

A meeting of the Town Board of the Town of Aurora took place on Monday, March 22, 2010, at 7:00 p.m. in the Town Hall Auditorium, 300 Glead Avenue, East Aurora, New York.

Members Present:	Jolene M. Jeffe Jeffrey T. Harris James F. Collins James J. Bach Susan A. Friess	Supervisor Councilman Councilman Councilman Councilwoman
Others Present:	Ronald P. Bennett Bryan Smith Patrick Blizniak David Gunner William Adams Jim Walczyk Jeffrey Markello Kathy Lasher	Town Attorney Town Engineer Supt. of Building Highway Superintendent Planning Board member Crew Chief Town Justice Open Space Committee

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

Councilwoman Friess moved to approve the minutes of the March 8, 2010 Town Board meeting; seconded by Councilman Harris. Upon a vote being taken: ayes – five noes – none Motion carried. Action #105 3/8/10 minutes approved.

Councilman Bach moved to approve the minutes of the March 16, 2010 Town Board work session; seconded by Councilman Collins. Upon a vote being taken: ayes – five noes – none Motion carried. Action #106 3/16/10 work session minutes aprvd

BUSINESS FROM AUDIENCE I:

Mark Mann, Emery Road, stated that the Town needs local legislation regarding the number of animals a person can have. The Town currently limits the number of dogs to three (3) without obtaining a special permit and should limit the number of cats and large animals, too, in light of the number of animals the SPCA recently removed from a town property.

UNFINISHED BUSINESS:

A public hearing on the ODA application submitted by Russell Harlock for 1519 Quaker Road (SBL# 174.00-1-45) was held on March 8, 2010. The proposal is for a lot on Quaker Road having no road frontage that is accessed by an existing 25' wide easement that consists of a 15' wide hard-packed driveway and 10' for utility installation. There are three contiguous lots in front of the Harlock's property. The Harlock's plan is to build a single family residence on the 3.7 acre parcel.

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

**RESOLUTION
APPROVING OPEN DEVELOPMENT AREA PLAN
FOR
1519 QUAKER ROAD,
TOWN OF AURORA, NEW YORK**

WHEREAS, Chapter 98 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 1519 Quaker Road (SBL# 174.00-1-45) and seeks approval to construct a single family residence on the 3.7 acre parcel; and

A bid opening was held on March 12, 2010 for the Board/Courtroom Renovation – Contract No. 2010-1. One bid was received at that time. CRA Infrastructure & Engineering, Inc. reviewed the bid documents and recommends award of the contract to Telco Construction, Inc. Since the grant awarded to the Courts is \$24,000.00, only the base bid for the board/court bench is being awarded at this time.

Councilman Bach moved to award Item No. 1 of Contract No. 2010-1 – Board/Courtroom Renovation for the demolition and replacement of the Board/Court Bench in the Village Board Room at 571 Main Street, East Aurora, NY, in the amount of \$23,700.00 to Telco Construction, Inc., 500 Buffalo Road, East Aurora, NY. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #109
Bid for board room/court bench awarded to Telco Const.

NEW BUSINESS:

There are two areas of the roof (on the old section of the building) at 300 Glead Avenue that are leaking and in need of repair. The Town is currently under contract with Weaver Roofing and Action Roofing to replace roofs on various Town owned buildings. Both companies will be asked to provide written quotes for the Glead roof repair. Bryan Smith stated that the cost can be covered in the miscellaneous roof repair allowance in each of the contracts.

Councilman Collins moved to authorize the Supervisor to send Requests for Qualifications for Grant Writing and Consulting Services to various consultants for the purpose of providing grant writing and consultant services to obtain grants to offset Town expenses and possibly complete projects that would otherwise be difficult to fund. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #110
Supv. to send out RFQ for grant writer services.

Councilman Bach moved to accept and approve the proposal from Zoladz Construction Company, Inc., 18600 Railroad Street, PO Box 157 Alden, NY, to grind and remove green waste (trees, leaves, etc.) at no charge to the Town, for the 2010 calendar year through November 30, 2010. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried. Councilman Harris abstained from voting due to Zoladz being a customer of his business.

Action #111
Proposal from Zoladz for tub grinding in exchange for the mulch approved.

