

February 14, 2011

A meeting of the Town Board of the Town of Aurora took place on Monday, February 14, 2011, at 7:00 p.m. in the Town Hall Auditorium, 300 Glead Avenue, East Aurora, New York.

Members Present:	Jolene M. Jeffe	Supervisor
	James F. Collins	Councilman
	James J. Bach	Councilman
	Susan A. Friess	Councilwoman
	Jeffrey T. Harris	Councilman
Others Present:	Edward Snyder	Deputy Town Attorney
	Bryan Smith	Town Engineer
	Patrick Blizniak	Superintendent of Building
	David Gunner	Highway Superintendent
	Peggy Cooke	Recreation Director
	Donna Bodekor	Senior Center Director
	William Adams	Planning Board Member
	Ron Krowka	Chief of Police

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

Councilman Harris moved to approve the minutes of the January 18, 2011 Town Board Work Session; seconded by Councilwoman Friess. Upon a vote being taken: ayes – five noes – none Motion carried. Action #27 1/18/11 minutes aprvd.

Councilman Bach moved to approve the minutes of the January 24, 2011 Town Board Meeting; seconded by Councilman Collins. Upon a vote being taken: ayes – five noes – none Motion carried. Action #28 1/24/11 minutes aprvd.

Councilman Harris moved to amend tonight's meeting agenda by moving item 6A (Amended Bond Resolution) to item 4B; seconded by Councilwoman Friess. Upon a vote being taken: ayes – five noes – none Motion carried. Action #29 Meeting agenda amended

TOWN UPDATE:

Supervisor Jeffe gave a power-point presentation on the 2010 accomplishments of the Town – CSEA contract, police advisory committee, SMSI, improved communications with residents, improved town policies and procedures – and the challenges faced – decreasing revenues, rising healthcare and pension costs. The Supervisor noted that the town can not continue to rely on fund balances to keep taxes down and gave examples of where the town saved money in 2010 and will continue to save money in 2011.

TOWN HALL PRESENTATION:

Councilwoman Friess began the power-point presentation with a time-line depicting how long the town has been searching for a new location for Town Hall, from the year 2000 to present.

Supervisor Jeffe continued the presentation with three options: 1) find a facility to renovate; 2) find land to purchase and construct a new building; 3) move to the Glead Ave. building. The Supervisor also reviewed a newly presented option of moving the Town Hall to the mansion at Knox Farm State Park.

Board comments:

Councilman Harris stated the Board needs to look at all possible tax implications and that investing in Glead would benefit any future sale by increasing and/or stabilizing the worth of the building. Harris noted that twenty years ago the Town was looking at the old Chevy car dealership on Olean as a location for Town Hall.

Councilman Bach stated that since we already own the building at Gleed, we need to make the move there.

Councilman Collins reiterated that moving to Gleed is the right decision.

Councilwoman Friess stated that moving to Gleed doesn't stop the dream of a perfect building, but it is the best available option today.

Supervisor Jeffe noted that the Knox mansion could be a potential revenue source for the park. She stated she'd be happy to go over the financial numbers for Gleed with anyone who would like to meet with her. Jeffe noted that the bond resolution being proposed tonight only extends the financing; we'd still own the building.

Councilman Collins stated it is good business sense to extend the bond.

Councilwoman Friess noted that any site for the Town Hall needs to be accessible, walkable and nearer to the Village core. Putting the Town Hall in the middle of a closed park is not making it very accessible. Knox Farm State Park is a secondary problem not related to the location of Town Hall offices – it's a knee-jerk reaction to put the Town Hall at the park.

Councilman Bach stated that the Gleed facility leaves room for expansion should the Senior Center ever need a new home. The facility offers sports fields, an auditorium, and accessibility. Bach said the Town has no business bailing out the State (park).

BUSINESS FROM AUDIENCE I:

Bob Troidl, Mill Road, read a statement prepared by David DiPietro. Mr. DiPietro wants the Town Board to consider the Knox Farm State Park mansion as the place to locate Town Hall.

Earl Jann, Grover Road, stated that Gleed was purchased "under a cloud" and if tonight's bond resolution is passed, there will be a petition circulated (for a referendum). He also stated that the Knox Farm mansion is a better option than Gleed.

