuant to §105 (1) f/h of the Open Meetings Law to discuss the acquisition of employee history and the 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 Shear, to adjourn the Executive Session at 10:07 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, October 14, 2026 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 10:16 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 Engineer, Timothy Lavocat and Town Attorney Lawrence Meckler.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve the Work Session and Town Board minutes of September 23, 2026.
Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Shear that the Town of Clarence agrees to pay the annual fire hydrant maintenance fee to the Erie County Water Authority for one (1) fire hydrant to be installed by the Erie County Water Authority on the east side of Rapids Road and adjacent to 10650 Rapids Road.
Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Altieri that after requesting proposals from three (3) qualified contractors, the Clarence Town Board awards the proposal for Demolition of Unsafe Structure at 10681 Main Street, Clarence, New York to EBD Construction Services, LLC of Lackawanna, New York they being the lowest responsive proposal received in the amount of $33,900.00.
On the question this is paid for by our Open Space Fund and all necessary paperwork has been submitted.
Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

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

WHEREAS, an open competitive bid was held on October 1, 2026 for the Town Place Park Sports Court Rehabilitation Project, and per the Wm. Schutt & Associates, P.C. recommendation letter of October 7, 2026, it is hereby

RESOLVED, that the Clarence Town Board awards the base bid for the Town Place Park Sport Courts Rehabilitation Project bid to Louis Del Prince & Sons, Inc. of Cheektowaga New York, for a base bid amount of $74,000.00, as they were the lowest responsible bidder; and it is hereby further

RESOLVED, that the Supervisor is authorized to sign and enter into an agreement with Louis Del Prince & Sons, Inc. upon review and approval of the Town Attorney.

On the Question, to Allocate General Fund balance in the amount of $74,000 to budget line 1.7110.4130 Resurfacing Material.
Supervisor Casilio stated the pickleball courts on Goodrich Road will be getting resurfaced.
Tim Lavocat stated the lower courts will be completed this Fall and the upper courts will be in the Spring.
Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Altieri for the following:

WHEREAS, a Project for the widening of shoulders on Delaware Road, PIN. 5766.08 comptrollers' contract # D041950 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the cost such program to be born at 95% Federal funds and 5% non-federal funds; and

WHEREAS, the Town of Clarence desires to advance the "Project" by making a commitment 100% non-Federal share of the cost of $165,000.00.

NOW, THEREFORE, the Clarence Town Board, duly convened, and it is

RESOLVED, that the Clarence Town Board hereby authorizes the Town of Clarence to pay in the first instance 100% of the federal and non-federal share of the cost of $165,000.00 for the "Project" or portions thereof; and it is further

RESOLVED, that the sum of $165,000.00 is hereby made available by the Town of Clarence to cover the cost of participation in the above phases of the "Project"; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Town of Clarence shall convene as soon as possible to appropriate said excess amount immediately upon the notification thereof; and it is further

RESOLVED, that the Town Supervisor of the Town of Clarence be hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli aid on behalf of the Town of Clarence with the New York State Department of Transportation in connection with the advancement or approval of the "Project", and providing for the administration of the "Project" and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible all "Project" costs that are not so eligible; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the "Project", and it is further

RESOLVED, that this Resolution shall take effect immediately.

On the question, Timothy Lavocat stated that this is a project under the New York State DOT program, Roadway Departures, to enhance the safety of the road in the area and this is one of the roads they selected.

Supervisor Casilio stated that there is a slight "s" curve where two children lost their lives going to fast down that road. They will straighten the curve out and provide shoulders.

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

Motion by Supervisor Casilio, seconded by Councilman Altieri to set a public hearing for Wednesday, November 4, 2026 at 10:15 a.m. to consider the Preliminary Budget and Special Districts Assessment Roll for the Town of Clarence for the year 2027.

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 James Dussing, Alex Swann is appointed to the open full-time Highway Department Laborer Step 1 position to be paid at the union rate of $29.1106 per hour as per the Town of Clarence Blue collar Unit #6771 contract regulations with a start date of Monday November 2, 2026, subject to all pre-employment paperwork and requirements being met.

