

TOWN OF AURORA
TOWN BOARD WORK SESSION
April 18, 2017

The following members of the Aurora Town Board met on Tuesday, April 18, 2017 at 7:00 p.m. in the Southside Municipal Center Town Hall Auditorium, 300 Glead Avenue, East Aurora, NY, for the purpose of holding a work session:

Present:	Jeffrey T. Harris	Councilman
	Charles D. Snyder	Councilman
	Susan A. Friess	Councilwoman
	Jolene M. Jeffe	Councilwoman
	James J. Bach	Supervisor
Others Present:	Ronald Bennett	Town Attorney
	David Gunner	Highway Superintendent
	William Kramer	Code Enforcement Officer
	Elizabeth Cassidy	Building Dept. Clerk
	Christopher Musshafen	Aquatics/Recreation Director
	Camie Jarrell	GHD/Engineer

Supervisor Bach led the recitation of the Pledge of Allegiance to the Flag.

1) General Insurance Review:

Geoff Gunner, Badger & Gunner Insurance, spoke to the Board about the Town's insurance coverage. Mr. Gunner reviewed property, liability, public officials' liability, umbrella, and auto coverage. Mr. Gunner noted that there are three insurance companies that cover municipalities and that the Town is covered through Selective. He stated that per item the premium cost for the coverage the Town has is very reasonable.

2) Ellis Drive Open Development Area:

David Fatta presented an Open Development Area (ODA) plan for his property on Ellis Drive. There is 25 feet of frontage on Ellis Drive. Mr. Fatta stated he plans only to build his house on the thirty-three acres that he owns. There are several items that Mr. Fatta needs to provide to the Board, including a drawing showing the required driveway bump-outs.

3) Waste Management Request re: garbage/recycling pickup:

John Palmerton, Waste Management Senior Operations Manager, is requesting to change the garbage/recycling days for several roads in the Town and to use split-body trucks, which are trucks that hold recycling and garbage. The Town's contract with Waste Management states that a truck, separate from the compactor truck, will be used to collect recycling. The contract also states that any changes to the routes will be agreed upon by the Town and contractor and if the contractor intends to modify the route schedule, they must provide public notice at least 30 days prior to the change. Attorney Bennett stated that Waste Management should provide the Town with an amended contract proposal.

4) Baseball:

A. Budget – The Baseball Board met with the Town Board at their March work session and discussed several items including installing a chain-link fence at the Community Park diamonds. Highway Superintendent Gunner stated he has \$2500 in his budget for a “pet project” which could be used toward the fence. Mr. Gunner has a fencing quote for \$1700 which when added to the concrete and other costs would be about \$2000. Councilwoman Friess stated that money is needed for diamond dirt. There is approximately \$17,000 in the parks improvement Trust & Agency account and suggested using \$10,000 from that budget line to be used to purchase diamond dirt.

B. Equipment – The Town has baseball equipment including bats, balls, bases, helmets, pitching machines, batting screen, AED's, tee-ball stands and other miscellaneous items to be

4/18/2017

Town Board Work Session

Page 2

declared as surplus inventory and given to the Baseball Board (a not-for-profit organization). An agreement or resolution needs to be drafted.

C. Concession Stand Agreement – The Town contracts with Pizza DelAureo’s to operate the concession stand that is set up at Community Pool Park baseball diamonds. The Town receives a percentage of the net income. Councilwoman Friess suggested applying those funds to the baseball maintenance labor line.

D. Budget Transfer – Highway Superintendent Gunner is requesting that the Board approve a budget transfer of \$5000 from the Contingency Fund to the Baseball Maintenance Labor line to cover the payroll expense for preparing baseball and softball diamonds for league games.

5) Code Enforcement Training Requirements:

In a memo to the Town Board, Patrick Blizniak noted that Elizabeth Cassidy has completed the training requirements for Code Enforcement Officer. He and Bill Kramer would like her to continue her training by taking her on building and fire inspections. The Town would eventually have to call for a Civil Service exam for Code Enforcement Officer and Mr. Kramer noted that field construction knowledge is needed to take the exam.

6) Building Permit Fees:

The Board looked over the proposed building permit fees and fee increases proposed by Patrick Blizniak, Superintendent of Building. They also discussed putting a fee for fire inspections on the list.

7) Donation of Bench for Knox Farm State Park:

An anonymous donor wishes to provide a bench to be placed near the parking lot on the soccer/polo field side of the park. If the Board decides to accept the donation, the plan would need to go to the State Parks office for review and approval.

