

**VILLAGE OF EAST AURORA
VILLAGE WORK SESSION
August 15, 2016 – 6:30 PM**

Present: Mayor Allan Kasprzak

Present Trustees: Patrick Shea, Ernest Scheer, Deborah Carr-Hoagland, Raymond Byrnes, Peter Mercurio (present at 6:47 pm)

Absent: Alfred McCabe

Also Present:

Bryan Gazda, Village Administrator

William Kramer, Code Enforcement Officer (present at 6:52)

Robert Pierce, Village Attorney (present at 6:53)

Catherine Gazda, Deputy Clerk Treasurer

East Aurora Advertiser

East Aurora Bee

Members of the public – 1 at 6:45

9 at 6:50

14 at 6:54

Mayor Kasprzak opened the work session at 6:33 pm.

Mayor Kasprzak noted that Trustee Deborah Carr-Hoagland has requested tonight's meeting to discuss the issue of sidewalks and responsibility of costs. The mayor stated that there has been some frustration with increased costs of sidewalk installation, particularly on Knox Road. The Village has heard both sides from residents on the issue of sidewalks: some complaining of the costs and not wanting them while others wishing to know why they can't get sidewalks installed.

Administrator Gazda explained that the Village Board did review a draft local law in October 2011 that sought to change the responsibility of sidewalks costs from 50% homeowner responsibility to being 100% Village funded. At that time, several Board members felt that since they had to pay for sidewalks in front of their own homes, the law should continue to remain the same. However this does tend to stall projects as homeowners complain about costs. With new sidewalk installations on the horizon, now is a good time to revisit the cost issue to again consider Village funding. In addition, Administrator Gazda advised the Board to consider the fact that because a good stretch along Knox Road is owned by a New York State Park, recovering costs for sidewalk installation there is unlikely, and the Village will need to request permission from the State prior to the work.

Trustee Byrnes stated that he spoke with DPW Superintendent Matthew Hoeh, and learned that Knox Road is actually owned by the County. Trustee Byrnes expressed concern regarding the culvert on Knox Road and possible additional repair costs there when another culvert in the Village limits already needs work. He feels that the Village does not have enough information to make a decision on sidewalk installation on Knox Road.

Trustee Shea offered the idea of creating a mechanism within the law to reimburse private homeowners for sidewalk installation and repairs. He noted that this is a good incentive to get sidewalk jobs done since the homeowner does not have to pay the prevailing wage rate and can, therefore, save money by doing it themselves. Those savings are also passed along to the Village in this manner. Administrator Gazda noted that the Village of Canastota has a policy that is similar to what Trustee Shea is suggesting and works well

for them. In Canastota, a DPW foreman provides the specifications worksheet to an interested homeowner, measures for concrete, supplies the homeowner with the concrete and amount of forms that are needed, then inspects the job prior to and after pouring to see that the job is being done correctly. The Village of Canastota DPW also takes responsibility for corners that need an ADA crosswalk. Trustee Byrnes voiced his support for the idea. Administrator Gazda noted that years ago the cost to Canastota was \$7.50 per square foot. He offered to provide the policy to the Village Board and get information together to determine current costs for concrete and forms etc. Trustee Shea also requested to know what the budget impact is for the Village to take full responsibility versus half for the cost of the new sidewalks.

Trustee Carr-Hoagland stated that she prefers for the Village to take on 100% of the cost of installation of new sidewalks to ensure that they are being done and being done right. She feels that the public deserves to have sidewalks within the Village limits. She noted that she does not believe there are very many places left in the Village that still need sidewalks. Administrator Gazda stated that the Bike and Pedestrian Committee performed an inventory of the Village in 2011 to determine where sidewalks exist or are still needed. He suggested getting the Committee involved once again.

Additional discussion ensued regarding installation costs and Knox Road sidewalks. Administrator Gazda commented that under general Village law, a Village may also charge homeowners on the opposite side of a street for sidewalk costs. He additionally noted that if the priority is to get sidewalks completed, the easiest way to make that happen is for the Village to take 100% of the cost responsibility. Trustee Carr-Hoagland stated that she does not wish to see sidewalk construction postponed for much longer as the rates for bonding right now are so low.

Mayor Kasprzak noted that with new sidewalk construction comes the issue of trees. He stated that a new sidewalk may not be preferred in an area where a tree might need to be removed and there is little use. He advised the Board to also consult with the Tree Board during this process.

Mayor Kasprzak closed the work session at 6:54 pm.