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

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

WHEREAS, the Northern Erie Sno-Seekers Inc. Snowmobile Club, has requested permission from the Clarence Town Board to use the following Town-owned properties for the 2026/2027 Snowmobiling Season as insured New York State Class A corridor snowmobile trails:

1. "West Shoreline" Bike Path that runs from Salt Road to Davison Road.

2. Allow for parking on the Salt Road Parking area for "Drop and Ride" site.

3. Trail running through Memorial Park between the parking lots and baseball diamond and the northern side of east/west main driveway,

4. Allow for parking on the stone parking lots at Memorial Park between the baseball diamonds and the north side of the main driveway for a "Drop and Ride" site.

5. Begin at Goodrich Road running parallel on the north side of the Peanut Line Bike Path, heading east through the former Thompson property and former Cimato Property into Memorial Park between the parking lots and baseball diamonds on the north side of the east/west driveway

6. Beeman Creek Park Trail to connect the trails on the North side of the Town.

7. Ransom Road Bridge for access to area businesses conditioned on the bridge being protected with rubber matting and the trail being clearly marked and maintained by the Northern Erie Sno-Seekers, Inc.

8. Town owned property north of Greiner and west of Salt with written permission from the lessee, Kreher' s Poultry Farms with copy of same to the Town.

9. From Strickler Road east to Salt Road as a shared use recreational and snowmobile trail subject to the terms and conditions as provided for in the letter dated October 9, 2026 from Northern Erie Sno-Seekers Snowmobile club.

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Clarence Town Board grants permission to the Northern Erie Sno-Seekers Inc. Snowmobile Club for the use of the above Town owned property subject to the following conditions:

1. The Northern Erie Sno-Seekers Inc. Snowmobile Club is to provide the Town of Clarence with a certificate of insurance naming the Town as an additional insured on the Northern Snow Seekers, Inc. Snow Mobile Club's insurance and name the above areas on said certificate.

2. This use is approved and authorized with the understanding that snowmobiles are allowed only on the right-of-way of the bike path and absolutely not allowed on the paved portions of the bike path except for the use of the bike path from Strickler Road east to Salt Road pursuant to the terms and conditions as stated in the letter dated October 9, 2026 from the Northern Erie Sno-Seekers Club that is on file with the Town Clerk and the Town Attorney.

3. That all trails will be clearly marked with signs and barrels and the path maintained throughout by the Northern Erie Sno-Seekers Inc. Snowmobile Club

4. That the season will run from December 15, 2026 to April 1, 2027.

5. This approval is for the 2026-2027 term expiring on April 1, 2027 and is to be reviewed on a year-to-year basis upon receipt of the request for use of said properties by the Northern Erie Sno-Seekers and subject to review and approval by the Town Attorney's office.

On the question, Supervisor Casilio stated that we have not had any complaints last year.
Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to approve the following transfer of funds in the 2026 General Fund Budget:

- $15,000.00 from account #001.7110.102 Part Time Personal Services to account #001.7110.4160 Gas and Oil

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

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to approve the following transfer of funds in the 2026 Highway Fund Budget:

- $50,000.00 from account #002.5110.100 Personal Services to account #002.5110.4160 Gas and Oil.

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

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve the following transfer of funds in the 2026 General Fund Budget:

- $9,200.00 from account #001.7110.102 Part Time Personal Services to account #001.7110.279 Other Equipment

On the question, Councilman DiCostanzo stated that money is being moved to take care of the next motion.

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

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to accept Quote #222461 of September 14, 2026 from Casullo's Auto Accessories & Upholstery for the purchase and installation of a 2026 Western Ultra mount Wideout XL Plow, at an amount not to exceed $9,234.00 which will be paid from Parks 2026 Budget line (001.7110.279) Other Equipment

On the question, they were the lowest bid received.

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

Motion by Councilman DiCostanzo, seconded by Councilman Altieri appoint Thomas Jost to the position of Recreation Specialist Part-Time at the hourly rate of $21.4452, effective October 19, 2026, subject to receipt of all pre-employment paperwork and pre-employment requirements being met.

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

Councilman DiCostanzo mentioned that New York State made it possible for 100% disabled Veteran's to get an additional discount on their property taxes. We have received many calls and emails on this from residents. We have to go through a process to amend the Town code with an upcoming public hearing and then most likely approve that. We are heading in the direction of doing this, the County is, however I don't know what the school is doing about it yet.