Donna Bodekor, Center Street, stated that the Gleed building is in the Village, it's walkable and the town offices should move there.

Brian Schumacher, Tannery Road, suggested selling Gleed to someone else and that the Town lease space in the building from the new owner.

Deborah Carr-Hoagland, E. Fillmore Ave., commented on the needs of the library.

Al Kasprzak, Girard Ave./Mayor of E. Aurora, stated that Knox Farm State Park is being cast on an ice floe, people need something for their tax dollars and something needs to be done to save the park.

Bob Troidl, Mill Road, stated a referendum would be a good thing.

Peggy Cooke, Grover Road, stated that the main house at Knox Farm State Park should be considered.

Lisa Hoffman, Mill Road, speaking on behalf of the East Aurora Chamber of Commerce – Knox Farm State Park should not be an option for the Town Hall location. Town government should not be responsible for saving the park. The ultimate goal should be to keep Town Hall on Main Street.

Tony Rosati, Center Street, disagreed with the option of moving Town Hall to Knox Farm State Park.

Bill Adams, Olean Road, stated it is not the Town's responsibility to take care of Knox Farm State Park.

Vernon Hopkins, Tannery Road, stated he is in favor of the Gleed location.

Kathy Kohler, Mill Road, stated that people need to understand the reason for refinancing Gleed – it is to stop depleting the Town's fund balances. She is in favor of moving to Gleed and Knox Farm State Park is too remote.

UNFINISHED BUSINESS:

Councilman Harris moved to authorize the Supervisor to enter into an Agreement with the Village of East Aurora, whereby the Town and Village will coordinate and cooperate in the removal of snow and ice from certain areas of Knox Farm State Park as set forth in the Agreement between the Town and the State of New York (Parks). Councilman Bach seconded the motion.

Action #30
Supv. auth to
sign agreement
with VEA re:
plowing Knox
Park

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

Councilwoman Friess moved to approve the request from Highway Superintendent Gunner to participate in the Explore & More Museum's Touch-A-Truck event being held at 300 Gleed on May 15, 2011 by providing highway vehicles for display. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five
noes – none
Motion carried.

Action #31
Highway dept
to participate in
Touch-a-Truck
event at Gleed.

NEW BUSINESS:

The following resolution was offered by Councilman Collins and seconded by Councilman Bach, to wit;

A RESOLUTION, DATED FEBRUARY 14, 2011, AMENDING AND RESTATING A BOND RESOLUTION OF THE TOWN OF AURORA, ERIE COUNTY, NEW YORK (THE "TOWN") ADOPTED ON JANUARY 28, 2008 IN ORDER TO EXTEND THE REPAYMENT PERIOD FOR THE FINANCING OF THE TOWN'S ACQUISITION OF A BUILDING FOR USE BY THE TOWN.

WHEREAS, on January 28, 2008, the Town Board of the Town of Aurora, Erie County, New York (the "Town") adopted a bond resolution (the "Bond Resolution") entitled:

A BOND RESOLUTION, DATED JANUARY 28, 2008, OF THE TOWN BOARD OF THE TOWN OF AURORA, ERIE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ACQUISITION OF A BUILDING FOR USE BY THE TOWN, AT AN ESTIMATED MAXIMUM COST OF \$1,900,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,900,000 OF THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR;

and

WHEREAS, the Town has previously issued bond anticipation notes pursuant to the Bond Resolution, but has not yet entered into permanent financing arrangements (i.e., the issuance of long-term serial bonds); and

WHEREAS, in light of the current difficult national, state and local economic conditions, and after consultation with the Town's financial advisor, the Town Board recommends that the maximum permitted repayment period for such acquisition be extended to allow the Town to avoid the additional tax burden that would be imposed if such acquisition were to be financed as originally contemplated, with such acquisition being repaid in five years or less; and

WHEREAS, the Town Board now wishes to amend and restate the Bond Resolution for the limited purpose of extending the maximum repayment period for the obligations authorized to be issued hereunder from no more than five years to no more than 30 years from the date of the first borrowing for such acquisition;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF AURORA AS FOLLOWS:

Section 1: That the Bond Resolution be, and it hereby is, amended and restated to read in its entirety as set forth in the attached Exhibit A.

