The Work Session meeting of the Town Board of the Town of Clarence was held on Wednesday October 28, 2026 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 8:34 a.m.

Members of the Town Board present were Councilmembers 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. Councilmember Daniel Michnik was absent.

Director of Community Development - Jonathan Bleuer

PUBLIC HEARINGS:
Annual Excavation Permit Renewals

Proposal: Consider the annual renewal of the following excavation permits:

A. New Enterprise/Buffalo Crushed Stone, 8615 Wehrle Drive
B. Lakeside Sod Supply Co., 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 holding a Public Hearing.

Annual Community Development Block Grant Program

Proposal: Consider potential funding needs for the Federal Community Development Block Grant (CDBG) request. Based on comments received, The Town has currently identified the following projects for consideration:

A. Senior Center Furniture Update
B. Rural Transit Services, Inc.

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

FORMAL AGENDA ITEMS:
Delgato's Dozens

This is located at 5615 Salt Road. It's on the east side of Salt Road and south of Howe Road. It is an existing 0.7-acre parcel in the Agricultural Rural Residential zone.

The applicant is requesting a Public Hearing to consider a Temporary Conditional Permit to operate a bakery sales stand.

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

Hayter Construction, Inc.

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

The applicant is requesting a Public Hearing to consider a Temporary Conditional Permit to operate a construction company.

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

5445 Transit Road, LLC.

This is located at 5445 Transit Road. It's on the east side of Transit Road and south of Roll Road. It is an existing 13.7-acre property located in the Major Arterial and Residential Single-Family zones. It contains a commercial plaza.

The applicant is requesting approval of a Clearing, Filling & Grading permit. This would cover approximately 4.8-acres. It's intended to clear, clean and beautify the property.

The Town Board has the authority to consider this request, after an action through the State Environmental Quality Review Act (SEQRA).

WORK SESSION ITEMS:

Paul Marinaccio

This SBL29.00-3-34 is on the south side of Lapp Road and west of Heise Road. It is an existing 36-acre vacant property located in the Agricultural Rural Residential zone.

The applicant is requesting Preliminary Conceptual Review of a proposed 9-lot major subdivision.

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

TOWN BOARD REPORTS:

Supervisor Patrick Casilio

- Motion for speed limit reductions.
- Motion to hire another patrol officer paid for by the school.
- Hiring of part time employees.
- Talk of veteran exemption for taxes.
- House set for demolition which the Highway Department will back-fill.
- Marty Holowitz is asking about veteran flags being attached to light posts. NYSEG must be contacted regarding this. We do not own the lights. We may need to contact an electric company to see if that's something they can do.
- Motion for a second resolution in regards to bail reform.

Councilman Peter DiCostanzo

- Disappointed with all the leaves being raked into the streets.
- There were 67 single-family residential permits this year.
- Motion to set a Public Hearing for veteran exemptions on taxes.
- 4 transfers within the 2026 budget.

Councilman J. Paul Shear

- Headlight walk at the Nature Center was a huge success.

Councilman Robert Altieri

- Thanks to Paul Shear on all his work with the headlight walk at the Nature center.
- Thanks to Jonathan for his work on the playground grant.

Town Engineer Timothy Lavocat states he had engaged a consultant to do a bid package to redo part of the bike path from Transit Road to Heise Road. The consultants would be putting a bid package together for a full rehabilitation for that stretch. It's just over two miles. They will be working on that over the winter. It's something that will be brought up to the Capital Committee as well. Hopefully we can start that project next spring or summer.

Motion by Supervisor Casilio, seconded by Councilman Altieri, to adjourn the work session at 9:23 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: Daniel Michnik, Motion carried.

Janel A. Farolino
Deputy Town Clerk

Motion by Supervisor Casilio, seconded by Councilman Altieri, to adjourn the Executive Session at 9:58 a.m.

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

Regular meeting of the Town Board of the Town of Clarence was held on Wednesday, October 28, 2026 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 10:08 a.m.

Members of the Town Board present were Councilmembers Robert Altieri, 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. Councilman Daniel Michnik was absent.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve the Work Session and Town Board minutes of October 14, 2026.
Upon roll call – Ayes: All; Noes: None; Absent: Councilman Michnik; Motion carried.

