

March 12, 2012

A meeting of the Town Board of the Town of Aurora took place on Monday, March 12, 2012, at 7:00 p.m. in the Town Hall Auditorium, 300 Gleed Avenue, East Aurora, New York.

Members Present:	Jolene M. Jeffe	Supervisor
	James F. Collins	Councilman
	Susan A. Friess	Councilwoman
	James J. Bach	Councilman
	Jeffrey T. Harris	Councilman
Others Present:	Ronald Bennett	Town Attorney
	Patrick Blizniak	Supt. of Building
	Peggy Cooke	Recreation Director
	William Adams	Planning Board
	Charles Snyder	Planning Board
	Ronald Krowka	Chief of Police
	Robert Goller	Town Historian

Supervisor Jeffe opened the meeting at 7:00 p.m. with the Pledge of Allegiance to the Flag.

The first item on the agenda was a PUBLIC HEARING on a proposed Local Law that would amend Chapter 65 of the Town Code – Fire Prevention and Building Construction, by amending the Penalties for Offenses, making them more appropriate and enforceable. 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 7:02 p.m. and asked if anyone in the audience wished to comment. Hearing no one, the Supervisor closed the hearing at 7:04 p.m.

\* \* \* \* \*

The next item on the agenda was a PUBLIC HEARING on a proposed Local Law that would add a Chapter entitled “Regulating Picketing” to the Town Code. 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 7:05 p.m. and asked if anyone in the audience wished to comment.

Arthur Giacalone, Knox Road, read from a prepared statement that highlighted the following: 1) asking if there is a compelling reason for this proposed law; 2) cautioning about unanticipated consequences if adopted; and 3) noting the absence of instructions to law enforcement personnel as to what is and is not acceptable behavior.

Hearing no further comments, the Supervisor closed the hearing at 7:12 p.m.

\* \* \* \* \*

Supervisor Jeffe moved to approve the minutes of the February 21, 2012 Work Session; seconded by Councilman Collins. Upon a vote being taken: ayes – five noes – none	Motion carried.	Action #77 2/21/12 work session minutes aprvd.
---	-----------------	---

Councilman Harris moved to approve the minutes of the February 27, 2012 Town Board Meeting; seconded by Councilman Bach. Upon a vote being taken: ayes – five noes – none	Motion carried.	Action #78 2/27/12 meeting minutes aprvd.
---	-----------------	--

AUDIENCE I: none

UNFINISHED BUSINESS:

Councilman Harris moved to adopt the following resolution; seconded by Councilwoman Friess:

**RESOLUTION  
APPROVING OPEN DEVELOPMENT AREA PLAN  
FOR  
SBL # 187.01-1-51 SWEET ROAD  
TOWN OF AURORA, NEW YORK**

**WHEREAS**, Chapter 79 of the Code of the Town of Aurora establishes standards for landowners who wish to develop or subdivide land that lacks adequate public road frontage for standard lot development (known as “open development area”); and

**WHEREAS**, the Applicant has filed an Open Development Area application for SBL# 187.01-1-51 Sweet Road and seeks approval for a single family residence on the 9.7 acre parcel; and

**WHEREAS**, a narrative description of the private right-of-way, including but not limited to, ownership of the right-of-way and a maintenance plan for the right-of-way, has been submitted; and

**WHEREAS**, the deed for 1064 Sweet Road that reserves the utility easement to serve SBL#187.01-1-51 Sweet Road has been recorded in the Erie County Clerks office (Liber 11211, Page 5774) and a copy filed with the Town Clerk; and

**WHEREAS**, the Town of Aurora Planning Board has reviewed the proposed Open Development Area plan and has filed a recommendation of support of the application; and

**WHEREAS**, the petitioner has abided by the recommendations of the East Aurora Fire Department as to the ingress from the easement area to the proposed driveway on the property; and

**WHEREAS**, the Town Board has reviewed the SEQRA Short Environmental Assessment Form, submitted as part of the application, determining that the proposed use will not have a significant impact on the environment, and

**WHEREAS**, the Applicant has made every reasonable attempt and all necessary effort to comply with specifications of Chapter 79 of the Code of the Town of Aurora.

**NOW THEREFORE BE IT**

**RESOLVED**, that the Petitioner/Applicant will file and record with the Erie County Clerk, the Agreement for Maintenance and Repair of Common Easement and will provide the Town Clerk with a copy of said filing noting Liber and page; and BE IT FURTHER

Action #79  
Sweet Road  
ODA (for  
SBL#187.01-  
1-51)  
approved.