8) Temporary Use Permit Applications:

The East Aurora Driving Society is requesting temporary use permits for two events that they are holding this year:

A. Schooling Show – June 11, 2017 at the Polo Field and Equestrian Park

B. Carriage Drive – July 30, 2017 at the Polo Field and Equestrian Park

It was noted that the EA Driving Society needs to provide a certificate of liability insurance.

9) Log Jam in Cazenovia Creek in Major Park:

Highway Superintendent Gunner met with Union Concrete Corporation with regard to removal of the log jams in a portion of Cazenovia Creek that runs through Major Park. Union Concrete is on the Erie County Bid list at the rate of \$1800 per day. It is estimated that it will take 2-3 days to complete the project. Mr. Gunner stated he needs to contact the NYSDEC and Army Corp of Engineers to see if any permits are required.

10) Tub-grinding/brush:

Highway Superintendent Gunner stated that due to recent windstorms the highway department has collected a tremendous amount of brush. Tub grinding was already performed this year prior to the windstorms, leaving no money in the budget for additional grinding. Mr. Gunner obtained a proposal from Lardon Construction to tub-grind at no charge provided they are able to keep all of the grindings, including those already ground. Joe Eder Farms submitted a proposal to purchase mulch for \$5.00 per yard and wood chips for \$3.00 per yard. It was noted that Lardon would need to provide a certificate of liability insurance.

11) Aurora Mills Cluster Subdivision Final Plat:

Gary Eckis and Patricia Bittar were present. The developer of the Aurora Mills Cluster Subdivision is proposing a road construction specification that is not up to Town standards. Camie Jarrell, GHD, stated that from an engineering standpoint it is okay for standard traffic. Highway Superintendent Gunner stated that garbage trucks weight up to 74,000lbs each and will tear-up a road made of the proposed construction. Supervisor Bach asked what standard traffic consisted of. Ms. Jarrell responded cars, buses and trucks. Councilman Snyder asked about construction traffic and the wear and tear from it. Ms. Jarrell responded that was not taken into consideration and there are certain compaction requirements. Councilman Snyder asked if the top pavement coat would be applied after the last building was completed. (There was no response to this question from Mr. Eckis or Ms. Bittar.) Supervisor Bach asked about the garbage truck comment made by Mr. Gunner. Mr. Eckis responded that they just want the Board to consider the pavement proposal.

From the beginning of the project, Mr. Eckis and others stated that there would be a conservation easement on the undeveloped portion of the property. Peter Sorgi, Attorney for the developer, stated they would not do a conservation easement, but they would put in deed restrictions to file and put on record. Attorney Bennett stated that is not the way the Town wants it done. Councilman Snyder noted that Mr. Sorgi said "no" to the conservation easement and they do not want a third party monitoring the easement because it is expensive. Mr. Sorgi stated that Hamburg town code has restrictive covenant wording and Clarence town code uses deed restrictions enforceable by the town. Councilman Snyder asked if that guarantees the property cannot be developed further. Mr. Sorgi said, yes, it guarantees that. Councilman Snyder asked if the property owner could apply for a variance. Mr. Sorgi responded that a deed restriction is perpetual and the Town Board can enforce a deed restriction. Pat Bittar stated that the sewer district extension is only for 85 lots.

It was noted that the developer did not submit a lighting plan. Mr. Eckis responded that they will need a private service agreement with NYSEG and that is done after the final plat is approved. Each home will have a lighting package.

Councilman Snyder noted that Mr. Sorgi stated at the April Planning Board meeting that the houses would be 1200sf to 1800sf in size. Councilman Snyder noted that the front and rear setbacks were changed and that the buildable area went from 70 feet deep to 90 feet deep. The rear setback was 15 feet on the preliminary and is now 10 feet on the final plat. Councilman Snyder stated he would like to see them shorten up the buildable area.

Attorney Bennett asked what would be before the Board and public at a public hearing on the final plat. Ms. Bittar responded the one the Board currently has.

Supervisor Bach stated that the issues that the Board has with the current plan are 1) road construction specs; 2) lighting; 3) conservation easement vs. deed restrictions; and 4) formal approval from the fire department.

Councilman Snyder asked Mr. Eckis and Ms. Bittar if the current landscape plan is in accordance with the information that Connie Lydon presented at a prior work session. Both Mr. Eckis and Ms. Bittar responded, yes, it is.

Supervisor Bach stated that the Board will consider taking action at their April 24, 2017 meeting to set a public hearing for May 8, 2017.

Martha L. Librock
Town Clerk