Section 2. Except as set forth herein, the Bond Resolution has not been modified or amended since its adoption. The Bond Resolution remains in full force and effect and is hereby ratified and approved as amended hereby.

Section 3. This resolution is subject to permissive referendum pursuant to Section 35.00 of the Local Finance Law. The Town Clerk is hereby authorized and directed to publish (one time) and post on the sign-board of the Town, this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten (10) days after the date of adoption of this resolution.

Section 4. If no petitions are filed in the referendum period, the Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

AYES: (five) Councilman Harris; Councilwoman Friess;
Councilman Bach; Councilman Collins; Supervisor Jeffe

NOES: none

ABSENT: none

The foregoing resolution was thereupon declared duly adopted.

Exhibit A
(Amended and Restated Bond Resolution)

AN AMENDED AND RESTATED BOND RESOLUTION, DATED **FEBRUARY** 14, 2011, OF THE TOWN BOARD OF THE TOWN OF AURORA, ERIE COUNTY, NEW YORK (THE "TOWN"), AMENDING THE BOND RESOLUTION ADOPTED JANUARY 28, 2008, AUTHORIZING THE ACQUISITION OF A BUILDING FOR USE BY THE TOWN, AT AN ESTIMATED MAXIMUM COST OF \$1,900,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,900,000 OF THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

Action #32
Bond
resolution
amending
financing for
300 Glead
approved.

WHEREAS, on January 28, 2008 the Town Board of the Town of Aurora, Erie County, New York adopted a bond resolution authorizing the acquisition of a building for use by the Town (the "Project"), at an estimated maximum amount of \$1,900,000; and

WHEREAS, the Town Board now wishes to amend the January 28, 2008 bond resolution for the sole purpose of increasing the maximum permitted repayment period for obligations issued to finance the Project from no more than five years to no more than 30 years; and

WHEREAS, the January 28, 2008 bond resolution is not being modified in any material respect other than changing the maximum payback period as previous described, and is otherwise being reaffirmed and ratified in all respects;

NOW THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Aurora, in the County of Erie, New York (the "Town") (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Town is hereby authorized to undertake the acquisition of a building for use by the Town, and other improvements in connection therewith, including all preliminary work and necessary equipment, materials and related site work and all preliminary costs and other improvements and costs incidental thereto (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$1,900,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an amount not to exceed \$1,900,000 of the Town, hereby authorized to be issued herefore pursuant to the Local Finance Law, to be offset by any federal, state, county and/or local funds received. Unless paid from other sources, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 3. It is hereby determined that the Purpose is an object or purpose described in subdivision 11(a)(1) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is 30 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of such notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of such bonds, and the renewals of such notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

SECTION 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Town then reasonably expects to reimburse any such expenditures (to the extent made after January 28, 2008 (or within 60 days prior thereto) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute a reaffirmation of the Town's original declaration (dated January 28, 2008) of its "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Town has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under the State Environmental Quality Review Act is necessary.

SECTION 12. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) if the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 13. This resolution is subject to permissive referendum pursuant to Section 35.00 of the Local Finance Law. The Town Clerk is hereby authorized and directed to publish (one time) and post on the sign-board of the Town, this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten (10) days after the date of adoption of this resolution.

SECTION 14. If no petitions are filed in the referendum period, the Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper

having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

SECTION 15. Nothing in this amendment shall affect the validity of the original January 28, 2008 bond resolution, or any action taken thereunder, and any such actions are hereby ratified.

* * * * *

Councilman Harris moved to table the request from Ryan Fishback, Boy Scout Troop 513, to carry-out his Eagle project, construction of a stairway at the Pioneer Cemetery (Oakwood Avenue). Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #33
Eagle Scout cemetery project tabled.

Councilman Bach moved to appoint Davis Heussler, 1550 Blakeley Road, East Aurora, as an alternate member to the Zoning Board of Appeals, term beginning 2/14/11 and ending 12/31/11. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #34
D. Heussler appointed ZBA alternate member.

Councilwoman Friess spoke about the Town's water department and gave a brief over-view of the history and responsibilities of the water director. Friess noted that David Gunner will be taking the course to become a certified class D water operator in the near future.

Action #35
Water director appointment and stipend reassigned to Hwy Supt.