Councilwoman Friess moved to authorize the Supervisor and Town Board to sign the 2010 Agreement for the Expenditure of Highway Moneys pursuant to the provisions of Section 284 of the Highway Law whereby the Town Board and Highway Superintendent agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

Action #112
Highway 284 agreement approved for 2010 highway repairs and improvements.

General Repairs \$257,430.00
Permanent Improvements \$87,500.00 on the following town highways:

- 1) Highland Drive between Maple Road and the dead end.
- 2) Deepwood Drive between Maple Road and Roycroft Circle
- 3) Roycroft Circle between Deepwood Drive and Ruskin Road

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

Councilman Collins moved to approve the Town of Aurora Parks and Recreation (baseball) Diamond Use Application, as to form only, with one revision: the diamond maintenance fee will be \$20.00, not \$15.00. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #113
Baseball
diamond use
application
aprvd as to
form only.

Councilwoman Friess moved to adopt the following resolution in support of the 2010 Open Space Plan; seconded by Councilman Collins:

WHEREAS, the 2003 Town of Aurora Regional Comprehensive Plan identifies the goals of protecting environmental resources, preserving community character, and properly managing future growth and development in the Town of Aurora; and

WHEREAS, the 2006 Erie & Niagara County Framework for Regional Growth states that, “the loss of rural, agricultural, and environmentally-sensitive lands has long been a matter of local, regional and state concern”, and

WHEREAS, the Framework for Regional Growth advocates strengthening rural communities by “the conservation of agricultural lands and the protection of sensitive scenic and natural areas, wildlife habitat and open spaces”; and

WHEREAS, the Town of Aurora believes that it is the pairing of our vibrant walkable village with the rural character of the surrounding town that makes our community unique and enhances the quality of life of its residents; and

WHEREAS, the Town of Aurora is committed to proactively identifying the most critical natural resources and open spaces in the community and identifying tools that will make it possible to protect those values lands; and

WHEREAS, the Town of Aurora recognizes that preserving open spaces strengthens property values, enhances tourism, provides wildlife habitat, improves water and air quality, and provides scenic views that contribute to the character and beauty of the community; and

WHEREAS, the outpouring of support to save Knox Farm State Park and for the creation of an East Aurora Food Cooperative demonstrate that our residents are committed to preserving open space resources and local farms. NOW, THEREFORE

BE IT RESOLVED, that the Aurora Town Board endorses the 2010 Open Space Plan as a tool for identifying and protecting the natural, scenic, and agricultural resources in the Town of Aurora.

Upon a vote being taken: ayes – five noes – none

Motion carried.

Action #114
2010 Open
Space Plan
endorsed by
Board.

Councilman Collins moved to authorize the Supervisor to sign the 2010 Dedicated Resource Agreement with Network Services, LLC, 2065 Kensington Avenue, Amherst, NY, for on-site labor support for computer hardware and software issues. The term of the agreement is April 1, 2010 through December 31, 2010 for a total fee of \$8,775.00 (117 hours @ \$75.00 per hour). Councilman Bach seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #115
Supv. auth. to
sign agreement
for IT services
with Network
Services LLC.

Councilwoman Friess moved to approve the following computer related purchases; seconded by Councilman Collins:

- Cable run for Court Internet \$250.00
- RD 1000 Backup Disks 160MB \$259.00
- Optiplex 760 Computer (for Building Department) \$568.00
- Optiplex 760 Computer (for Supervisor) \$568.00

Action #116
Computer related purchases approved.

The total of \$1,645.00 will be disbursed from A1680.0210 Central Data Processing – Equipment and Software. Upon a vote being taken:
ayes – five noes – none Motion carried.

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

WHEREAS, grant monies are available from the American Recovery and Reinvestment Act (ARRA) through the New York State Energy Research and Development Authority (NYSERDA) for the implementation of energy conservation measures including the installation of renewable energy technologies; and

WHEREAS, the energy audit will document the current usage of electricity acquired through conventional means; and

WHEREAS, the Town of Aurora seeks to reduce its carbon footprint through the installation of photovoltaic panels on the Town Highway Department to generate a renewable source of energy; and

WHEREAS, the Aurora Town Board is supportive of implementing a photovoltaic panel project at the Town Highway Department; and

WHEREAS, the Town of Aurora seeks financial assistance from NYSERDA for the purpose of participating in this renewable energy project. NOW THEREFORE, BE IT

RESOLVED, that the Town of Aurora hereby allocates matching funds in the amount of \$10,000.00 (ten thousand dollars) toward this project as a demonstration of the Town's commitment to implement the project; and BE IT FURTHER

Action #117
Application for NYSERDA grant approved with \$10K match.