Councilman Shear mentioned that Saturday October 24, 2026 from 5:00 p.m. until 7:00 p.m. the Clarence Central High School will be hosting a Headlamp Walk at the Clarence Nature Center off of Sheridan Drive. They are taking reservations which are currently at 200 with a cap of 300, if you are interested, please sign up.

Motion by Councilman Michnik, seconded by Councilman Altieri upon recommendation by the Clarence Youth Bureau to consider the appointment of the following three (3) adult members to the Clarence Youth Board:

- James Mitaritonna for a 3-year term to expire 12/31/2028
  (for Jack Loewer's seat, his term expired in 2025);

- Tracy Reed for a 3-year term to expire 12/31/2028
  (for Michela Hacker's seat, her term expired in 2025); and

- Candace Ryan (for Scott Howell's seat, his term expires 12/31/2026) to complete Scott Howell's term expiring 12/31/2026. Candace will need to be re-appointed January 2027.

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

Councilman Michnik mentioned that on October 17, 2026 the Clarence Youth Bureau is hosting a Halloween event at the Main Street Clarence Park from 2:00 p.m. until 6:00 p.m.

Councilman Altieri spoke about the Honor Flight that came in this past weekend. The flight left the Buffalo airport headed to Washington, DC with 33 heroic veterans on board, coming back late on Sunday evening. This is a wonderful organization for these Veteran's being mission number 24 with the next mission in April or May of 2027.

Karen Lang, Town Clerk, reminded everyone that 2026-27 School Tax Bills are due in two days, October 15, 2027. October 16th 7.5% fees are applied and can not be waived per the law. Residents can utilize the night deposit box at the main entrance of the Town Hall, north facing door to the right of the entrance, until 12:00 a.m. as an on-time payment. At this point if

you choose to mail a payment, you must walk into a USPS and see a clerk to get the appropriate stamp on the envelop accepted per the law. Leaving your mail in a postal drop box or mailbox will not have appropriate markings and will be late.

Supervisor Casilio stated that the Town of Clarence as well as many other towns are going through a mass rash of car thefts with several law changes made in Albany. After being caught steeling a car they are getting a court appearance ticket and steeling another car to get back home. A few days back at the Lowe's Plaza on Transit Road there was another theft, I don't believe they are at gun point. The thieves are walking up driveways to check for unlocked cars and smash windows if they see anything of value in the vehicle. Don't leave valuables in your car, keep them locked. My own daughter left her fob in her vehicle while wrestling her kids out of the vehicle and it was stollen. They did catch the guy who spent one night in the holding center. Over on Susan Drive, same thing mother of four left her purse in the vehicle. The purse was left behind but the contents, money and credit card were all stollen. The Town Board is going to have some resolutions coming up to say our feeling about it, we are sending them to others towns where this has been discussed. We are trying to encourage Albany, the Assembly, our State and or Governor to modify the laws, especially on juveniles up to the age of 18 years of age. Bail reform, cashless bail, certainly we don't want someone sitting in jail for two years on marijuana charges if they can't come up with bail. No matter what the charge is they don't even spend one night in a holding center. With that being said, can a Councilman please read the motion.

Motion by Councilman DiCostanzo, seconded by Councilman Shear for the following resolution:

WHEREAS, the Town Board of the Town of Clarence is committed to protecting the safety, welfare, and quality of life of its residents; and

WHEREAS, municipalities throughout Erie County and New York State have experienced incidents involving repeat juvenile offenders, including vehicle thefts, property crimes, and other offenses that have significant impacts on residents, businesses, and law enforcement resources; and

WHEREAS, local governments and law enforcement agencies have expressed concerns regarding the ability to effectively address repeat juvenile offending while ensuring accountability, and public safety; and

WHEREAS, the Town Board recognizes the importance of balancing rehabilitation opportunities for youth with the need to protect victims and communities from repeated criminal behavior; and

WHEREAS, repeated criminal activity, court-related noncompliance, and property offenses committed by repeat offenders may result in increased expenditures of municipal resources, including law enforcement response, public safety services, court administration, and related governmental functions; and

WHEREAS, enhancing public safety tools and improving accountability for repeat offenders may help reduce the long-term financial burden on local governments and taxpayers.

