

A meeting of the Town Board of the Town of Aurora took place on Tuesday, October 12, 2010, at 7:00 p.m. in the Town Hall Auditorium, 300 Gleed Avenue, East Aurora, New York.

Members Present:	Jolene M. Jeffe James J. Bach Susan A. Friess Jeffrey T. Harris	Supervisor Councilman Councilwoman Councilman
Absent/Excused:	James F. Collins	Councilman
Others Present:	Ronald Bennett Bryan Smith Patrick Blizniak David Gunner William Kramer Ronald Krowka Ann McDonnell Planning Board Members:	Town Attorney Town Engineer Superintendent of Building Highway Superintendent Code Enforcement Officer Chief of Police Grant Writer Richard Glover, William Adams, Tim Bailey

Supervisor Jeffe opened the meeting at 7:00 p.m. with the Pledge of Allegiance to the Flag. The Supervisor read the Public Notice from Erie County for the 2010 30-day period for inclusion of lands into an agricultural district.

The first item on the agenda was a PUBLIC HEARING on the Reed Hill (aka: Jewett Holmwood) Subdivision Preliminary Plat. The notice was published in the East Aurora Advertiser and posted on the Town Clerk's bulletin board as evidenced by the Affidavits of Publication and Posting. Peter Sorgi, attorney for the developer, presented an affidavit stating he had sent copies of the public hearing notice via certified mail, return receipt requested, to property owners within 500 feet of the subdivision boundary lines.

Supervisor Jeffe opened the hearing at 7:02 p.m. and asked if anyone in the audience had any comments.

Jennifer Dombrowski, Jewett Holmwood Road, spoke in opposition of the subdivision, noting that it would have a severe negative impact on wildlife habitats and the community.

Marion Dombrowski, Jewett Holmwood Road, stated she is in opposition to the subdivision, noting the dangerous condition of the subdivision entrance and concern for the soil stability of the creek bank.

Melissa Dispenza, Quaker Road, commented on the erosion of the creek bank, the number of school buses that travel through that intersection, and the frequency of accidents that occur there without the added entrance to the subdivision.

Leslie Stewart, Jewett Holmwood Road, stated that her house was at one time 20-25 feet from the top of the creek bank and now it is about 10-12 feet. Regarding traffic at that intersection, Ms. Stewart commented that you can't rely on traffic studies, citing Tim Horton's traffic situation.

Supervisor Jeffe read from an e-mail from Kathleen Carney who is opposed to the subdivision.

Peter Sorgi, attorney for the subdivision developer, stated that this isn't sprawl – you want to have infill development so fewer homes will be built further out in the town. He noted that you can't compare this subdivision to Tim Horton's.

Hearing no further comments or questions, Supervisor Jeffe closed the hearing at 7:16 p.m.

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The next item on the agenda was a Public Hearing on the proposed Wind Energy Conversion System (WECS) law. The notice was published in the East Aurora Advertiser and posted on the Town Clerk's bulletin board as evidenced by the Affidavits of Publication and Posting. Supervisor Jeffe opened the hearing at 7:18 p.m. and asked if anyone in the audience wished to comment.

Tony Rosati, Center Street, commented on the enforcement section of the proposed code, suggesting it be changed to the tower being dismantled at the owner's expense. He asked how someone would get the names of property owners within 1000 feet of a proposed WECS.

Supervisor Jeffe read from an email from Arlene and Mark Mann who are opposed to the WECS law and windmills in the Town.

Hearing no further comments or questions, Supervisor Jeffe closed the hearing at 7:22 p.m.

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The next item on the agenda was a Public Hearing on Community Development Block Grant funds. The notice was published in the East Aurora Advertiser and posted on the Town Clerk's bulletin board as evidenced by the Affidavits of Publication and Posting.

Supervisor Jeffe opened the hearing at 7:23 p.m. Ann McDonnell, grant writer for the Town, explained that federal funds are allocated to states and then channeled to local communities. In our case, Erie County oversees the program. Ms. McDonnell stated the projects need to serve the entire community or target low income areas or senior citizens. She noted that Aurora is considering requesting funding for 1) development of the Town's Comprehensive Plan; 2) partnering with the Village of East Aurora for a new roof on the Senior Center; and 3) Rural Transit Van service.