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, form, etc., to be submitted to NYSERDA for the purpose of securing this grant; and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

Upon a vote being taken: ayes – four noes – one (Friess)
Motion carried.

Discussion prior to vote:

Councilwoman Friess stated that the concept is great, but she doesn't agree with using tax payer money for this type of project in light of the current economy and New York State budget crisis, nor does she agree with spending \$200K to save \$10K.

Councilman Bach stated that Councilwoman Friess made a good point, but this is stimulus money that will be used by someone else if the Town does not apply for it. The results, if the Town receives this grant, will be elimination of an electric bill and reduction or elimination of a carbon footprint.

Councilman Collins asked where the \$10,000 would come from. Supervisor Jeffe responded it would come from general fund cash reserves.

* * *

Councilman Collins moved to adopt the following resolution affirming duties of the Town of Aurora Highway Superintendent; seconded by Councilwoman Friess:

**RESOLUTION AFFIRMING DUTIES OF THE TOWN OF AURORA
HIGHWAY SUPERINTENDENT**

WHEREAS, Article 3, Section 32(1) of the New York Town Law states that the Town Superintendent of Highways shall have the powers and perform such duties as here or hereafter may be conferred and imposed upon him by law, and such further duties as the Town Board may determine not inconsistent with law, and

WHEREAS, historically, the Town has identified, conferred and imposed certain duties upon the Town Superintendent of Highways in regard to Town functions and obligations in providing services to its residents, and

WHEREAS, historically, the Town Board of the Town of Aurora has conferred and the Town Superintendent of Highways has complied with the administration and oversight of the following:

1. Maintenance of Town parks;
2. Maintenance of Town-owned Pioneer Cemetery;
3. All interior and exterior maintenance and repair of all Town-owned buildings
4. Minor landscaping of all Town-owned buildings and Community Pool
5. Town Water Department and its functions;
6. Trash removal, including but not limited to, tire and battery pickup from Town residents;
7. Leaf and brush pickup including Town residences and roads; and
8. Snow removal at all Town-owned locations, including but not limited to, office buildings, parks, highway barns and senior centers, and

WHEREAS, the duties conferred upon the Town Superintendent of Highways and the Highway Department have resulted in financial savings by judiciously utilizing Town employees, administration and equipment,

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Aurora hereby affirms the conferring of duties of the maintenance of Town parks, the mowing and grounds maintenance of the Town-owned Pioneer Cemetery, interior and exterior maintenance and repair of all Town-owned buildings, minor landscaping of all Town-owned buildings and the Community Pool, the Town Water Department and its functions, the trash removal, including but not limited to, tire and battery pickup from Town residents, the leaf and brush pickup including Town residences and roads, and the snow removal at all Town-owned locations, including but not limited to, office buildings, parks, highway barns and senior centers, all being not inconsistent with law, and be it further

Action #118
Highway
Superintendent
duties defined.

RESOLVED, that a certified copy of this Resolution shall be filed with the Town Superintendent of Highways.

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

Councilman Collins moved to approve the hiring of Jason Fields, 425 Main Street Apt. 4, East Aurora, NY, as a Seasonal Parks employee at a rate of \$10.00 per hour (disbursed from A7110.105) effective April 19, 2010. Councilman Bach seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #119
J. Fields hired
as seasonal
park employee

Councilwoman Friess moved to approve the purchase of up to 450 tons of limestone screening from County Line Stone, Akron, NY, at \$11.50 per ton per the Erie County Bid List, to be used to line the trails at Majors Park. Payment will be disbursed from A7110.209. Councilman Bach seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #120
Purchase of
limestone for
Majors Park
approved.

Councilman Collins moved to approve the request from Highway Superintendent David Gunner to attend the 17th Annual Local Government Conference sponsored by Southern Tier West to be held on May 5, 2010 at Houghton College, Houghton, NY. The \$40 registration fee will be disbursed from A5010.404 Highway Administration – expense and travel. Councilman Bach seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #121
Hwy. Supt. to
attend So. Tier
West Conf.