**RESOLVED**, that the Town Board of the Town of Aurora acknowledges that compliance with the standards, requirements and conditions, including those specified by the Town Board as noted above, is in the public interest; and BE IT FURTHER

**RESOLVED**, that approval by the Town Board of the Town of Aurora is expressly for SBL#187.01-1-51 Sweet Road, and any future development will be subject to the standards and requirements of Chapter 79 of the Code of the Town of Aurora without modification, variance or waiver; and BE IT FURTHER

**RESOLVED**, that said Open Development Area Plan for SBL#187.01-1-51 Sweet Road is approved; and BE IT FURTHER

**RESOLVED**, that all deeds and easements of all or part of the real property in this Open Development application as approved by the Town Board of the Town of Aurora shall contain the following provision: “This conveyance is made and accepted subject to the open development area plan for SBL#187.01-1-51 approved by the Town Board of the Town of Aurora on the 12<sup>th</sup> day of March, 2012”.

Upon a vote being taken: ayes – five      noes – none      Motion carried.

Supervisor Jeffe gave a brief recap of the proposed Police Service Agreement and thanked the East Aurora Advertiser for thoroughly covering the 2/27/12 presentation.

Councilwoman Friess commended both the East Aurora Bee and East Aurora Advertiser for getting the information out to the public.

Councilman Bach moved to approve the request from Highway Superintendent David Gunner for permission for Mrs. Gunner to travel in a Town vehicle with him when he attends a water conference in Saratoga, NY in April 2012 and that all expenses for Mrs. Gunner are their personal responsibility, not Town expenses. Councilwoman Friess seconded the motion.

Action #80  
 Non-employee authorized to travel in Town vehicle with town employee for conference.

Upon a vote being taken: ayes – five noes – none Motion carried.

NEW BUSINESS:

Councilman Collins moved to amend tonight’s agenda by adding Item 6H: E-Waste (electronic waste) revenue account. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #81  
 Meeting agenda amended – item 6H added

Councilman Friess moved to authorize the Supervisor to sign the Agreement with Skylighters of WNY LLC for the July 3, 2012 (rain date July 4, 2012) Pyrotechnic Display to be held in Hamlin Park contingent upon the following wording being added to the agreement: “*Additional Insured: Town of Aurora/Village of East Aurora appears as additional insured on primary and noncontributing basis. Waiver of subrogation applies.*” Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #82  
 Supv. auth to sign 2012 fireworks agreement.

Quotes for baseball uniforms (based on 220 uniforms and 300 caps) were received from:

<u>Company</u>	<u>Youth/Adult</u>	<u>Printing</u>	<u>Cap</u>	<u>(estimated) Total Cost</u>
Laux Sporting Goods, Inc.	\$16.39/17.29	incl.	\$5.09	\$4,232.00
Jersey Express	\$37.50/52.50*	*Price quoted was confirmed.		
baseballvendor.com	\$15.23/16.54 plus 5% shipping	Vendor could not give printing price until all sponsor names were given to them.		
Al-Ross	no bid			

Councilman Bach moved to authorize the purchase of approximately 220 baseball uniforms and approximately 300 caps from Laux Sporting Goods, Inc. 25 Pineview Drive, Amherst, NY 14228 at the following cost(s):

Action #83  
 Baseball uniform purchase approved.

<u>Youth Jersey</u>	<u>Adult Jersey</u>	<u>Printing</u>	<u>Cap</u>	<u>Shipping/handling</u>
\$16.39	\$17.29	incl.	\$5.09	-0-

Payment will be disbursed from Baseball supplies: A7310.440.2.

Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none

Motion carried.

Quotes for softball uniforms (based on 100 uniforms and 115 visors) were received from:

<u>Company</u>	<u>Youth/Adult</u>	<u>Printing</u>	<u>Visor</u>	<u>(estimated) Total Cost</u>
Laux Sporting Goods, Inc.	\$14.25/15.25	incl.	\$2.59	\$1,773.00
Jersey Express	\$27.75/28.25	incl.	\$3.25	\$3,173.00
Al Ross	\$18.25/19.25	incl.	\$3.50	\$2,278.00

Councilman Collins moved to authorize the purchase of approximately 100 softball uniforms and approximately 115 visors from Laux Sporting Goods, Inc. 25 Pineview Drive, Amherst, NY 14228 at the following cost(s):

Action #84  
 Softball  
 uniform  
 purchase  
 approved.

<u>Youth Jersey/Adult Jersey</u>	<u>Printing</u>	<u>Visor</u>	<u>Shipping/handling</u>
\$14.25      \$15.25	incl.	\$2.59	-0-

Payment will be disbursed from Baseball supplies:A7310.440.2.

Councilman Collins seconded the motion. Upon a vote being taken:

eyes – five                      noes – none                      Motion carried.

Councilman Bach moved to accept the following donations, totaling \$3,050.00, to be used exclusively for the Gleed baseball/softball diamond project, with funds to be deposited to TA1000.112:

<u>Donor Name</u>	<u>Amount</u>	<u>Date Received</u>
Jeffrey Kney	\$250.00	2/22/12
Carole & Joe Orłowski	\$500.00	2/29/12
Wayne Zielinski	\$250.00	3/1/12
Greg Goggins	\$100.00	3/1/12
Howard Stoll Family	\$1,000.00	3/1/12
Christine & James Spengler	\$200.00	3/2/12
Mark & Catherine Melas	\$100.00	3/5/12
P. Jeffrey Lewis	\$25.00	3/5/12
The Jones Family	\$25.00	3/5/12
James & Marilyn Folaron	\$100.00	3/5/12
Peggy & Mark Cooke	\$500.00	3/5/12

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

Action #85  
 Donations for  
 baseball  
 diamond project  
 (Gleed)  
 accepted

Councilman Harris moved to accept the \$1,000.00 donation from the Aurora Historical Society to be used for the Town Historian's records digitization project. The funds will be deposited into TA1000.0084.