The Supervisor asked if anyone in the audience wished to comment. Hearing no comments or questions, the hearing was closed at 7:26 p.m.

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Supervisor Jeffe read her letter to Town residents giving an overview of the proposed 2011 Preliminary Budget.

Councilwoman Friess moved to approve the minutes of the September 21, 2010 work session; seconded by Councilman Bach. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #343
9/21/10 Work
session
minutes aprvd.

Councilman Bach moved to approve the minutes of the September 27, 2010 Town Board meeting; seconded by Councilwoman Friess. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #344
9/27/10 Town
Board meeting
minutes aprvd.

BUSINESS FROM AUDIENCE I: none

UNFINISHED BUSINESS:

Councilman Harris moved to approve the following 2010 budget amendment for the Buffalo Ski Club program that was approved at the September 27, 2010 meeting:

Add revenue line A2060 – Ski Lessons \$5,000

Add expense line A7190.400.001 – Ski Vendor \$5,000

Councilman Bach seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #345
Ski Club
amendment to
2010 budget
approved.

Councilman Bach moved to approve the following budget transfer to cover the cost of repairing the fuel tanks at the highway garage:

From: A1620.420 Machine maintenance contracts \$2,000

A1620.414 Light, Heat, Power & Water \$6,000

To: A1620.422 Op. Buildings – Repair/Maintenance \$8,000

Councilman Harris seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #346
Budget transfer
to repair fuel
tanks aprvd

Quotes to repair the fuel tanks (remove old spill buckets, install new spill buckets and overflow prevention) at the highway garage were received from:

Reid Petroleum, Lockport, NY \$9,958.21

K&T Pump & Tank, Inc., Tonawanda, NY \$9,878.00

The Pump Doctor, Inc., Eden, NY \$7,963.35

Councilman Bach moved to approve the quote from The Pump Doctor, Inc., 10210 Boston Road, Eden, NY, in the amount of \$7,963.35 to repair the fuel tanks at the Town highway garage, 251 Quaker Road. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #347
Repair of fuel tanks by Pump Dr. approved.

A revised proposal was received from Mechanical Equipment Sales for pressure reducing valve (PRV) maintenance and repair work in Water Improvement Area 7. The revision calls for the Town supplying one man to assist with the work. The new proposal is \$7,212.85. The Town Engineer is recommending an additional allowance of \$5,000 to cover an additional man to help with start-up of the pits and any parts and labor for additional repairs that may be required following the inspections.

Councilwoman Friess moved to authorize the maintenance and repair of pressure reducing valves (PRVs) in Water Improvement Area 7 by Mechanical Equipment Sales, LLC, 7141 Seneca Street, Elma, NY, in an amount not to exceed \$12,212.85 (\$7212.85 base bid; \$1000 second man for start-up; \$4000 unforeseen repair parts/labor). Councilman Harris seconded the motion. Upon a vote being taken: ayes – four noes - none Motion carried.

Action #348
Repair of WIA 7 PRVs by Mech. Equip. Sales approved

Supervisor Jeffe moved to add an additional item, 6H – work sessions procedures, to the agenda. Councilman Bach seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #349
Item 6H – work session procedures added to agenda.

NEW BUSINESS:

Councilman Harris moved to authorize Donna Bodekor to attend the Network in Aging Conference on November 4, 2010, at the Hearthstone Manor, Depew, NY. The \$50 cost of the conference will be disbursed from A6772.404 Expense & Travel. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #350
D. Bodekor to attend conference.

Councilwoman Friess moved to authorize the Supervisor to sign the Western New York Stormwater Coalition Memorandum of Agreement which commences December 31, 2010 and terminates December 31, 2015, including the Coalition By-Laws, Fee Schedule (\$1250 per year) and DEP work plan, in order to continue the Town's membership in the Coalition. Councilman Bach seconded the motion. Upon a vote being taken: ayes – three (Friess, Jeffe, Bach) noes – one (Harris) Motion carried.

Action #351
Supv. authorized to sign WNY Stormwater agreement

Councilman Bach moved to change the November 16, 2010 Town Board work session location from 300 Gleed Avenue to the East Aurora Fire Hall, Oakwood Avenue. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #352
11/16/10 work session to be held at EA Fire Hall.