Councilwoman Friess moved to adopt the following resolution authorizing the Dog Control Officer to conduct a dog census in the Town outside the Village; seconded by Councilman Bach:

WHEREAS, Article 7, Section 114 of the Agriculture and Markets Law provides that the governing body of any municipality may require its Dog Control Officer or any other authorized agent to ascertain and list names of all persons in the municipality owning or harboring dogs, or in lieu thereof, any municipality may contract to have the same done; and

WHEREAS, Article 7, section 110 Sub 4 (d), License Fees, of the Agriculture and Markets Law states in part; any person applying for a dog or purebred license for a dog identified as unlicensed during an enumeration conducted pursuant to subdivision seven of this section one hundred fourteen of this article shall pay a fee of five dollars (\$5.00); and

WHEREAS, the Aurora Town Board realizes that the State of New York and County of Erie have identified rabies cases; and

WHEREAS, for health and safety reasons it is important to the Town of Aurora to know where dogs are being harbored.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Aurora authorizes the Dog Control Officer to plan and conduct a Dog Census in the Town outside of the Village, for an amount not to exceed \$1300; and

Action #122
Board
authorizes
2010 dog
census in Town
outside of
Village.

BE IT FURTHER RESOLVED that an additional charge of five dollars (\$5.00) be applied to the license fee of those dogs identified as unlicensed per Article 7, section 110 Sub 4(d).

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

Councilman Harris moved to reschedule the April Town Board work session from April 20, 2010 to April 13, 2010 at 7:00 p.m. The work session will be a joint meeting with the East Aurora Village Board to discuss the Shared Municipal Services (SMSI) study. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none
Motion carried.

Action #123
April work session rescheduled to 4/13/10.

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

- Dog Control – March 2010 report
- January 2010 Supervisor’s report

BUSINESS FROM AUDIENCE II:

Tom Krantz, Mill Road, read from a prepared statement in favor of town and village consolidation and village dissolution. He stated he would like to meet one-on-one with the Town Board members to discuss this further.

BUSINESS FROM BOARD MEMBERS AND STAFF:

Councilman Harris stated that he supports village dissolution if it is what they choose to do. He further stated that he does not see services changing, but a plan needs to be in place first and we need to be assured that the Town taxpayer does not get hit with higher taxes.

Councilwoman Friess stated she would like to know what the rest of the Board thinks about term limits for Town Board members and about changing the Supervisor’s term from two-year to four-year. She would also like to know what the public opinion is on these two issues also. Councilwoman Friess also gave an update on what’s happening at the Senior Center.

Councilman Bach stated that the Town needs to plan for possible village dissolution.

Councilman Collins stated he is obtaining information on the cost of moving the town offices to Gleed Avenue, including the operating cost of the current Town Hall.

Supervisor Jeffe stated she has attended several dissolution meetings and is studying the Seneca Falls, NY dissolution process.

Pat Blizniak stated that during the first three weeks of March they issued 15 building permits, which is about average for this time of year.

David Gunner stated that the current employee handbook is “gray” in many areas and needs to be updated.

The March 22, 2010 Abstract of Claims, consisting of vouchers numbered 391 to 510, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 82,940.48
Part Town	509.24
Highway	39,310.38
Enterprise (Gleed)	19,261.60
Capital	65.00
Trust & Agency	1,749.43
Special Districts	<u>70,314.50</u>
Grand Total Abstract	\$214,560.63

Councilman Bach moved to approve the March 22, 2010 Abstract of Claims as presented and to authorize payment of same. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #124
3/22/10 Abstract
of Claims
approved.

Councilman Harris moved to enter into executive session to discuss a contract and a specific personnel issue, with no action being taken during the session. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #125
Board enters
exec. session.

Councilman Harris moved to come out of executive session and to reconvene regular session. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #126
Board comes out
of executive
session and
reconvenes
regular session.

Councilman Harris moved to notify the Village of East Aurora that the Town Board wants to review the Police Services Agreement with the intent to renegotiate the terms and to authorize the Supervisor to give such notice. Councilman Bach seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #127
Board to notify
Village of desire
to renegotiate
Police Svcs
agreement.

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

Action #128
Meeting
adjourned.

Martha L. Librock
Town Clerk