Councilman Bach moved to reassign the position of water director to Highway Superintendent David Gunner and to redirect the water director stipend to Mr. Gunner effective today (2/14/11). Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Councilman Collins moved to approve the request from Highway Superintendent Gunner to declare a 1999 Ford F15 pick-up truck, VIN number ending in 13601 (Town ID 1210), as surplus equipment and to list it with Auctions International. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #36
1999 Ford pickup declared surplus – list on-line auction

Councilman Harris moved to approve the request from Highway Superintendent Gunner to attend the following Cornell Local Roads programs:
Work Zone Traffic Control – April 6, 2011 in Cattaraugus County
Managing People – April 14, 2011 in Niagara County
Asphalt Paving Principles – June 28, 2011 in Chautauqua County
The registration fee of \$40 per class 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 #37
Highway Supt. to attend (3) Cornell Roads programs

Councilwoman Friess moved to approve the request from Highway Superintendent Gunner to attend a Grade "D" Water Operator's Certification Course on March 22-23, 2011 at SUNY Morrisville. The registration fee of \$250; hotel fee \$75; and meals (max. \$56) will be disbursed from A5010.404 Highway Administration – expense and travel. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #38
Highway Supt. to attend water operation course.

Councilman Bach moved to approve the purchase of a 3000 gallon holding tank from Central Equipment in the amount of \$1736.00, to be used for road de-icing product. Funds to be disbursed from DB5142.449 and DB5148.449. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none
Motion carried.

Action #39
Purchase of
(second)
holding tank
for hwy de-icer
approved.

Councilman Harris moved to approve the step increase for Sean Chamberlain from Truck Driver step 4 to Truck Driver step 5, at a rate of \$22.54 per hour, effective February 19, 2011. Councilman Collins seconded the motion.
Upon a vote being taken: ayes – five noes – none Motion carried.

Action #40
S. Chamberlain
step increase to
Truck Driver 5
approved.

Supervisor Jeffe stated that the current bookkeeper, Judy Reischuck, will be re-retiring in the near future and that numerous people, resident and non-resident, applied for the position. After interviewing three candidates, the person recommended for the position is a non-resident.

Councilman Collins moved to adopt the following:

**RESOLUTION AFFIRMING APPOINTMENT OF
BOOKKEEPER TO THE SUPERVISOR**

WHEREAS, Town Law Section 29(15) authorizes the Supervisor to designate a bookkeeper or confidential secretary or both, and provides that any person so designated by the Supervisor shall receive a reasonable compensation for services to be fixed by the Town Board, and such compensation shall be a Town charge; and

WHEREAS, the Supervisor advertised online, in the East Aurora Pennysaver and the East Aurora Advertiser for the position of Assistant to the Supervisor (Bookkeeper) which yielded eleven (11) resident and ten (10) non-resident applicants; and

WHEREAS, an interview committee of three (3) representatives from the Town and one (1) from the auditing firm of the Town, reviewed the qualifications of the applicants for the position, six (6) individuals, (4 resident and 2 non-resident) were prescreened by a telephone interview, and three (3) individuals (2 resident and 1 non-resident) were interviewed in person to determine a recommendation based upon the qualifications required for the position; and

WHEREAS, the members of the interviewing committee recommended a non-resident applicant to be designated by the Supervisor as her bookkeeper; and

WHEREAS, Chapter 19 of the Codes of the Town of Aurora establishes a residency requirement for all positions identified within the New York Civil Service Law, except those positions funded primarily through intergovernmental cooperation agreements; and

WHEREAS, Section 19-2 C provides the Town the right to exempt any applicant from the requirements of this residency section.

NOW, THEREFORE BE IT

RESOLVED, the Town Board of the Town of Aurora elects to exercise its right to exempt applicant Nicole Serra from the requirements of Chapter 19 of the Codes of the Town of Aurora; and be it further

Action #41
N. Serra appt
as bookkeeper
to Supervisor
affirmed, non-
residency, and
pay rate
approved.

RESOLVED, the Town Board of the Town of Aurora affirms the appointment by the Supervisor of Nicole Serra to the position of Bookkeeper to the Supervisor and does hereby fix the compensation to be at the hourly rate of \$20 per hour commencing on Monday, February 28, 2011.