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

RESOLVED, that upon the recommendation of the Superintendent of Highways, James A. Dussing, the Clarence Town Board hereby approves the request to reduce the speed limit on the following roads to AREA 25 MPH:

- Anfield Road - change from 30 MPH to AREA 25MPH;
- Eastmore Lane - change from 30 MPH to AREA 25 MPH; and
- William Smith Way - change from 30 MPH to AREA 25 MPH, and be it

RESOLVED, that upon further recommendation of the Superintendent of Highways, an additional "AREA 25 MPH" speed sign be installed across from 5021 Anfield Road.

On the question, the changes would reflect similar roads in that immediate area. The speed limit has not been adjusted since the build out of Eastmore Lane and William Smith Way, and a reduction in the speed limit will be a safety improvement for residents and the Eastern Hills Church.
Upon roll call – Ayes: All; Noes: None; Absent: Councilman Michnik; Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Altieri to add two (2) Special Patrol Officer RPT titles to the Town's Civil Service inventory effective immediately.
On the Question, this is being done for Civil Service purposes and then an approval from Erie County after the motion is made.
Upon roll call – Ayes: All; Noes: None; Absent: Councilman Michnik; Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Shear to appoint Scott Macdonald to the position of Special Patrol Officer-RPT 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 October 29, 2026, subject to approval by Erie County for two (2) additional titles being added to the Town's Civil Service inventory, subject to receipt of all pre-employment paperwork and subject to all 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.
Upon roll call – Ayes: All; Noes: None; Absent: Councilman Michnik; Motion carried.

Supervisor Casilio stated he has an added motion, at the last Town Board meeting we did a resolution regarding the juvenile age being moved to 18 years old. We have a lot of car thefts and other crimes going on in Clarence. They send juveniles up your driveways to check cars while someone slightly older is driving a stolen car at the street. The State of New York increasing the age limit to 18 years old, cashless bail reform, I think has been a total failure. If you talk to anyone in law enforcement, they will tell you they have repeat offenders who steal an $80,000.00 car and get a court appearance ticket. Usually, after they get caught stealing a car, they steal another car to get home. We have prepared a resolution to hopefully encourage our Albany representatives to take a look at it.

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

WHEREAS, municipalities throughout New York State continue to experience incidents involving repeat offenders who are repeatedly arrested, released, fail to appear for scheduled court proceedings, and subsequently engage in additional unlawful contact; and

WHEREAS, repeated failures to appear undermine the integrity of the judicial process, delay the administration of justice, and place additional burdens on local courts, law enforcement agencies, victims, and taxpayers; and

WHEREAS, local governments have a fundamental responsibility to promote public safety, support crime victims, and advocate for policies that strengthen accountability while preserving due process protections; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clarence respectfully urges the New York State Legislature to promptly review and amend existing bail, release, and detention laws to more effectively address repeat offenders, chronic failures to appear, and ongoing threats to public safety.

BE IT FURTHER RESOLVED, that such reforms should provide courts with appropriate discretion to consider an individual's history of repeat offending, compliance with court appearances, and risk to the community when making release and detention determinations as permitted by law; and

BE IT FINALLY RESOLVED, that the Town Clerk shall transmit copies of this Resolution to appropriate state and local elected officials, legislative leaders, neighboring municipalities, and other interested stakeholders.

On the question, Supervisor Casilio reminded everyone about the stollen car accident where I believe the driver was 18 years old, two young people died in the crash in the City of Buffalo. The car was from Amherst if I remember correctly, they drove it through West Seneca and the driver had many court appearance tickets, with no time spent in the holding center.

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

Supervisor Casilio stated a resident wanted to speak today in regards to Veteran's. We have a motion later in the meeting however I would like to bring him up now to speak about a similar suggestion.

Marty Helowicz was present from the Clarence Citizens for Veterans. In years past we have had the Veterans banners hanging up along Main Street, the material wasn't good and they were damaged from the weather. We have had a number of calls from members of the community that would like to see those put back up. I was told that one of the problems was that the poles that the banners were on were the electric companies. We have received a number of calls all through out the state where these types of banners are hung on poles like that with no issues. We are here to ask the Town Board if the banners could be put up again.

Dorothy Ruhland, a member of the Citizens for Veterans, state that what was happening was the banners were up year-round and were weathered terribly.

Supervisor Casilio stated that he thought it was disrespectful to the Veterans as it looked like they were crying the banners were so bad.

Dorothy Ruhland stated that they would drive down Main Street to report the ones that were damaged and needed to be taken down. One thing that we may consider is if they could be put up in the nice weather, maybe spring time, then removed before the winter weather comes in. We have two new materials that we are considering as in the past it was not good material and we would store then ourselves.

