

January 14, 2019

A meeting of the Town Board of the Town of Aurora took place on Monday, January 14, 2019 at 7:00 p.m. in the Town Hall Auditorium, 300 Glead Avenue, East Aurora, New York.

Members Present:	Jeffrey T. Harris	Councilman
	Susan A. Friess	Councilwoman
	Jolene M. Jeffe	Councilwoman
	Charles D. Snyder	Councilman
	James J. Bach	Supervisor
Others Present:	Ronald P. Bennett	Town Attorney
	William Kramer	Code Enforcement Officer
	David Gunner	Highway Superintendent
	Robert Lowell Goller	Secretary to Supv/Town Historian
	Camie Jarrell	GHD/Engineer
	Tony Rosati	Zoning Board member
	Paul Porter	Village Trustee
	Shane Krieger	Chief of Police

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

2019 ORGANIZATIONAL CHART

[2019 ORGANIZATIONAL CHART.pdf](#)

Councilwoman Friess moved to adopt the 2019 Organizational Chart. Action #1
Councilman Snyder seconded the motion. 2019
Upon a vote being taken: ayes – five noes – none Motion carried. Organizational
Chart approved.

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The next item on the agenda was a PUBLIC HEARING on the proposed consolidation of Town Water Districts, Water District Extensions and Water Improvement Areas. Supervisor Bach opened the hearing at 7:04 p.m. and asked if anyone in the audience wished to address the Board.

James May, Lapham Road, read from a prepared statement. Mr. May asked for an audited financial statement from the ECWA and commented on the lack of disclosure for water district meetings.

Hearing no one else, the Supervisor closed the hearing at 7:07 p.m.

Supervisor Bach stated that the ECWA financials are public information. He noted that the direct service project has been in the works for approximately five years and there have been public hearings and notices and articles in the newspaper. Supervisor Bach stated that consolidation is one of the steps toward direct service, along with dissolution, which will have a mandatory referendum. He noted that the ECWA is the water expert and by going to direct service, the Town will avoid capital project costs. Supervisor Bach stated this is an investment in the future of our Town.

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Councilwoman Jeffe moved to approve the minutes of the 12/20/18 meeting and 12/21/18 special meeting; seconded by Councilman Harris. Action #2
Upon a vote being taken: ayes – five noes – none Motion carried. 12/20 &
12/21/18 mtg
min. aprvd.

AUDIENCE I: none

UNFINISHED BUSINESS:

The Board reviewed parts 1 and 2 of the short form SEQR for the consolidation of water districts, extensions and improvement areas, an unlisted action, in the Town of Aurora.

Councilman Snyder moved to issue a negative declaration with regard to the consolidation of Water Districts 1-South, 1-North, 1-Ext. 1,

235, 6, 6-Ext.1, 6-Ext. 2, 7, 8, 9, 10, 10-Ext.1, 10-Ext. 2, 10-Ext. 4, 10-Ext. 5, 11, 12, 14, 16, 16-Ext. 1, 17 and 18 and Water Improvement Areas 5 and 7. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #3
Neg declaration
issued for WD
consolidation

* * * * *

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

Resolution and Order after Public Hearing Authorizing the Consolidation of the Water Districts and Extensions Thereof Within the Town of Aurora

In the Matter:

of the Proposed Consolidation of Water Districts Nos. 1-South, 1-North, 1-Ext. 1, 2-3-5, 6, 6-Ext.1, 6-Ext. 2, 7, 8, 9, 10, 10-Ext.1, 10-Ext. 2, 10-Ext. 4, 10-Ext. 5, 11, 12, 14, 16, 16-Ext. 1, 17 and 18 and Water Improvement Areas 5 and 7 of the Town of Aurora pursuant to Article 17-a, Title 3 of the General Municipal Law of the State of New York and Section 198 of the Town Law of the State of New York.

WHEREAS, pursuant to the Order Calling Public Hearing adopted on December 10, 2018, a public hearing was duly called and held by the Aurora Town Board on January 14, 2019 at 7:00 p.m. at the Town Hall located at 300 Glead Avenue in the Village of East Aurora, and considerable discussion on the matter having been had and all persons desiring to be heard have been heard, including those in favor of and those in opposition to said consolidation; and

WHEREAS, the Town Board, acting as Lead Agency pursuant to the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law (SEQRA), has duly considered and reviewed all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with SEQRA, as related to the impact of the consolidation of the districts and extensions;