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

Councilwoman Friess moved to authorize the Supervisor to sign an agreement with the Boys & Girls Club of East Aurora whereby the Boys & Girls Club will provide services and programs for the youth of the Town and the Town will pay the Boys & Girls Club the sum of \$42,000 in four installments (March, April, July and September 2011). Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #42
Supv auth to sign 2011 contract with EA Boys/Girls Club

During a recent planned maintenance cracked heat exchangers were discovered in two (2) of the roof-top heating units at the Aurora Senior Center. Quotes to repair them were received from:

Aaron Bender Plumbing & Heating, Inc.	\$3600.00
Tri-R Mechanical Services, Inc.	\$3295.00
Allied Mechanical, Inc.	\$3555.23

Councilwoman Friess moved to approve the quote from Tri-R Mechanical Services, Inc., Ransier Drive, West Seneca, NY, in the amount of \$3295.00 to repair two (2) cracked heat exchangers in roof-top units at the Aurora Senior Center. Funds will be disbursed from A1620.422 Op Buildings – Repair and maintenance. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #43
Repair of (2) heat exchangers at Sr. Center aprvd.

Councilman Collins moved to authorize the Supervisor to sign the 2011 Municipal Separate Stormwater Sewer System Support (MS4) Professional Engineering Services Proposal from Conestoga-Rovers & Associates (CRA) to provide assistance to the Town and Village with MS4 compliance in an amount not to exceed \$16,000 whereby the each municipality will be responsible for a 50 percent share. The \$8000 Town portion will be disbursed from B8090.400 Stormwater Management. Councilman Bach seconded the motion. Upon a vote being taken: ayes – four noes – one (Harris – opposed to unfunded mandates) Motion carried.

Action #44
Supv auth to sign storm water support agreement w/ CRA.

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

OPPOSITION TO SPAY/NEUTER SURCHARGES FOR ALTERED DOGS

WHEREAS, the State of New York Department of Agriculture has always imposed a three dollar surcharge to be added to the license fee for un-spayed and un-neutered dogs, and

WHEREAS, this three dollar surcharge, paid by the owners of intact dogs, was then used to control dog populations by funding spay/neuter programs thereby putting the cost of such programs on those who choose to keep their dogs intact, and

WHEREAS, responsible dog owners who have sterilized their dogs through spaying or neutering were therefore able to enjoy a reduced licensing fee, exempt from spay/neuter fees of any kind, and

WHEREAS, the State of New York Department of Agriculture, as of January 1, 2011, has transferred dog licensing to the local government level, while maintaining the original three dollar spay and neuter fee, now called a spay/neuter surcharge, AND imposing a new spay and neuter surcharge of one dollar to be added to the licensing fee of each altered dog.

NOW, THEREFORE BE IT RESOLVED that the Town of Aurora opposes the imposition of a new spay and neuter surcharge meant for owners who have responsibly sterilized their dogs, thereby contributing to the control of the State of New York's dog population, and

Action #45
Resolution
opposing fee
for
spay/neutered
dogs adopted

BE IT FURTHER RESOLVED that the Town of Aurora will make it opposition known with the adoption of this Resolution which will be forwarded to the Governor of the State of New York, the Western New York Delegation, the County of Erie and the Commissioner of NYS Department of Agriculture and Markets.

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

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

PROPERTY TAX CAP RESOLUTION

WHEREAS the level of property taxation throughout New York has reached dangerously high levels; and

WHEREAS New York leads the nation in property taxes simply because we lead the nation in imposing inefficient state mandates on our local governments; and

WHEREAS two of the largest components of every municipal budget over which local officials have little control – pension payments and health insurance costs – are increasing at exorbitant rates; and

WHEREAS in the case of pension costs, bills from the State Retirement System will increase by an average of 40% in both 2011 and 2012; and

WHEREAS state laws pertaining to the collective bargaining of contracts between municipalities and employee unions, particularly those pertaining to firefighters and police officers, do not allow local officials to reasonably control the costs such contracts impose on property taxpayers; and

WHEREAS as a solution to New York's property tax crisis, the Governor of New York and the New York State Legislature will, in 2011, consider enactment of legislation imposing a cap on the annual growth in property taxes; and

WHEREAS a property tax cap will only work if it is simultaneously accompanied by a repeal of current state mandates that require local governments to increase spending and property taxes; and

WHEREAS a property tax cap without repeal of costly state mandates will, by definition, lead to drastic cuts in essential local services and dramatic layoffs of municipal employees.