Supervisor Casilio stated that they have some issues, like insurance, we need to work through. There was a possibility of licensed contractors being looked into to place the banners on the poles. Councilman Altieri has volunteered to work with your group and figure out some details that would need to be put in writing and we can go from there.

Mike Priebe was present, also a member of Clarence Citizens for Veterans, stated that the families of the Veterans are the ones who pay for the banners so this will not cost the Town of Clarence anything. We just ask the Town to put them up and take the down.

Councilman Altieri stated that he will be working with the group to work all of those detail out.

Supervisor Casilio stated that this is one of the reasons that the Clarence Rotary Club moved forward with the Memorial wall so the Veterans would be remembered forever with their names in granite forever.

Marty Helowicz stated that they were involved with the Rotary Club in the initial planning of the wall. Unfortunately, 90% of the people in the Town don't even realize the monument is even there.

Councilman DiCostanzo stated, not to be a stick in the mud, you commented that it doesn't cost the Town anything. We have to pay the guys to put and take down the banners, not sure how many, plus the arial truck.

Supervisor Casilio stated we are probably looking at about $100.00 per hour minimally. It isn't about the money for me, Councilman Altieri knows my concerns and can talk to you about this.

Councilman DiCostanzo stated that New York State passed a law allowing Cities, Counties, Town's, Villages and School Districts to opt into this additional Veteran's exemption for municipal property taxes. Currently Veteran's get some level of exemption if they apply for it, this is for 100% permanent total disability.

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to set a Public Hearing for November 18, 2026 at 10:15 a.m. to hear all interested parties and citizens for or against the adoption of Local Law 2026-10 Modification of Chapter 109 Taxation in the Town of Clarence. The proposed local law deals with the addition of Article IX to Chapter 109 Taxation, a veteran exemption dealing with permanent and total disabilities as a result of military service.

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

Councilman DiCostanzo stated that the public hearing is in a little less than a month but if anyone has any questions feel free to call the Town Assessor or email the Town Board with any questions.

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

$40,000.00 from account #001.3510.0100 Personal Services to account #001.1420.4711 Legal and Professional Fees.

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

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

$35,000.00 from account #001.7310.0100 Personal Services to account #001.1910.4010 Unallocated Insurance.

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

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

$40,000.00 from account #001.7110.0100 Personal Services to account #001.7110.4380 Light, Heat, Power & Water.

Upon roll call – Ayes: All; Noes: None; Absent: Councilman Michnik; 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 #001.5010.0100 Personal Services to account #001.9050.0800 Unemployment Benefits.

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

Councilman DiCostanzo stated that Residential Single Family building permits through the month of September are 67. I don't know what is going to happen in the next three months but I don't think we are going to hit 100 and this will keep us under our recent averages. It seems like a lot of houses are going up but it is only 67 for the year. Lastly, it is leaf season and I see piles all over the place. No matter how many times people say it, see it in the Clarence bee or on social media, the Highway Superintendent asks you not to put your leaves in the street. I'd say 80% of the people put them in the street. This gets in the way of people driving and walking and if we were to get an early snow storm again it would be impossible to move the snow. Try to keep them on your property, thank you.

Councilman Shear added that the Highway Department has a rake that attaches to the back of on of the vehicles that rakes the leaves into the street in order to pick them up and it will not do any damage to your lawn. Additionally, this past Saturday the Clarence School Foundation held a night Headlamp Walk at the Clarence Nature Center. We had tons of families and children walking through the woods with headlamps through the trails collecting candy. It was a perfect night and will run it again next year. If you have families with young children this is a great event. We had 300 preregistrations with some additional walk ins the day of.

Councilman Altieri thanked Councilman Shear for all of the behind-the-scenes hard work. This past Saturday we had a boy scout do his Eagle Project at the Library with additional boy scouts and their families, they did a great job around the library. It was amazing how many people he gathered to help with this project.

Annual Excavation Permit Renewals: To Consider the annual renewal of the following excavation permits:

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

Due to complaints that we have received we do have representatives here for New Enterprise and Lakeside Sod to address the comments received. The Town Board has the authority to consider these requests after holding a Public Hearing. All required paperwork, including up-to-date tax bills, NYS DEC mining permits, bonding, and necessary fees have been collected by the Planning Office.