NOW, THEREFORE, it is hereby

ORDERED, that Water Districts 1-South, 1-North, 1-Ext. 1, 235, 6, 6-Ext.1, 6-Ext. 2, 7, 8, 9, 10, 10-Ext. 1, 10-Ext. 2, 10-Ext. 4, 10-Ext. 5, 11, 12, 14, 16, 16-Ext. 1, 17 and 18 and Water Improvement Areas 5 and 7 of the Town of Aurora are hereby one consolidated district to be designated as Consolidated Water District No. 1 in the name of the Town of Aurora, pursuant to Article 17-a Title 2; of the General Municipal Law of the State of New York and Article 12 of the Town Law of the State of New York; and it is hereby

Action #4
WD Consoli-
dation resol
adopted

ORDERED, that the Town Clerk shall give notice of the Resolution of Consolidation in the East Aurora Advertiser, within ten (10) days of the adoption and shall post copies of the consolidation in public places.

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.

* * * * *

Councilwoman Jeffe moved to authorize the Supervisor to sign a Memorandum of Understanding with the Erie County Water Authority regarding direct service with the Authority; seconded by Councilman Harris. Upon a vote being taken: ayes – five noes – none

Action #5
Supv auth to
sign MOU w/
ECWA re:
Direct Service

Motion carried.

NEW BUSINESS:

The following resolution was offered by Councilman Snyder and seconded by Councilwoman Friess, to wit;

A BOND RESOLUTION, DATED JANUARY 14, 2019, OF THE TOWN BOARD OF THE TOWN OF AURORA, ERIE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE AURORA MUNICIPAL CENTER CAPITAL IMPROVEMENTS PROJECT CONSISTING OF THE RECONSTRUCTION OF AND CONSTRUCTION OF IMPROVEMENTS TO TOWN BUILDINGS (AND THE SITES THEREON) LOCATED AT 575-587 OAKWOOD AVENUE, AT AN ESTIMATED MAXIMUM COST OF \$5,700,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,700,000 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.

[2019 \\$5.7 bond resolution.pdf](#)

* * *

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 Jeffe; Councilwoman Friess; Councilman Snyder; Supervisor Bach)

NOES: None

ABSENT: None

The foregoing resolution was thereupon declared duly adopted.

* * * * *

Action #6
\$5.7 mil bond
resolution for
new town hall
adopted

Councilwoman Friess moved to authorize the Supervisor to sign the Intermunicipal Agreement – Sharing of Municipal Facilities with the Village of East Aurora and to sign the lease agreements referenced in the Intermunicipal Agreement; seconded by Councilman Harris:

INTERMUNICIPAL AGREEMENT
SHARING OF MUNICIPAL FACILITIES

Agreement made this 14th day of January, 2019, by and between

TOWN OF AURORA
A municipal corporation
300 Glead Avenue
East Aurora, New York 14052

Hereinafter referred to as the "TOWN"

AND

VILLAGE OF EAST AURORA
A municipal corporation
571 Main Street
East Aurora, New York 14052

Hereinafter referred to as the "VILLAGE"

WHEREAS, by authority of Article 5-G of the General Municipal Law of the State of New York, the parties may enter into a binding agreement to share municipal facilities, and

WHEREAS, the terms and provisions of the agreement are by the authority of Section 119-o of the General Municipal Law of the State of New York, and

WHEREAS, the Town desires to occupy and use a portion of the building of the Village located at 571 Main Street for the purpose of the Town of Aurora Justice Court, and

WHEREAS, the Village desires to occupy and use a portion of the building of the Town located at 575-587 Oakwood Avenue for the purpose of its municipal offices.

NOW, THEREFORE, in consideration of the mutual promises, covenants and representations, the parties agree to the following separate lease agreements for the occupancy and use of designated portions of buildings located at 571 Main Street and 575-587 Oakwood Avenue, these lease agreements are made a part of the above INTERMUNICIPAL AGREEMENT SHARING OF MUNICIPAL FACILITIES and are attached as lease Agreements number (A) and (B).

IN WITNESS WHEREOF, the parties have caused their corporate seals to be affixed hereto and their presence to be signed by the respective Supervisor and Mayor, duly authorized so to do, to be attested by the respective Town and Village Clerks having caused their corporate seal to be affixed hereto and their presence to be signed by Supervisor and Mayor, the date and year first above written.

