

March 13, 2017

A regular meeting of the Town Board of the Town of Aurora took place on Monday, March 13, 2017, at 7:00 p.m. in the Town Hall Auditorium, 300 Glead Avenue, East Aurora, New York.

Members Present:	Jeffrey T. Harris	Councilman
	Jolene M. Jeffe	Councilwoman
	Charles D. Snyder	Councilman
	Susan A. Friess	Councilwoman
	James J. Bach	Supervisor
Others Present:	David Gunner	Highway Superintendent
	William Kramer	Code Enforcement Officer
	Camie Jarrell	GHD/Engineer
	Shane Krieger	Chief of Police
	Robert Lowell Goller	Secretary to Supv./Town Historian
	Elizabeth Cassidy	Building Dept. Clerk

Supervisor Bach 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 2/21/17 Town Board work session; seconded by Councilwoman Jeffe. Upon a vote being taken: ayes – five noes – none Motion carried. Action #67 2/21/17 work sess min aprvd

Councilwoman Jeffe moved to approve the minutes of the 2/27/17 Town Board meeting; seconded by Councilman Snyder. Upon a vote being taken: ayes – five noes – none Motion carried. Action #68 2/27/17 TB min aprvd

Supervisor Bach welcomed Mitch Morris, Community Representative for Senator Patrick Gallivan.

AUDIENCE I:

Richard Komarmi, Transit Road, supports a “yes” vote on the new solar law.

UNFINISHED BUSINESS:

The Board reviewed Part 2 of the Full Environmental Assessment Form that addresses identification of potential project impacts. The answer to all eighteen questions was “no”.

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

**A RESOLUTION DECLARING LEAD AGENCY AND ADOPTING
A NEGATIVE DECLARATION**

WHEREAS, the Town Board of the Town of Aurora is considering amending Local Law 1-1990 “Adoption of Code” adopted by the Town Board of the Town of Aurora on January 22, 1990, by the enactment of a Chapter entitled “Solar Energy Systems”; the reenactment of Chapter 116 Entitled “Zoning”; and the enactment of a Chapter entitled “Subdivision of Land and Open Development Area”; and

WHEREAS, the Town Board of the Town of Aurora is duly qualified to act as lead agency and has requested lead agency status with respect to compliance with SEQRA which requires environmental review of certain actions undertaken by local government; and

WHEREAS, the proposed action appears to be a Type I action pursuant to the Rules and Regulations of the State Environmental Quality Review Act; and

WHEREAS, the Town Board forwarded Part I of the Full Environmental Assessment Form along with copies of the proposed code additions and/or amendments to Potentially Involved and/or Interested Agencies; and

WHEREAS, the Town Board has reviewed Part II of the Full Environmental Assessment Form.

NOW, THEREFORE, BE IT,

RESOLVED that the Town Board of the Town of Aurora declares itself lead agency with regard to SEQR for this action; and further

RESOLVED that after considering the action proposed herein, reviewing the criteria contained in Section 617.11 of the Rules and Regulations of the State Environmental Quality Review Act, determines that the action is a Type I action; and further

RESOLVED that the Town Board of the Town of Aurora has determined that the proposed Type I action will result in no significant adverse impacts on the environment, and therefore, an environmental impact statement need not be prepared; and further

Action #69
SEQR
negative
declaration
adopted

RESOLVED that a negative declaration is issued with regard to this action.

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

DULY ADOPTED, this 13th day of March, 2017.

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Councilwoman Jeffe moved to adopted Local Law 3 of 2017 entitled “Solar Energy Systems” ([see insert A](#)). Councilwoman Friess seconded the motion. Upon a roll call vote being taken: Councilman Harris – aye; Councilwoman Jeffe – aye; Councilwoman Friess – aye; Councilman Snyder – aye; Supervisor Bach – aye
Ayes – five Noes – none Motion carried.

Action #70
LL 3-2017
Solar Energy
Systems
adopted

Councilwoman Friess moved to adopt Local Law 4 of 2017 entitled “Chapter 116 – Zoning” ([see insert B](#)). Councilman Snyder seconded the motion. Upon a roll call vote being taken: Councilman Harris – aye; Councilwoman Jeffe – aye; Councilwoman Friess – aye; Councilman Snyder – aye; Supervisor Bach – aye
Ayes – five Noes – none Motion carried.

Action #71
LL 4-2017
Chapter 116 –
Zoning
adopted

Councilwoman Jeffe moved to adopt Local Law 5 of 2017 entitled “Subdivision of Land and Open Development Area” ([see insert C](#)). Councilman Snyder seconded the motion. Upon a roll call vote being taken: Councilman Harris – aye; Councilwoman Jeffe – aye; Councilwoman Friess – aye; Councilman Snyder – aye; Supervisor Bach – aye
Ayes – five Noes – none Motion carried.