NOW, THEREFORE, BE IT RESOLVED by the Aurora Town Board that the Governor of the State of New York and the members of the New York State Senate and the New York State Assembly must reform the cost drivers that lead to high property taxes in New York – including pension benefits, health insurance costs and the collective bargaining process – as the central element of any effort to provide overdue property tax relief to the residents and business of New York; and

Action #46
Resolution
calling for
state budget
reforms
apvd.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Andrew M. Cuomo, the Senate Majority Leader and Minority Leader, Assembly Speaker Sheldon Silver, Majority Leader Ron Canestrari and Minority Leader Brian Kolb and the Western New York Delegation.

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

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

- CHIPS funding notice
- Letter from R. Mauger re: Grover Road speed limit
- Recreation Director – January 2011 Report
- Town Clerk - January 2011 Report
- Dog Control - January 2011 Report
- Assessor - January 2011 Report
- Tax Receiver - January 2011 Report
- East Aurora Policed Department - January 2011 Report
- Senior Center - January 2011 Report
- Building Department - January 2011 Report
- Work Requisitions – Cazenovia Creek Nature Sanctuary article

BUSINESS FROM AUDIENCE II:

Libby Weberg, North Grove Street (Village Trustee), questioned what the plans were for the Library.

Earl Jann, Grover Road, believes that taxes won't increase if the Town moves its offices to Knox Farm State Park.

Bill Patterson, Grover Road, commented on residency requirements.

Kathy Kohler, Mill Road, doesn't think the Town should be "rescuing" all vacant buildings. If we rescue the Knox mansion, should we rescue the vacant buildings on Main Street?

BUSINESS FROM BOARD MEMBERS AND STAFF:

Councilman Bach reminded everyone that there would be an informational meeting on gas well drilling and hydrofracking on Sunday, February 20th at 2:00 p.m. at the Town Hall Auditorium (Gleed Ave.).

Councilman Harris noted he had attended the EAFD installation dinner and commended all volunteer firemen for their outstanding contributions.

Councilwoman Friess stated that her dream is to consolidate more services with the Village of East Aurora, but moving the Town offices farther out (Knox Park) would minimize this effort.

Supervisor Jeffe stated that the annual Town audit has begun.

Pat Blizniak noted that he and Bill Kramer had attended the NFBO educational conference in January.

David Gunner stated that the highway department would begin cold-patching pot holes soon.

Donna Bodekor informed the Board that later this year the Senior Center will be celebrating its 10th Anniversary at the King Street location.

Police Chief Ron Krowka reminded everyone to drive safely.

Jim Walczyk, Crew Chief, noted that he is working on getting a fence for the Castle Hill pump station.

The February 4, 2011 "Pre-paid" Abstract of Claims, consisting of vouchers numbered 116 to 124, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 1,926.27
Special Districts	<u>17,189.99</u>
Grand Total Abstract	\$19,116.26

The February 14, 2011 “2010 Encumbered” Abstract of Claims, consisting of vouchers numbered 2514 to 2530, was presented to the Board for audit and authorization of payment from the following funds:

General	\$187,397.16
Highway	494.48
Enterprise (Gleed)	6,652.03
Capital	43,703.44
Special Districts	<u>682.84</u>
Grand Total Abstract	\$238,929.95

The February 14, 2011 Abstract of Claims, consisting of vouchers numbered 125 to 251, was presented to the Board for audit and authorization of payment of the following funds:

General	\$ 37,335.14
Part Town	628.34
Highway	55,003.32
Enterprise (Gleed)	12,233.04
Special Districts	<u>334,184.83</u>
Grand Total Abstract	\$439,384.67

Councilman Bach moved to approve the February 4, 2011 “Pre-paid” Abstract of Claims; the February 14, 2011 “2010 Encumbered” Abstract of Claims; and February 14, 2011 Abstract of Claims as presented and to authorize payment of same. Councilman Harris seconded the motion.

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

Action #47
Abstracts of
Claims
aprvd.

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

Action #48
Board
adjourns.

Martha L. Librock
Town Clerk