

January 24, 2011

A meeting of the Town Board of the Town of Aurora took place on Monday, January 24, 2011, 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
	James J. Bach	Councilman
	Susan A. Friess	Councilwoman
	Jeffrey T. Harris	Councilman
Others Present:	Ronald P. Bennett	Town Attorney
	Bryan Smith	Town Engineer
	William Kramer	Building Inspector
	David Gunner	Highway Superintendent
	Robert Goller	Town Historian
	William Adams	Planning Board Member

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 January 10, 2011 Town Board Meeting and Organizational Meeting; seconded by Councilman Collins. Upon a vote being taken: ayes – five noes – none	Motion carried.	Action #18 1/10/11 minutes approved.
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AUDIENCE I:

William Patterson, Grover Road, asked the Board to clarify how much tax payer money will be spent on the Mill Road Open Space project.

UNFINISHED BUSINESS:

Councilman Harris moved to approve the request from John Roden to hold a youth bicycle race sanctioned by the United States Cycling Federation on Saturday, July 16, 2011 at JP Nicely West Falls Park contingent upon the Town Attorney's approval of the waiver form and receipt of insurance certificate. Councilman Bach seconded the motion. Upon a vote being taken: ayes – five noes – none	Motion carried.	Action #19 Use of WF Park for cycling event approved.
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Councilwoman Friess moved to approve the request from Explore & More Children's Museum to use the parking lots and additional outdoor space at 300 Gleed Avenue for their Touch-A-Truck event to be held on Sunday, May 15, 2011. Approval is contingent upon receipt of a certificate of insurance naming the Town of Aurora as additional insured. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none	Motion carried.	Action #20 Use of Gleed facilities for Exp & More event aprvd.
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Councilman Bach moved to authorize the Supervisor to sign a Cooperative Operation and Maintenance Agreement with the State of New York through the Commissioner of Parks, Recreation and Historic Preservation whereby the Town will plow the Seneca Street entrance to Knox Farm State Park, the main parking lot and the exit from the park to Seneca Street beginning upon the signing of the contract through April 30, 2011. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none	Motion carried.	Action #21 Supv. auth to sign agreement with NYS Parks re: plowing at Knox Farm Park
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Councilwoman Friess moved to adopt the following resolution authorizing the Supervisor to sign contracts to purchase real property on Mill Road; seconded by Councilman Collins:

RESOLUTION APPROVING PURCHASE OF REAL PROPERTY

WHEREAS, Friends of Mill Road Scenic Overlook, a volunteer committee, has organized to conduct fundraising to enable the Town of Aurora to purchase the two (2) parcels of land identified herein for the purpose of preservation of open space, and

WHEREAS, Clinton T. Closs, Jr. and Barbara A. Closs of 1301 Mill Road, East Aurora, New York 14052, submitted a Contract for the sale of 40 acres of vacant land on Mill Road to the Town of Aurora for the consideration of \$360,000, a copy of which is included by reference, and

WHEREAS, Timothy S. Sievenpiper and Karen S. Sievenpiper of 1200 Mill Road, East Aurora, New York 14052, submitted a Contract for the sale of 20 acres of vacant land on Mill Road to the Town of Aurora for the consideration of \$180,000, a copy of which is included by reference, and

WHEREAS, the conditions for the ownership of the properties by the Town are set forth in a document identified as "Mill Road Property Acquisition Plan", a copy of which is annexed as Exhibit "A", and

WHEREAS, the transfers of property from Closs and Sievenpiper to the Town of Aurora are expressly conditioned upon the Friends of Mill Road Scenic Overlook having sufficient funds in the amount of \$550,000, which may include a guaranteed grant from the New York State Office of Parks, Recreation and Historic Preservation, which is an absolute requirement and condition of the transfer of the properties to the Town, and

WHEREAS, New York Town Law Section 64-2 authorizes the Town to acquire by purchase, lands within the Town required for a public purpose,

NOW, THEREFORE, be it

RESOLVED, the Town Board does hereby approve the Contracts for purchase submitted by Clinton T. Closs, Jr. and Barbara A. Closs, and Timothy S. Sievenpiper and Karen S. Sievenpiper, in accordance with the terms and provisions set forth therein, and be it further

RESOLVED, that the purchase of said properties is contingent and conditioned upon the Friends of Mill Road Scenic Overlook providing a minimum of \$550,000 in cash or in-kind donations or the amount necessary to accomplish the property purchase, title search, title insurance, surveys, Phase I Environmental studies, closing costs, filing fees and undetermined costs required for the purchase, and be it further

Action #22
Resolution re:
purchase of
property on
Mill Rd. for
Open Space
adopted.