NOW, THEREFORE, BE IT RESOLVED, that the Clarence Town Board respectfully urges the New York State Legislature to review and amend existing laws, where appropriate, to restore judicial discretion in release and detention determinations to address repeat juvenile offending and chronic failures to appear in court; and

BE IT FURTHER RESOLVED, that such review should consider measures that enhance judicial discretion, improve accountability for repeat offenders, support victims of crime, and strengthen public safety while preserving appropriate rehabilitation opportunities for youth; and

BE IT FURTHER RESOLVED, that the Town Board encourages other municipalities and local government organizations throughout New York State to join in advocating for public safety reforms that address repeat juvenile offending and its impacts on local communities; and

BE IT FINALLY RESOLVED, that the Town Clerk is hereby directed to transmit copies of this Resolution to the State of New York, the Majority and Minority Leaders of the New York State Senate and Assembly, the New York State legislative delegation representing Erie County, the Erie County Legislature, neighboring municipalities, and such other officials as may be appropriate.

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

Supervisor Casilio stated that they will begin the Fire Company Public Hearings for the 2027 budget, starting with Clarence Center Fire Company.

Dennis Raquet, President of the Clarence Center Fire Company, was present with Mike Rogowski, Board of Director and Tom Brady, Treasurer. Dennis stated his support for this raise. We all know we are in challenging economic times where costs have already increased significantly. Fire Company supplies are no exceptions, with some increases of 25% – 30%. These rising costs place additional finance pressure on the Fire Company as we work to ensure our members have equipment and resources necessary to safely protect our community. Supporting this raise will help up keep the pace of increasing expenses to continue to provide the level of service that the residents deserve. Thank you, from the Clarence Center Fire Hall.

Supervisor Casilio thanked Mr. Raquet and included that this is for firefighting only and the Town of Clarence pays for the compensation services and LOSAP Retirement of about $230,000.00 yearly. Thank you for your service, the Labor Day Fair and what you do for the Town of Clarence those four days, I am sure it is taxing of the company and its members.

Dennis Raquet stated it is getting harder and harder every year.

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

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

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

RESOLVED, that after a Public Hearing duly held on October 14, 2026, and after all interested parties having been heard, the Clarence Town Board agrees to enter into a contract with the Clarence Center Volunteer Fire Company, Inc. for fire protection for the year 2027 for an amount not to exceed $1,000,850.00.

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

Supervisor Casilio called on the East Amherst Fire Company for their contract.

Greg Skibitsky, Treasurer and Ken Rusin President were present for the public hearing.

Supervisor Casilio thanked them for coming, we share this contract with the Town of Amherst but we pay a less amount. We do pay full workers compensation as well as the LOSAP program.

Greg Skibitsky thanked the board for honoring their request.

Ken Rusin thanked the board for taking the time to meet with them this year and listen to there needs, it was very much appreciated.

Supervisor Casilio asked if the other Town matched what the Town of Clarence did.

Ken Rusin stated they did not.

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

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

Motion by Supervisor Casilio, seconded by Councilman Altieri to adopt the following resolution:

RESOLVED, that after a public hearing duly held on October 14, 2026, and after all interested parties having been heard, the Clarence Town Board agrees to enter into a contract with the East Amherst Fire Department, Inc. for fire protection for the year 2027 for an amount not to exceed $331,729.00.

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

Supervisor Casilio asked for the Harris Hill Fire Company representatives to come forward for their contract.

Steve Scalzo, Treasurer, was present stating they were very pleased to work with the Town this year on the budget. The extra 1% comes in handy.

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 to adopt the following resolution:

RESOLVED, that after a public hearing duly held on October 14, 2026, and after all interested parties having been heard, the Clarence Town Board agrees to enter into a contract with the Harris Hill Volunteer Fire Company, Inc. for fire protection for the year 2027 for an amount not to exceed $909,649.00.

Supervisor Casilio added that the Town also covers the Workers Compensation and LOSAP for the fire company.

Steve Scalzo stated that the prescreening has been beneficial, as it has detected cancer for some of our members.