Councilwoman Friess moved to approve the following budget transfer to cover the cost of the new computer server:

From: A1680.401 Central Data Processing – Office Exp. \$1599.60
To: A1680.210 Central Data Processing – Equipment \$1599.60

Councilman Bach seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #353
Computer budget transfer approved.

Councilman Bach moved to approve the following budget transfers requested by the Building Department to alleviate budget line deficits:

From: A3620.405 Mileage \$174.34
To: A3620.404 Expense & Travel \$174.34

From: A3620.405 Mileage \$9.43
To: A3620.401 Office Expense \$9.43

Councilwoman Friess seconded the motion. Upon a vote being taken:
ayes – four noes – none Motion carried.

Councilwoman Friess moved to approve the changes to the 2011 Tentative Budget and accept the amended Tentative Budget as the 2011 Preliminary Budget. Councilman Bach seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Councilwoman Friess moved to set a Public Hearing on the 2011 Preliminary Budget for Monday, October 25, 2010 at 7:00 p.m. at the Town Auditorium, 300 Gleed Avenue, East Aurora, NY. Councilman Harris seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Supervisor Jeffe moved that effective November 1, 2010, Town Board work sessions will no longer be formal meetings with motions, seconds and formal business being conducted without any public input. Furthermore, the Town Attorney, Town Engineer and other Town Officials and Department Heads would only be required to attend work sessions when items on the agenda relate to their department or area of responsibility. Minutes will be kept by the Town Clerk as prescribed by law. Additionally, the public will be allowed to speak for a reasonable amount of time as determined at the meeting by the Supervisor as individual items are being discussed during the work session.

Councilman Bach seconded the motion.
Councilman Harris stated he would have liked to have known about this proposal ahead of time, instead of last minute at a meeting.
Councilwoman Friess stated she would like to give this a try, but the Board can't let it (resident participation) get out of control.
Upon a vote being taken: ayes – four noes – none Motion carried.

COMMUNICATIONS – the following communications were received by the Board and filed:

- Tax Receiver's September 2010 Report
- DCO September 2010; 2nd & 3rd qtr. Reports
- Town Clerk September 2010 Report
- Senior Center September 2010 Report
- Recreation Director September 2010 Report
- September 2010 work requisition report
- Chief of Police September 2010 Report

BUSINESS FROM AUDIENCE II: none

Action #354
Building Dept.
budget transfer
approved.

Action #355
Changes to
2011 Tentative
Budget
approved –
accepted as
Preliminary
Budget.

Action #356
Public hearing
set for 2011
Preliminary
Budget

Action #357
Work session
procedures
approved.

BUSINESS FROM BOARD MEMBERS AND STAFF:

Councilman Harris stated that some of our town laws (codes) do not have a lot of “teeth” when it comes to enforcement. Supervisor Jeffe asked Mr. Harris to prepare a list of particular laws he is referring to.

Councilwoman Friess thanked Town Department Heads for their monthly reports and announced she would be meeting with Bryan Smith and reps from the Erie County Sewer Department on Friday in preparation for the October 18th meeting with Geneva Road residents.

Councilman Bach stated he had attended the kick-off meeting for the DPW/Highway shared services grant.

Patrick Blizniak stated that his department issued 33 building permits in September.

The October 12, 2010 Abstract of Claims, consisting of vouchers numbered 1905 to 2007, was presented to the Board for audit and authorization of payment from the following funds:

General	\$27,274.48
Part Town	1,844.08
Highway	3,473.25
Enterprise/Gleed	4,602.77
Trust & Agency	144.00
Special Districts	<u>56,755.33</u>
Grand Total Abstract	\$94,093.91

Councilman Bach moved to approve the October 12, 2010 Abstract of Claims as presented and to authorize payment of same. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried. Action #358 10/12/10 Abstract of Claims aprvd.

Councilman Harris moved to adjourn; seconded by Councilwoman Friess. Upon a vote being taken: ayes – four noes – none Motion carried. Action #359 Meeting adjourned.

Martha L. Librock
Town Clerk