Michael Priebe a resident concerned with New Enterprise/Buffalo Crushed Stone, stated first off, they have been much better this year than in 2025 since they moved away from the Town of Clarence. They have told myself and neighbor Al Herrscher that they would notify us of a blast which they did about 95% of the time. In the spring there was huge blast that we did not get notified about. On October 7, 2026 there was a blast that we were not notified of, I was receiving a phone call and Al text messages but not for this one where we felt our houses shake. On the 8th of October there was another huge blast that I was home for in my basement where if felt like the floor was rising then going back down. I don't have any physical visible damage but I think the Town need to sit down and talk with the DEC as well as the Town of Lancaster. From what I understand the blast can be three point something, I don't have the exact, they claim they have never hit two. The DEC told me, two years ago, that they were extremely close to being over that as well as the head of the Planning Board, stating they are a touch away from being closed down. Maybe if they meet with the DEC and the Town of Lancaster, they can be told the amount to be used and keep it in the area away form the residents. Additionally, a few years ago they made our road into a truck route. There are trucks that if I am sitting on my porch I don't even hear and then there are trucks that have steam and smoke like a steam engine train. One truck in particular tows a trailer the size of a dump truck with rocks mounding on top of this thing that is so loud my windows shake. If I call the State Police, they tell you to call the Sheriff's Department who tells you they don't have any people who can do traffic control. There is no traffic control on the road or weighing of the trucks or that does anything with the trucks. At 6:00 a.m. these trucks don't use their brakes either, they down shift which creates a loud roar to stop at the traffic light at Gunnville and Wehrle. My solution would be to lower the speed limit on both of the roads, when the street is busy and the trucks don't realize it until they come over the hill their brakes are screaming, something needs to be done before there is a serious accident.

Supervisor Casilio thanked the resident for coming in and stated that the Town of Clarence really only controls the entrance/exit, the blasting is in the Town of Lancaster. With easy pass, like they do in the Carolinas, it would be ideal to put all the truck traffic to exit right onto the thruway at Wehrle and Transit, and you're saying they go down Genesee Street too. When they are paving the Thruway at night, they go right out the back door into the Thruway. Maybe that would be a possibility to get all of that truck traffic out of there.

Michael Priebe stated that the County would benefit from that as well to not have all the wear and tear on the roads. All of this affect me but really affects my neighbor Al who will call or text me to see how the blasts are and come home if needed. He has come home to find his refrigerator door open, he just had his garage door releveled at the end of September and they close at an angle again. We would appreciate anything that the Town could do for us.

Supervisor Casilio stated that he believes that there were some personnel changes at New Enterprises so maybe that's how the phone call notifications got left behind. Traditionally, I don't think the 12:07 p.m. blast that you could almost set a watch to happen anymore. Mine and Councilman DiCostanzo's houses shake as well, we are further away.

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

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

Dave Colarusso, Head of Operations, and Brandon Mikolin, Environmental Manager, were present, Dave stated that Brandon has been with the organization for about two years now and I just started about 14 months ago. We are learning, developing and improving the prosses that were already in place and want to be better for the community members. We did go back to validate if the residents on our call list were contacted, we were told they were and we are going to confirm that. We are going to find ways to confirm that if there was an answer to the text or calls, if a message was left or a response text to confirm times and day of the blasts.

Supervisor Casilio asked if they can get trucks out onto the thruway, it would make the resident and truckers happy, even cutting five to seven minutes off of there trip.

Dave Colarusso stated that there is potential there, right now we have been working with the Town of Lancaster to remove all of the tracking off of Barton Road exit and shift that traffic over to Wehrle Drive. We would like to consolidate all of our ash fault plants into one which would move a lot of the traffic that you see, that maybe a step one. Then we can take some time an evaluate the opportunity, obviously we need to work with the Thruway Authority about merging a lane onto it.

Supervisor Casilio asked if they sent trucks directly onto the thruway at night.

Dave Colarusso stated yes, but only if they are doing thruway work and have the appropriate permission from them to do so.

Supervisor Casilio asked if they would be keeping the black top at Barton Road where they drive a mile or so on your property.

Dave Colarusso stated that they plan to decommission all three ash fault plants on the property, when the DEC allows them to get the air permit then the new ash fault plant would sit on the Wehrle Drive property.

Brandon Mikolin stated that it would replace an existing plant near the Wehrle Drive entrance.

Supervisor Casilio stated we live far away but we can smell it when you are making blacktop.