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

Supervisor Casilio stated the Rapids Fire Company was next and no representative was present. They cover about 2 square miles in the Town of Clarence.

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 Shear, seconded by Councilman Altieri to adopt the following resolution:

RESOLVED, that after a public hearing duly held on October 14, 2026 and after all interested parties having been heard, the Clarence Town Board agrees to enter into a contract with the Rapids Volunteer Fire Company, Inc. for fire protection for the year 2027 for an amount not to exceed $51,907.00.

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

Supervisor Casilio stated the Swormville Fire Company was next and no representative was present.

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

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

Motion by Councilman Michnik, seconded by Councilman Altieri to adopt the following resolution:

RESOLVED, that after a public hearing duly held on October 14, 2026, and after all interested parties having been heard, the Clarence Town Board agrees to enter into a contract with the Swormville Fire Company, Inc. for fire protection for the year 2027 for an amount not to exceed $278,069.00.

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

AJ’s Tree Service at 9865 County Road. South side of County Road, west of Strickler Road. An existing 47-acre vacant parcel located in the Industrial and Agricultural-Rural Residential zones. The applicant is requesting a Temporary Conditional Permit (TCP) for outside operations associated with an industrial tree service operation, including equipment sales/service/display/storage, and material storage/processing/production. These outside operations are included within the overall project scope featuring an 8,876 sqft sales, service, and office building along County Road, accompanied by two vehicular access points, customer parking, and an equipment sales lot. A business inventory storage lot is proposed to the rear of the building, with an access drive to the rear of the site. The rear of the site is proposed to contain an outdoor wood processing yard, storage and service buildings, and wood production facility. The Town Board referred this proposal to the Planning Board in May of 2025. In June of 2025, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). In October of 2025, the Planning Board issued a Negative Declaration under SEQRA, Concept Plan approval subject to 19 conditions, and a recommendation of this TCP after a technical review of applicant supplied outdoor operation detail during the Development Plan review phase. Finally in January of this year, the Landscape Review Committee approved a final landscape plan. Town Board has the authority to consider this request after holding a Public Hearing.

Dave Stutz of LaBella, Jeff Tomaro, owner of the business and Phil Casilio of P.A.T. Construction.

Paul Shear stated this project has been gone through extensively.

Robert Castellani was present as a neighbor to this project. My only concern is how far from the line would the storage facility or any other structures be built. The gas line easement is 50 feet, what would the closest structure be from that point.

Dave Stutz stated that from the gas line we have a 100-foot set back like for any structures. That 100-foot buffer cannot be encroached by any buildings. Currently right now it is open fenced in area for future storage of equipment, no buildings are proposed on that site at this time.

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

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

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

RESOLVED, that after a Public Hearing held at the duly convened Town Board Meeting on Wednesday, October 14, 2026, to consider the request of the applicant, AJ's Tree Service, for a Temporary Conditional Permit for outside operations associated with an industrial tree service operation; including equipment sales/service/display/storage, and material storage/processing/ production, all in the Industrial Business Park and Agricultural-Rural Residential zones, the Town Board hereby approves the request of the applicant subject to the following conditions:

1. Initial permit shall be for a term no greater than one year, and shall not commence, nor shall any operation commence, until a Certificate of Occupancy has been issued for the project.

2. Operation shall be in conformance with the submitted application, plan set, business plan, testimony of the applicant, and conditions of Planning Board Concept Plan and Development Plan approvals.

3. Applicant meeting any additional requirements of the Town of Clarence Engineering, Building and Planning Departments.

4. Subject to any applicable fees as required by Town Code.

Councilman Shear asked the applicant if her has heard, understand and accept the conditions.

Jeff Tomaro replied yes.

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

Councilman DiCostanzo reminded the applicant that the Temporary Conditional Permits are for one year. That is where we can get into problems up here, follow the rules, don't bother the neighbors too much and we will keep renewing the permit.