[TOA VEA Leases 2019.pdf](#)

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

Action #7
Supv auth to
sign leases
with VEA re:
571 Main &
575-587
Oakwood

Councilman Harris moved to approve a Temporary Use Permit to Jennifer Brazill for use of the Polo Grounds area of Knox Farm State Park for parking for the Borderland Festival being held September 21-22, 2019. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #8
Temp use
permit aprvd
for Borderland
Festival 2019

Councilwoman Jeffe moved to approve a Temporary Use Permit to John Cimperman/42 North Brewing Company for use of the soccer field parking lot area of Knox Farm State Park for parking for their third annual Brewski event on 2/16/19. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.
recuse – one (*Friess)

Action #9
Temp use
permit aprvd
with
contingencies
for Brewski
event 2/16/19

(*Proceeds from the event benefit the Aurora Ice Association of which Mrs. Friess is a board member.)

Councilwoman Friess moved to authorize the purchase of a new 2020 Kenworth T470 plot truck (cab/chassis/plow and body) from Kenworth Northeast Group in the amount of \$220,916.00 off of the Onondaga County Bid #8996, contingent upon this purchase being budgeted in the 2020 Budget under line DB5130.217 and the 2020 Budget being approved and adopted by the Town Board. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #10
Purchase of
2020 plow
truck aprvd

Councilwoman Friess moved to accept a trade-in allowance for one of the Town's 2009 International plow truck of \$30,000 from Kenworth Northeast Group toward the purchase price of a new 2020 Kenworth T470 plow truck. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #11
Trade-in
allowance
approved for
2009 plow
truck

Councilwoman Jeffe moved to declare a 2009 International plow truck (Town inventory #2059; vin ending in 9775) as surplus inventory to be used as a trade-in towards the purchase of a new 2020 Kenworth T470 plow truck. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #12
2009 Int. truck
declared
surplus
inventory

Councilwoman Friess moved to approve the 2019 Highway 284 Agreement and to authorize the Board to sign said agreement. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #13
Hwy 284
Agreement
aprvd

Councilman Snyder moved to authorize the following Highway and Rubbish 2018 Budget transfers:

From: DB5142.140 snow/overtime	\$5,332.00
To: DB5110.410.1 fuel/other	875.00
DB5110.433 material/supplies	630.00
DB5140.100 wages	107.00
DB55142.449 snow removal	3,720.00
From: SR8189.100 rubbish/wages	\$1,139.00
To: SR8189.401 recycling services	1,122.00
SR8189.402 advertising	17.00

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

Motion carried.

Action #14
Highway and
Rubbish 2018
budget
transfers aprvd

Councilwoman Jeffe moved to approve the hiring of Union Concrete Corporation to tub-grind the Town brush pile at the Highway Department. The cost is \$400 per hour based on the 2018-19 Erie County Summer Highway Maintenance bid. Funds will be disbursed from SR8189.401 – recycling services. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none

Motion carried.

Action #15
Union
Concrete
Corp. hired to
do brush tub-
grinding

Councilwoman Friess moved to approve the amended list of job titles covered by non-mandatory disability insurance for Town employees who regularly work forty (40) hours or more per week:

- Assessor
- Assessment Clerk
- Assistant Code Enforcement Officer
- Assistant to the Supervisor
- Clerk(s) to the Town Justice(s)
- Code Enforcement Officer
- Deputy Town Clerk(s)
- Recreation Director
- Recreation Supervisor
- All full-time Union personnel

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

Motion carried.

Action #16
Disability
coverage list
of job titles
amended.

Councilwoman Jeffe moved to adopt the following resolution to reaffirm resolutions adopting Post-Issuance Tax Compliance and continuing Disclosure Compliance Procedures previously adopted:

RESOLVED, that the resolutions adopting post-issuance tax compliance and continuing disclosure compliance procedures previously adopted are hereby reaffirmed. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none

Motion carried.

Action #17
Post-issuance
tax compliance
reaffirmed

Councilman Snyder moved to support the Association of Towns 2019 Legislative Program Resolutions:

- Strengthening State Relations through Mandate Relief and Revenue Sharing
- Preserve and Strengthen Home Rule
- Continue Town-Initiated Intermunicipal and Shared Service Agreements
- Relief from Recycling Mandates
- Increase Justice Court Funding
- State Support for Local Highway Administration
- Fund Local Water, Sewer and Stormwater Infrastructure
- Increase the Number of DEC Forest Rangers

- Oppose State Takeover of Utility Property on Private Rights-of-Way
- Eliminate the “Dark Store Theory” as a Valuation Method to Reduce Real Property Tax Assessments
- Support Local Hotel Occupancy Taxes
- Sales Tax Distribution
- Retiree Capped Earnings
- Publication of Legal Notices
- Restore the Full SALT and Mortgage Interest Deduction
- Reform Inequities in the Property Tax Cap Formula
- Cell Phone Service in the Adirondacks
- Support Funding for Rural Broadband Deployment while Preserving Local Authority
- Authorize an Optional Town Gross Receipts Tax (GRT)

Action #18
Board supports
AOT 2019
resolutions

[Proposed resolutions 2019 leg program.pdf](#)

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

Action #19
D. Gunner
designated
voting delegate
for AOT mtg

Councilwoman Jeffe moved to designate Highway Superintendent David Gunner as the Town of Aurora voting delegate for the Association of Towns of the State of New York 2019 Business Session. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five
noes – none Motion carried.