Dave Colarusso said the new plant will be state of the art with all the requirement making it a lot quieter and cleaner.

Councilman DiCostanzo asked if they could help get the communication out to the residents that would be great. Regarding the numbers pertaining to the blast, are you blasting more or harder.

Dave Colarusso stated the amount that the plant does is in the same range as it has been for the past 5 years. As far as blasting, we have changed rollers and blaster for the better with better use of technology to try to mitigate vibration and be more fluent.

Brandon Mikolin stated as a background we have five permanent seismographs on the property, then we have a vertical seismograph that is placed at the closest residential property where the blast is going to occur, which is monitored. The data is real time and compared against the United States Bureau of Mines "Z" Chart. The chart is designed to be protective of residential homes and it has a factor of safety built into it, the levels are conservative compared to what could be used. Our graphing data is consistently lower, well below.

Councilman Altieri asked if they could work with Mike that when you are going to do a blast you go to his house.

Dave Colarusso thanked Councilman Altieri for bringing that up as he was going to offer that to the resident. We typically place a seismograph on the resident properties and we researched that we do have one on the neighboring property at 4080 Gunnville.

Michael Priebe stated that it is placed on the corner of both of the properties. Again, this past year was not bad, and Al is the one that has more problems that I do, I can feel everything though. Four or five years ago we had constant dust from the blasts. As for the seismograph, Al was told he would be getting reports after the blast and he has yet to receive one.

Supervisor Casilio stated that when we get complaints, you are very responsive.

Dave Colarusso stated we are by no means trying to say we are fine, we are always looking to get better. We are at 10% of our allowable peak pressure.

Brandon Mikolin stated specifically to the October 7, 2026 blast, the seismograph at 4080 Gunnville the air over under pressure was 113.1 our limit is 133 to put that into perspective as it is a long-time scale. 113.1 is approximately 10% of our limit for air over pressure for what would cause you to preserve that someone closed the door.

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

WHEREAS, the Clarence Town Board set a public hearing for October 28, 2026, to provide an opportunity for public input to the citizens of the Town to consider annual renewal of excavation permits for the following:

a. New Enterprise / Buffalo Crushed Stone, 8615 Wehrle Drive;
b. Lakeside Sod, 6660 Goodrich Road;
c. Michael Development, 10001 Wehrle Drive; and
d. Michael Development, 10051 Wehrle Drive.

NOW, THEREFORE BE IT,

RESOLVED, that a meeting of the Clarence Town Board duly convened on Wednesday October 28, 2026, a public hearing was held, and after all interested parties having been heard, the Clarence Town Board hereby authorizes the annual renewal of the Excavation Permits for the following:

a. New Enterprise/Buffalo Crushed Stone, 8615 Wehrle Drive;
b. Lakeside Sod, 6660 Goodrich Road;
c. Michael Development, 10001 Wehrle Drive; and
d. Michael Development, 10051 Wehrle Drive.

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

Annual Community Development Block Grant Program to Consider potential funding needs for the Federal Community Development Block Grant (CDBG) request. Based on comments received, the Town has currently identified the following projects for consideration:

A. Senior Center Furniture Update ($7,600)
B. Rural Transit Services, Inc.

The Town Board has authority to act after holding a public hearing.

Supervisor Casilio stated as he mentioned in the work session, we average about 2800 trips a year for the van service which is a great thing for the community. The Senior Center is looking for some new furniture.

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

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

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

WHEREAS, the Town Board desires to pursue funding opportunities for the Clarence Senior Center Furniture Update, and

WHEREAS, the Clarence Town Board set a public hearing for October 28, 2026, at 10:20 a.m., to provide an opportunity for public input to the citizens of the Town to express community development and housing needs and possible projects that would benefit low and moderate income persons residing in the Town; and

WHEREAS, the Town Board desires to replace and update furniture used by residents participating in Senior Center programs and activities at the lowest possible cost to the Town and Town taxpayers and continue the longstanding partnership with Rural Transit Services, Inc., and

WHEREAS, the Town Board desires to apply for financial assistance through the Erie County Community Development Block Grant (CDBG) Program, and

WHEREAS, the Town Board has determined and ranked the following projects:

1. Senior Center Furniture Update
2. Rural Transit Services, and

WHEREAS, the total project cost of the Senior Center Furniture Update is $7,600.00, and the Town Board is requesting $7,220.00 in grant funding and is prepared to provide $380.00 in matching funds, representing five percent (5%) of the total project cost.