**VILLAGE OF EAST AURORA
VILLAGE BOARD MEETING
August 15, 2016 – 7 PM**

Present: Mayor Allan Kasprzak

Present Trustees: Raymond Byrnes, Deborah Carr-Hoagland, Peter Mercurio, Ernest Scheer, Patrick Shea

Absent: Trustee Alfred McCabe

Also Present:

Bryan Gazda, Village Administrator

Robert Pierce, Village Attorney

Shane Krieger, Chief of Police

Matthew Hoeh, Department of Public Works Superintendent

William Kramer, Code Enforcement Officer

Catherine Gazda, Deputy Clerk Treasurer

Joyce Jezewski, Clerk Treasurer (present at 7:02, absent at 7:30)

Greg Egloff, Fire Chief

East Aurora Advertiser

East Aurora Bee
15 members of the public

Mayor Kasprzak opened the meeting at 7:00 pm followed by the Pledge of Allegiance.

Mayor Kasprzak led the Board and public in a moment of silence and reflection to dedicate the meeting to the recently passed mother-in-law of Trustee Byrnes.

Motion by Trustee Byrnes to approve the minutes from August 1, 2016. Seconded by Trustee Shea and unanimously carried, with Trustee Mercurio abstaining.

Trustee Carr-Hoagland moved to approve the payment of vouchers:

#54495 – 54553 in the amount of \$398,099.98

Seconded by Trustee Mercurio and unanimously carried.

SPEAKERS & COMMUNICATIONS (I)

- Ellen Neumaier, 284 Mill Road:

Ms. Neumaier publicly commended the East Aurora Fire Department for two awards that will be presented in a couple of weeks. She congratulated and thanked the Fire Department on earning a Silver LEED award as well as the Brick by Brick Award from Buffalo Business First. She also thanked Craig Thrasher for taking the Aurorans for Climate and Energy Sense (ACES) group on a tour through the new fire station and for his open offer to take anyone who wishes to see the building.

- Joseph Blind, 118 Riley Street:

Mr. Blind commended the Mayor and the Village Board for their efforts all year long. He also thanked the entire Village including residents, business people and Department of Public Works employees for taking care of the vegetation. He noted that the trees and the plants are all doing well during the drought this year.

OFFICIAL CONSIDERATIONS

Mayor Kasprzak noted that one full time and two part time administrative positions recently opened up at the Village Hall and DPW buildings. With approximately 15 applicants for both the full time and part-time positions, he, Administrator Gazda and Clerk Treasurer Jezewski spent the past couple of weeks reviewing the resumes and interviewing many. Two of the three selected applicants stood up and introduced themselves from the audience: Sarah Hinsken for the full time Deputy Clerk position and Gretchen Rich for the Part Time Clerk Typist position, both jobs to be located in the Village Hall. Mayor Kasprzak stated that Sarah Hinsken is currently a part time Deputy Clerk at the Town of Alden and is spoken very highly of by her supervisors and coworkers there. Although they are sad to lose her as an employee, they understand because Sarah was previously full time and still is in need of full time work. Mayor Kasprzak additionally noted that Gretchen Rich, who is looking forward to starting immediately, is also a Village resident.

- Motion by Trustee Shea to appoint Sarah Hinsken, 11515 Westwood Road, Alden, NY as Deputy Clerk for the Village Clerk Treasurer's office, effective August 31, 2016 at the rate of \$17.44 per hour (\$34,000 annual); probationary period and benefits in accordance with the Employee Policy. Motion seconded by Trustee Byrnes and unanimously carried.

Mayor Kasprzak congratulated Ms. Hinsken and she thanked him and the Board for the opportunity.

- Motion by Trustee Carr-Hoagland to appoint Gretchen Rich, 843 Lawrence Avenue, East Aurora, NY as Part Time Clerk Typist for the Village Clerk Treasurer's Office, effective August 16, 2016 at the rate of \$16.50 per hour; probationary period and benefits in accordance with the Employee Policy. Motion seconded by Trustee Mercurio and unanimously carried. Administrator Gazda noted that Clerk Treasurer Joyce Jezewski requested for Ms. Rich to not formally start until August 17, 2016 due to auditors coming in the office on the 16th.
- Motion by Trustee Shea to appoint Christina Collins, 4833 Freeman Road, Orchard Park, NY 14127 as Part Time Clerk Typist for the Department of Public Works, with flexibility to also work at Village Hall as needed, effective August 16, 2016 at the rate of \$16.50 per hour; probationary period and benefits in accordance with the Employee Policy. Motion seconded by Trustee Byrnes and unanimously carried.