RESOLVED, that the Supervisor is authorized to execute the Contracts on behalf of the Town.

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

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On January 13, 2011, a bid opening was held at the Town Hall for a 2011 4x4 ½ ton pickup truck. Bids were received from:

Delacy Ford, Inc. 3061 Transit Road, Elma, NY 14059	\$19,819.00
Basil Ford, Inc. 1540 Walden Avenue, Cheektowaga, NY 14225	\$18,068.00
Basil Ford, Inc. 1540 Walden Avenue, Cheektowaga, NY 14225	\$19,408.00
Whiteside Chevrolet Buick Cadillac GMC 50714 National Rd., St. Clairsville, OH 43950	\$25,430.00
West Herr Ford – Hamburg S-5025 Camp Road, Hamburg, NY 14075	\$20,108.00

Highway Superintendent Gunner is recommending that the Board accept the bid from Basil Ford, Inc. in the amount of \$19,408.00 since the low bid did not meet specs. Supervisor Jeffe noted that the amount budgeted for the truck is \$17,000.00, therefore a budget transfer is necessary to cover the cost of the truck.

Councilman Collins moved to approve the following budget transfer; seconded by Councilwoman Friess:

From: Highway DB5142.449 Materials and Supplies	\$1250.00
Highway DB5148.449 Materials and Supplies	\$1250.00
To: Highway DB5130.217 Pickup Truck	\$2500.00
Upon a vote being taken: ayes – five noes – none	Motion carried.

Action #23
Hwy. budget transfer for pickup truck approved.

Councilman Collins moved to approve the bid from Basil Ford, Inc., 1540 Walden Avenue, Cheektowaga, NY 14225 in the amount of \$19,408.00 for a new 2011 Ford F150 STX 4x4 pickup truck. (This was the second lowest bid; the lowest bid did not meet spec.) Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #24
Purchase of 2011 F150 STX 4x4 truck from Basil Ford approved.

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

- Letter from Aurora Library Board re: Whaley Ave. realignment
- Letter from EACOC re: consolidation
- Letter from E. Konst re: Rural Transit CDBG Grant award
- Town Historian's 2010 Annual Report
- Building Department – 2010 Annual Report
- Town Clerk's 2010 Annual Report
- DCO – December 2010 Report and 4th Quarter Report
- December 2010 Work Requisition Report
- Tax Receiver's 2010 Annual Report

AUDIENCE II: none

BUSINESS FROM BOARD MEMBERS AND STAFF:

Councilwoman Friess noted that the Police Advisory Committee will be meeting this week and will be looking at the upcoming budget.

Councilman Bach offered condolences to the MacIver family on the death of Eric MacIver. Mr. Bach also stated that the hydraulic fracturing (“fracking”) informational meeting will be held on Sunday, February 20th at 300 Glead.

Councilmen Collins, Harris and Bach questioned the Highway Superintendent about operations in the water department.

Supervisor Jeffe stated that a meeting was held with the Wales Supervisor regarding the dog services agreement.

Highway Superintendent Gunner stated the road de-icing is working well.

The 2010 Encumbered Abstract of Claims dated January 24, 2011, consisting of vouchers numbered 2463 to 2513, was presented to the Board for audit and authorization of payment from the following funds:

General	\$13,615.12
Part Town	146.61
Highway	11,235.62
Enterprise/Glead	16,283.75
Special Districts	<u>1,526.72</u>
Grand Total Abstract	\$42,817.82

The January 24, 2011 Abstract of Claims, consisting of vouchers numbered 38 to 115, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 88,451.93
Part Town	1,375,464.48
Highway	12,165.36
Enterprise/Glead	10,134.67
Trust & Agency	761.25
Special Districts	<u>223,858.87</u>
Grand Total Abstract	\$1,710,836.56

Councilman Bach moved to approve the January 24, 2011 2010 Encumbered and 2011 Abstracts of Claims and to authorize payment of same. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #25
2010 Enc. and
2011 (1/24/11)
Abstracts of
Claims aprvd.

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

Action #26
Meeting
adjourned

Martha L. Librock
Town Clerk