NOW, THEREFORE, BE IT

RESOLVED, that Patrick Casilio, as Town Supervisor of the Town of Clarence, is hereby authorized and directed to submit an application for financial assistance through the Erie County Community Development Block Grant (CDBG) Program in an amount not to exceed $7,220.00 toward the total project cost of $7,600.00 and, upon approval, accept such funds and enter into and execute a project agreement for the Clarence Senior Center Furniture Update, and

RESOLVED, that upon approval of the application for financial assistance, the Town shall make available $380.00 in matching funds from the Town's General Fund Appropriations, representing five percent (5%) of the total project cost, to support the completion of the project, and be it further

RESOLVED, that the Town Board authorizes the Town Supervisor to sign all documents and agreements related to the Community Development Block Grant application and the Clarence Senior Center Furniture Update.

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

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

WHEREAS, Rural Transit Service, Inc. provides transportation services to eligible, low and moderate income persons who reside in the Towns of Clarence, Newstead and Village of Akron; and

WHEREAS, the Clarence Town Board continues its support of Rural Transit Service, Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the Clarence Town Board, at this duly convened meeting on Wednesday October 28, 2026, hereby authorizes Patrick Casilio, Supervisor, to sign onto the Rural Transit Service, Inc. for the 2026-2027 Community Development Block Grant year.

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

Supervisor Casilio mentioned he just received notification that last night in one of the Clarence neighborhoods someone walked up a drive way, checked the car which was locked and proceeded into the opened garage and stole a safe, jewelry, electric bike and a couple thousand dollars. We need to try to approve these changes as they are becoming bolder entering into garages and help our polices departments.

Delgato's Dozens at 5615 Salt Road. East side of Salt Road, south of Howe Road. An existing 0.7-acre parcel in the Agricultural Rural Residential zone, containing an existing single-family residence. The applicant is requesting a Public Hearing to consider a Temporary Conditional Permit to operate a bakery sales stand. The sales area would be adjacent to the front door, and the business would operate approximately two days a week, on Friday's and Saturday's. Bake goods are prepared off-site at a commercial kitchen. The Town Board has the authority to consider this request after setting and holding a Public Hearing.

Maddie Delgato was present to answer any questions and questions stating that Jonathan covered everything with possibilities to expand in the future as the community grows. Currently I would be open just two days a week.

Motion by Councilman Altieri, seconded by Councilman Shear to set a public hearing for November 18, 2026, at 10:20 a.m., at the request of applicant, Delgato's Dozens, to consider a Temporary Conditional Permit for a bakery sales stand at 5615 Salt Road in the Agricultural Rural Residential zone.

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

Hayter Construction, Inc. 7767 Transit Road. East side of Transit Road, north of Wolcott Road. An existing 1.4-acre parcel in the Restricted Business zone, containing a commercially converted residence to the front of the site and a showroom/garage to the rear. The applicant is requesting a Public Hearing to consider a Temporary Conditional Permit to operate a construction company. The front building will be used for office space, and the rear building will be used for meeting and storage space. Employee vehicles will be parked within existing striped spaces, and trailers will be stored behind the rear building. Note: The applicant met with the Planning Board Executive Committee in September of this year, and has since addressed comments received. The Town Board has the authority to consider this request after setting and holding a Public Hearing.

Patrick Hayter, owner, was present to answer any questions stating that this is primarily residential with one company vehicle that goes home every single night with my Vice President and one trailer that is parked behind the building. The previous owner operated a Contracting business out of this location.

Supervisor Casilio stated that you have spent a lot of time with the Planning Board to hash everything out.

Councilman Shear stated that he understands that if in the business adds vehicles or equipment in the future it will have to be in an enclosed fenced in area behind the existing building in the back.

Patrick Hayter stated they discussed building a privacy fence along the backside of the showroom to screen in any additional equipment.

Motion by Councilman Shear, seconded by Councilman Altieri to set a public hearing for November 18, 2026, at 10:25 a.m., at the request of applicant, Hayter Construction, Inc., to consider a Temporary Conditional Permit to operate a construction company at 7767 Transit Road in the Restricted Business Zone.