Councilman Collins seconded the motion. Upon a vote being taken:

eyes – five                      noes – none                      Motion carried.

Action #86  
 Donation for  
 Historian  
 digitization  
 project acptd.

Councilman Harris moved to accept, with regret, the resignation of LauraLee Naughton from the Aurora Town Library Board. Councilman Bach seconded the motion. Upon a vote being taken: eyes – five

noes – none                      Motion carried.

Action #87  
 Library board  
 member  
 resignation  
 accepted.

Supervisor Jeffe thanked LauraLee for her years of service on the Library Board and noted that the Library Board, as per their charter, appointed Alice Askew to complete the term of Ms. Naughton.

Councilman Friess moved to approve the hiring of Cathy McGee, 1778 Center Street, East Aurora, as a part-time Assistant Dog Control Officer at the rate of \$9.00 per hour, contingent upon receipt of an acceptable DMV report. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #88  
Additional  
Assistant  
DCO hired.

Councilwoman Friess moved to amend the 2012 Town Operating Budget by adding revenue line SR2651 Rubbish: Sale of Refuse for Recycling. Revenue generated from the sale of electronic waste to Sunnking, Inc. (or any other e-waste company) will be deposited into this budget line. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #89  
2012 Budget  
amended: e-  
waste rubbish  
revenue line  
added

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

- Town Clerk – February 2012 report
- Assessor - February 2012 report
- Tax Receiver - February 2012 report
- Senior Center - February 2012 report
- Dog Control - February 2012 report
- Building Dept. - February 2012 report
- Recreation Director - February 2012 report
- EAPD - February 2012 report
- Work Requisitions - February 2012 report

#### BUSINESS FROM BOARD MEMBERS:

Councilman Harris thanked Mr. Giacalone for his comments during tonight's public hearing on a proposed Local Law regulating picketing in the Town, and that the proposed law needs to be addressed further. Mr. Harris also thanked Town Historian Robert Lowell Goller for all his hard work.

Supervisor Jeffe stated: 1) she met with Mark Thomas, Director of NYS Parks and noted that there is not much feedback on the direction of Knox Farm State Park, but the Buffalo Philharmonic Orchestra will be playing at the park on June 28<sup>th</sup> as a fund raiser for the Friends of Knox ; 2) The bid opening for the renovations/remodeling at 300 Gleed was held on March 9<sup>th</sup>. The bids will be reviewed by the engineers and town officials before being awarded; 3) A Drug Awareness Forum will be held at the East Aurora Theater on March 27<sup>th</sup> and everyone is encouraged to attend; 4) she and the highway superintendent met with Legislator Joe Lorigo to view county roads in various states of disrepair throughout the Town. The Supervisor will draft a letter listing the county roads that the Town believes are a priority for repair to send to Erie County.

#### AUDIENCE II:

Bill Patterson, Grover Road, met with County highway personnel and was told that the price of asphalt has gone from \$80 to \$120 per ton. Mr. Patterson also asked about the status of having agenda items on the website.

Arthur Giacalone, Knox Road, thanked Robert Goller and Martha Librock for their efforts in getting the agenda items on the website prior to the meeting.

Libby Weberg (Village Trustee), North Grove Street, stated that the Village and Town should pay the same for police coverage, noting that the 49% (Town) 51% (Village) cost split may sound fair, but the aging of the Village infrastructure should be taken into consideration as to what Village residents will have to pay for in their taxes.

STAFF REPORTS:

Peggy Cooke stated that registration for summer recreation programs will start on April 2<sup>nd</sup> this year.

Police Chief Krowka stated that there will be many Stop DWI check points this (Saint Patrick's Day) weekend.

The March 12, 2012 Abstract of Claims, consisting of vouchers numbered 307 to 416, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 19,511.63
Part Town	1,480,460.00
Highway	61,066.62
Enterprise/Gleed	4,791.37
Capital (Major Park)	65.00
Capital (Luther Rd. Culvert)	1,375.00
Trust & Agency	1,552.44
Special Districts	<u>15,926.93</u>
Grand Total Abstract	\$1,584,748.99

Councilwoman Friess moved to approve the March 12, 2012 Abstract of Claims as presented and to authorize payment of same. Councilman Bach seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #90  
3/12/12  
Abstract of  
Claims aprvd.

Councilman Collins moved to adjourn; seconded by Councilman Bach. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #91  
Meeting  
adjourned.

Martha L. Librock  
Town Clerk