Action #72
LL 5-2017
Chapter 99
Subdivision
and ODA
adopted

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A bid opening for Master Water Improvement Area water distribution improvements (water mains) was held on Wednesday, March 8, 2017 at Town Hall. Seven bids were received. The bid totals for three of the bids received are different from the bid opening numbers due to mathematical errors. However, the errors did not affect the determination of the low bidder. The bids received are as follows:

<u>Bidder</u>	<u>Total Amount of Bid</u>
DJM Contracting, Inc.	\$1,100,084.00
Fairway Contracting	\$1,140,764.00
E&R General Construction, Inc.	\$1,183,190.00
Kandey Co., Inc.	\$1,234,577.00
Visone Construction, Inc.	\$1,344,313.50
Sergi Construction, Inc.	\$1,430,750.00
Concrete Applied Technologies Corp./CATCO	\$1,477,550.00

Councilman Snyder moved to award the Master Water Improvement Area water distribution improvements contract to the lowest responsible bidder, DJM Contracting, Inc., 4336 Zenner Road, Eden, NY, in the amount of \$1,100,084.00 contingent upon availability of project funding and review by the Town Attorney. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #73
 Bid for MWIA
 water mains
 awarded to
 DJM
 Contracting

NEW BUSINESS:

Liz O'Donnell, treasurer for the EA Driving Society, and Peter and Linda Tarnawskyj, representing the Western Chapter of the NY Horse Council, presented a check to Supervisor Bach in the amount of \$2,000 for maintenance and improvements at the Chur equestrian portion of the Town managed area of Knox Farm State Park.

Councilwoman Jeffe moved to accept a \$2,000 donation from the EA Driving Society and Western Chapter of the NY Horse Council, to be used toward maintenance and improvements at the Chur equestrian area at Knox Farm State Park. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #74
 Donation for
 Chur/KFSP
 equestrian area
 accepted

Councilwoman Jeffe moved to adopted the revised Town of Aurora Zoning Map ([see insert D](#)) that is based on the code changes adopted at this meeting. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #75
 Amended
 Zoning Map
 adopted

Councilwoman Friess moved to authorize payment of fees, including title insurance and paralegal time, totaling \$2,509.00 submitted by the Town Attorney for services rendered and disbursements incurred in regard to the February 2017 purchase of the Senior Center building (King Street/Oakwood Ave.) and former fire hall building (Oakwood Ave.). Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #76
 Payment of
 SrCtr/Firehall
 purchase fees
 from attorney
 authorized

Councilman Harris moved to accept a \$100.00 donation from the Hosta Society to be used toward the purchase of a movable partition for use in the Senior Center dining room. The check will be deposited to TA1000.0090 Senior Center donations. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #77
 \$100 donation
 for SrCtr
 accepted

Councilwoman Friess moved to approve the Civil Service title change for Recreation Department employees Patricia Monroe and Dawn DiFilippo from Clerk Typist Part Time to Clerk Part Time Seasonal effective March 13, 2017. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #78
 P. Monroe &
 D. DiFilippo
 civil svc titles
 changed to
 seasonal PT

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

- Town Clerk – February 2017 report
- Town Clerk/Tax – February 2017 report
- Water Clerk – February 2017 report
- Senior Center – February 2017 report
- Recreation – February 2017 report
- Dog Control – February 2017 report
- Work Requisitions – February 2017 report
- Building Department – February 2017 report
- AMR Ambulance Service – 2016 performance summary

BUSINESS FROM BOARD MEMBERS:

Councilwoman Jeffe stated she has been attending the EAUFSD school board meetings on a regular basis.

Councilman Snyder thanked Bill Kramer and Martha Librock for the work they did helping to bring the new Codes to the table.

Supervisor Bach stated he attended a meeting of Town Supervisors and they discussed Governor Cuomo's proposal to take away Home Rule and have County Executives determine shared services. The Supervisor noted that Mr. Cuomo blames high taxes, etc., on local governments and not Albany where the Supervisors believe the problem lies.

AUDIENCE II:

Jennifer Marmion, North Street, spoke to the Board about the February 7, 2017 natural gas leak/odor that affected most of the Village and a good portion of the Town. Ms. Marmion believes the Town and the fire departments should file a complaint against National Fuel for the way the situation was handled.

Sue Lex, Idlewood Drive, spoke to the Board about the lack of maintenance on the bottom portion of her driveway that is being used as a turn-around for town trucks, garbage trucks and school buses. Mrs. Lex stated there is an easement agreement dating back to 1956 and that the Town has always maintained the turn-around. Supervisor Bach stated he will talk to the Town Attorney about this issue.

STAFF REPORTS:

Robert Lowell Goller stated the Bicentennial committees from Aurora, Wales and Holland would be meeting soon to discuss next year's activities.

ABSTRACT OF CLAIMS

The March 6, 2017 Prepaid Abstract of Claims, consisting of vouchers numbered 237 to 243, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 278.95
Special Districts	<u>57,463.55</u>
Grand Total Abstract	\$57,742.50

The March 13, 2017 Abstract of Claims, consisting of vouchers numbered 244 to 330, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 76,896.31
Highway	37,365.13
Capital/MWIA	32,538.00

Trust/Agency	219.00
Trust/Agency 2	51,196.13
Special Districts	<u>3,178.32</u>
Grand Total Abstract	\$201,392.89

Councilwoman Friess moved to approve the March 6, 2017 Prepaid and the March 13, 2017 Abstracts of Claims and to authorize payment of same. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #79
3/6/17 &
3/13/17
Abstracts of
Claims aprvd

Councilwoman Jeffe moved to adjourn at 7:55 p.m. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #80
Meeting
adjourned.

Martha L. Librock
Town Clerk