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

5445 Transit Road, LLC. at 5445 Transit Road. East side of Transit Road, south of Roll Road. An existing 13.7-acre property located in the Major Arterial and Residential Single-Family zones, containing an existing commercial plaza and associated facilities. The applicant is requesting approval of a Clearing, Filling, & Grading permit. The area of disturbance is approximately 4.8-acres. Per the proposal, the project is intended to clear, clean, and beautify the property, which has not been historically maintained. Drainage improvements are also proposed. Since this request was last on the Town Board Work Session in September of this year, the applicant has submitted for and received Engineering signoff, subject to ten (10) conditions.

Note: The applicant has an active proposal for a mixed-use project consisting of the expansion and redevelopment of the existing commercial plaza; which is currently in the coordinated review phase under SEQRA. The Town Board has the authority to consider this request, after an action through the State Environmental Quality Review Act (SEQRA).

Sean Hopkins was present on behalf of the applicant with Joe Mancuso Jr., owner, and Eric Andrews, Carmina Wood Design. Jonathan summarized the situation of the history that predates my client's ownership of the property with drainage and vegetation concerns. On the back of the property, we do have a current proposal that we do have in front of the board for a mixed-use project, which has been put on hold. We are asking to go forward with this scope of work and my understanding of the complaints from neighbors from time to time. This is why we would like to get this work done now for the big picture of the mixed-use project to come. From the SEQER prospective of the issuance of the negative declaration, this scope of work does not commit this board or the Planning Board any decision making what so ever on the proposed missed use project. That will go on a separate review. Carmine Wood Design has worked closely with the Engineering Department and all technical aspect of the project have been vetted as confirmed by the Engineering Department.

Councilman Altieri asked if all the neighbors have been notified, I know some of them have but have all of them on Via Marina been contacted.

Sean Hopkins stated that no a formal notification hasn't been sent out.

Councilman Shear asked to make sure they will refrain from going into the side and rear setbacks.

Sean Hopkins yes that is correct.

Councilman Altieri stated that he mentioned it is that if you notify the neighbors upfront then there are no surprises.

Sean Hopkins stated yes, I understand that.

Motion by Councilman Shear, seconded by Councilman Altieri, Pursuant to Article 8 of the Environmental Conservation Law, to accept the Part 1 Environmental Assessment Form as submitted and approve the Part 2 & 3 Environmental Assessment Forms as prepared and to issue a Negative Declaration on the proposed 5445 Transit Road, LLC. project at 5445 Transit Road. This Unlisted Action involves the clearing, filling, and grading of property. After thorough review of the submitted plans, documents, meeting minutes, and Environmental Assessment Forms, it is determined that the proposed action will not have a significant negative impact on the environment.

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

Motion by Councilman Shear, seconded by Councilman DiCostanzo to approve the request of the applicant, 5445 Transit Road, LLC., for a Clearing, Filling, & Grading Permit, at 5445 Transit Road in the Major Arterial and Residential Single-Family zones, per the submitted plans by Carmina Wood Design, dated October 1st, 2026, subject to the following conditions:

1. Applicant meeting the requirements of the Town of Clarence Engineering, Building, and Planning & Zoning Departments as required, and any associated conditions.

2. All prior conditions of past approvals for the site remain in full-force and effect.

3. Applicant shall adhere to grading and drainage limits of disturbance and install silt sock as approved.

4. Areas outside limits of grading and drainage disturbance shall be cleared of debris and invasive species only, and restored to a natural condition. No removal of healthy trees and native vegetation shall occur within this area.

5. Subject to payment of any applicable fees as required by the Town of Clarence.

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

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to approve the applications as follows: Legion Hall: Clarence Democratic Committee October 28, 2026, Clarence Youth Basketball October 29, 2026, Renda Al-Naji November 27, 2026, Charlene Spoth/Kelkenberg Farm of Clarence December 8, 2026, Cynthia Koronowski December 13, 2026 and Lauren Craven December 19, 2026. One addition of the CSEA Union Meeting on November 6, 2026. Clubhouse: Clarence Republican Committee March 14, 2027 and Clarence Girl Scouts April 11, 2027

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

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve the bill pay of October 22, 2026 as follows: General Funds $199,791.47; Highway Funds $138,860.35; Water Funds $1,032.00; Drainage Funds $3,619.65; Sewer Funds $305.08 and Capital $55,042.10 for a total bill pay of $398,650.65.

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

Councilman DiCostanzo stated that the fall sports at the school are headed towards playoffs, good luck to all of them.

With no further business, Supervisor Casilio adjourned the meeting at 10:53 a.m. in honor of all Volunteer Fire Companies, being First Responders Day.

Karen Lang
Town Clerk