Trustee Mercurio asked why the part time DPW position is replacing a previously full time position. Administrator Gazda responded that this was a decision that was made during the budget process, and if the need to change the position back to full time arises, the Board can always act to do so at that time.

- Motion by Trustee Mercurio to appoint Craig Thrasher, Mike Westfall, Mike Gleed, and Jim Norton as Fire Police Officers. Motion seconded by Trustee Carr-Hoagland and unanimously carried. Mayor Kasprzak noted that Fire Police Officers serve by directing traffic but are not armed.
- A proclamation was presented to Bill Pratt in order to celebrate his 100th birthday after Trustee Scheer brought his birthday to attention. Mayor Allan Kasprzak read aloud the proclamation as follows:

PROCLAMATION

WHEREAS, Bill Pratt was born on August 1, 1916 and is celebrating his 100th birthday; and

WHEREAS, the longevity of life is a blessing to an individual and to a community by providing an opportunity for an investment of knowledge, creativity, and experience for all; and

WHEREAS, the Village of East Aurora recognizes the contribution of senior citizens to our community and the important role they serve in our society; and

WHEREAS, Bill Pratt is a Marine Corp Veteran of WWII; and

WHEREAS, Bill Pratt moved to East Aurora in 1966 where he now lives with his long time companion Carol Walker; and

WHEREAS, Bill Pratt is a proud father, grandfather, great-grandfather and great great-grandfather; he is also very well known as “The Good Guy” by his many neighbors and friends; and

WHEREAS, during his long and productive lifetime, **Bill Pratt** has earned the respect and affection of family, friends and people from all walks of life;

NOW, THEREFORE

On behalf of the East Aurora Village Board, I, Mayor Allan Kasprzak extend to **William “Bill” Pratt** sincere congratulations and best wishes for a **Happy 100th Birthday!**

In witness whereof, I have hereunto set my hand and caused the seal of the Village of East Aurora, New York to be affixed this 15th day of August in the year two thousand and sixteen.

Mayor Allan A. Kasprzak

Mr. Pratt stated that he worked in East Aurora for 42 years and that he lived at the corner of Olean and Main Street where his youngest daughter was born. He is an 8th grade graduate of East Aurora School, and was transferred back to Holland in 1930 due to centralization. He added that he feels proud to be able to say hello to everyone and he loves them all.

- Trustee Byrnes:
 1. Stated that he attended the Planning Commission meeting and discussed at that time the development plan application as submitted from Benderson Development for a new Pet Smart in the Grey Street Plaza, and issues regarding the storefront being blocked in with brick. The Planning Commission voted to recommend the approval of the application to the Village Board. Also discussed was the Elm / Riley water piping and doing some work in the Elm / Oak corridor. There are about 10 different options presented that the Planning Commission will be prioritizing at their next meeting.
 2. Stated that he also attended the close out meeting for the one year post construction inspection at the new fire hall; he feels it was very productive. There are a couple of items which will be done that have been addressed.
- Mayor Allan Kasprzak:
 1. Will be out of town from September 5, 2016 – September 13, 2016. Deputy Mayor Ernest Scheer will be serving in his place during his absence.
 2. Informed the Board and public that some commercial filming for M&T Bank will be taking place at various locations within the Village, including store fronts and Hamlin Park, beginning Wednesday, August 17, 2016. It will be a quick shoot and no permit is required.

UNFINISHED BUSINESS

- Mayor Allan Kasprzak presented Jamison Mercurio with a Certificate of Commendation in recognition of excellence for his Eagle Scout Service Project. Jamison, Trustee Mercurio's son, worked hard to create and install two 4' decorative wooden posts which function as informational kiosks for the Village of East Aurora using a large QR code. Using an app on any smart phone, a visitor can take a photograph of the QR code found on the post and their cell phone will link directly to the Village's website under the Visitor's section. Jamison also provided Website Administrator Joyce Jezewski with additional researched content for the Village's website, including historical information about the Jewett Farm enclosed horse race track, the race horse Mambrino King, Fisher-Price Toytown, local film-making, East Aurora's Knox Park attraction, and a detailed listing of local restaurants organized by style. The stained wooden posts with a Roycroft etched logo can be found in both Hamlin Park and on the Roycroft Campus. An extra replacement QR code sticker is also stored at the DPW garage in case of vandalism or any unforeseen event. The certificate presented and read aloud by Mayor Kasprzak is as follows:

CERTIFICATE OF COMMENDATION

August 15, 2016

WHEREAS, Jamison Mercurio has demonstrated exemplary commitment and service to Scouting; and

WHEREAS, by his achievements, Jamison Mercurio has exemplified the Boy Scout Law and its duty to God, country and other people; and

WHEREAS, Jamison Mercurio has earned the rank of Life Scout; and

WHEREAS, Jamison Mercurio is pursuing the rank of Eagle Scout with his plan to develop and give leadership through a service project that benefits the Village of East Aurora and all those who visit; and

WHEREAS, Jamison Mercurio successfully completed the installation of East Aurora Virtual Information Kiosks at the Roycroft Campus and Hamlin Park;

WHEREAS, Jamison Mercurio has provided additional informational articles for the East Aurora website; and

WHEREAS, Jamison Mercurio has provided inspirational leadership to the volunteers he has worked with; and

WHEREAS, the East Aurora Village Board wishes to recognize his accomplishments and wish him the best in his Eagle Scout candidacy;

NOW THEREFORE, I, Allan A. Kasprzak, on behalf of the East Aurora Village Board, do hereby commend:

Jamison Mercurio

for his outstanding devotion to Scouting and commitment to his community.

In witness whereof, I have hereunto set my hand and caused the seal of the Village of East Aurora, New York to be affixed this 15th day of August 2016

Allan A. Kasprzak, Mayor

NEW BUSINESS

- Motion by Trustee Mercurio to schedule a public hearing for Tuesday, September 6, 2016 at 7 pm regarding the Development Plan Application received from Benderson Development Company on behalf of Pet Smart at 123 Grey Street. Motion seconded by Trustee Byrnes and unanimously carried.
- Motion by Trustee Mercurio to schedule a public hearing for Tuesday, September 6, 2016 at 7 pm regarding the Special Permit Application received from Jamie Dinero of Kornerstone Coffee at 33 Elm Street. Motion seconded by Trustee Shea and unanimously carried.
- Motion by Trustee Shea to schedule a public hearing for Tuesday, September 6, 2016 at 7 pm regarding the application received from Colleen O'Connor for a permit to keep 6 chickens at 50 Elmwood Avenue. Motion seconded by Trustee Mercurio and unanimously carried.
- Motion by Trustee Mercurio to approve the amended Special Permit Application received from Wendy Egloff for Firefly Cupcakes at 700 Main Street to add a speaker for music outdoors and an additional two tables and four chairs outdoors, to be situated in a manner which ensures the public right of way remains clear. Motion seconded by Trustee Byrnes and unanimously carried.
- Motion by Trustee Shea to schedule a public hearing for Tuesday, September 6, 2016 at 7 pm regarding the proposed local law to amend (1) Chapter 113 Buildings, Unsafe and (2) Chapter 192, Property Maintenance, with regard to penalties. Motion seconded by Trustee Carr-Hoagland and unanimously carried.

With regard to the proposed local law amendments, Trustee Shea inquired about the reasoning for the change. Village Attorney Robert Pierce explained that the misdemeanor penalty of \$1,000 is unsettling to the Judge and District Attorney, and a \$250 penalty will be easier to enforce. Trustee Shea noted that the amendment proposes a change in penalties from \$1,000 per day to only \$250 total penalty. Administrator Gazda and Attorney Pierce agreed that this is incorrect wording, and that they would speak with Clerk-Treasurer Jezewski to get it corrected prior to sending notices about the public hearing for the proposed amendments on September 6, 2016. The proposed amendment to penalties is \$250 per day and not \$250 total.

- Motion by Trustee Byrnes to authorize Mayor Allan Kasprzak and Fire Chief Greg Egloff to sign the Orchard Park Fire District EMS Letter of Support. Police Chief Shane Krieger explained that the Orchard Park Fire District already provides emergency medical services to the Village as needed. The Letter of Support will simply allow them to begin billing patients' medical insurance rather than billing the patient directly. Motion seconded by Trustee Carr-Hoagland and unanimously carried.

SPEAKERS & COMMUNICATIONS (II) - None

ADJOURNMENT

Motion was made by Trustee Shea to adjourn the meeting at 7:36 pm. Motion seconded by Trustee Byrnes and unanimously carried.

Respectfully submitted,

Catherine E. Gazda
Deputy Clerk Treasurer