7 Brew at 4301 Transit Road. East side of Transit Road, south of Main Street. An existing 23.5-acre parcel in the Major Arterial zone, containing the existing Transitown commercial plaza. The applicant is requesting a Special Exception Use Permit for a drive-through facility associated with a Conceptually approved coffee stand. The project consists of an approximately 510 sqft building with a dual-lane drive-through, adjacent 281 sqft cooler, and associated facilities. This item was first on the Town Board agenda in May of this year, and was tabled to allow the applicant time to consider and respond to comments heard. With new information provided, the Town Board referred the proposal to the Planning Board in June. In July, the Planning Board denied the Concept Plan to allow the applicant the ability to petition the Zoning Board of Appeals (ZBA). In January of this year, the ZBA issued variances for the reduced size and front yard setback of the principal structure, and reduced drive-through window distance to the right-of-way. The applicant then addressed additional comments received, including the commitment of additional greenspace along Transit Road, the change from blue to

white building lighting, and the addition of an architectural wall in place of the structure's upper railing system. In September, the Planning Board issued Concept Plan approval, subject to nineteen conditions, and the recommendation of a Special Exception Use Permit for the drive-through facility. Town Board has the authority to consider this request after holding a Public Hearing.

Jenn Krack of Olio and Anthony Pandolfe of Carmina Wood were present to answer any questions.

Supervisor Casilio thanked the representatives for all the time that they spent with the planning Board to work out all the details. As you know my concern is the traffic on Transit Road that I think is only going to be temporary. Is closing off the section to Transit Road included.

Jonathan Bleuer stated it was not included, no. There was a condition at the Planning Board level that all traffic be allowing into the plaza and then controlled in the plaza. There was a concern with prohibiting all access for problems on Transit Road.

Councilman Altieri stated that he heard the promotional days were chaotic, how often are they.

Jenn Krack stated she does not have the schedule for that but the operations group does and can implement any staff needed.

Councilman Shear stated that when they looked at the original plans were indicated that the four corners will be marked.

Anthony Pandolfe stated yes, they will be marked with cones and manned as well.

Councilman Michnik asked what happens when sone else parks in there not in the coffee lane.

Jenn Krack stated that they won't be able to as the lot will be manned and we have signs as well.

Supervisor Casilio stated that sometimes we are promised these things then they don't happen which makes us receive the phone calls. The Drycleaner's had questions but I believe you are trying to accommodate her as well.

Jenn Krack stated yes absolutely, I can say that any impacting to any other business in the plaza is 100% being considered and the owner of the property will own any of these concerns and designate parking.

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 Shear, second by Councilman Altieri for the following:

RESOLVED, that after a Public Hearing held at the duly convened Town Board Meeting on Wednesday, October 14, 2026, to consider the request of the applicant, 7 Brew, for a Special Exception Use Permit for a drive-through facility associated with a conceptually approved coffee stand at 4301 Transit Road in the Transitown Plaza in the Major Arterial Zone, the Town Board hereby approves the request of the applicant, subject to all nineteen (19) conditions of the Planning Board Concept Plan approval on September 16, 2026.

Councilman Shear reiterated that the nineteen (19) conditions were read to you, you understood then and accept them.

Jenn Krack replied correct.

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

Supervisor Casilio asked what they thought the time frame would be for construction.

Anthony Pandolfe stated as soon as we get all of our approvals, we think the Spring time.

Supervisor Casilio reiterated once you have the approvals it will happen quick.

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to approve the applications as follows: Legion Hall: Girl scouts USA October 22, 2026 & Multiple dates; Allison Davis November 15, 2026; Jeannine Kelkenberg December 6, 2026 and Marsha Brauer January 15, 2027. Clubhouse: Clarence Running Boosters November 3, 2026, Clarence Girls Swim & Dive Team November 9, 2026 and Clarence Arts & Crafts Society December 12, 2026.

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 24, 2026 as follows: General Funds $286,784.49, Highway Funds $131,339.66, Water Funds $1,032.00, Sewer Funds $336.58 and Capital Funds $68,314.62 for a total bill pay of $487,807.35.

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 October 8, 2026 as follows: General Funds $236,433.38, Highway Funds $338,472.85, Fire Protection Districts $5,522.57, Drainage Funds $4,648.27, Lighting Funds $664.12, Sewer Funds $343.47 and Capital Funds $74,842.63 for a total bill pay of $660,927.29.

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

With no further business, Supervisor Casilio adjourned the meeting at 11:10 a.m.

Karen Lang
Town Clerk