Action #20
Dell computer
declared
surplus

Councilwoman Jeffe moved to declare a Dell Optiplex 9010 computer (Town inventory #2167) as surplus inventory to be recycled properly. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

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

Resolution for Closure of Completed Capital Projects as of 12/31/2018

WHEREAS, the Town has completed project H2 - Water District 6 Mainline Replacement Project; and,
WHEREAS, the project has a cash balance totaling \$149,653.50; and,
WHEREAS, the Town has reviewed the source of surplus cash and has identified that H2 – Water District Mainline Replacement Project was funded by the 2015 bond issuance; and,
WHEREAS, the Town has ascertained that it is required to utilize the excess bond proceeds from capital project H2 – Water District 6 Mainline Replacement Project for future debt service payments related to the 2015 bond issuance,

NOW, THEREFORE, be it

RESOLVED that the Town Board authorizes the transfer totaling \$149,653.50 at 12/31/2018 from capital project H2 – Water District 6 Mainline Replacement Project to W6 – Water District #6 Fund which will be restricted for payments for the 2015 debt issuance.

Action #21
Fund transfer
for WD6
capital project
authorized

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

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

Resolution for Closure of Completed Capital Projects as of 12/31/2018

WHEREAS, the Town has completed project HB - Mill Road (Overlook) Project; and,
WHEREAS, the project has cash balances totaling \$5,020.42; and,
WHEREAS, \$5,000 in HB – Mill Road (Overlook) Project was included in the Town’s purchase of the Closs Family’s parcel on Mill Road to be used at a future time by only the Closs family to cap the well on the parcel if they ever decide to,

NOW, THEREFORE, be it

RESOLVED that the Town Board authorizes the following transfers at 12/31/18 from capital project HB – Mill Road (Overlook) Project to:

TA – Trust Fund \$5,000	Action #22
A00 – General Fund \$20.42	Fund transfer for Mill Rd Overlook capital project authorized

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

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

Resolution for Closure of Completed Capital Projects as of 12/31/2018

WHEREAS, the Town has completed the following three projects:
 H2 – Water District 6 Mainline Replacement Project,
 H6 – Majors Park Project,
 HB – Mill Road (Overlook) Project; and,

NOW, THEREFORE, be it
 RESOLVED that the Town Board authorizes the closure at 12/31/2018 of capital projects H2 – Water District 6 Mainline Replacement Project; H6 – Majors Park Project; and, HB – Mill Road (Overlook) Project.

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

Action #23
3 Capital projects closed out

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Councilwoman Jeffe moved to approve the 2019 pay rate chart for the East Aurora Swim Team (EAST) coaches effective 12/31/18, when the NYS Minimum wage increases from \$10.40 to \$11.10 per hour:

	<u>Yr1</u>	<u>Yr2</u>	<u>Yr3</u>	<u>Yr4</u>	<u>Yr5</u>	<u>Yr6</u>	<u>Yr7</u>
Adult Coach – no college swim experience	11.70	11.80	11.90	12.00	12.10	12.20	12.30
Adult Coach – college swim experience	12.20	12.30	12.40	12.50	12.60	12.70	12.80
Number of assistances added to years (Assistance with Club activities)	\$0.15	\$0.30	\$0.45	\$0.60	\$0.75		

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

Action #24
EAST pay rate chart aprvd

Councilman Harris move to approve the following rates for adult EAST coaches, based on the 2019 EAST rate chart, effective 12/31/18:

<u>Name</u>	<u>Civil Service Title</u>	<u>Current Rate</u>	<u>New Rate</u>
Bello, Olivia	Lifeguard RPT	\$11.00	\$11.70
Christie, Alex	Lifeguard RPT	\$11.00	\$11.70
Davidson, Anna	Lifeguard RPT/college swim	\$12.90	\$13.60
Felton, Tess	Lifeguard RPT/college swim	\$12.30	\$13.00
Ketcham, Jonathan	Lifeguard RPT/college swim	\$11.60	\$12.30
Leuthauser, Leah	Lifeguard RPT	\$11.20	\$11.90
McCarrison, Kala	Lifeguard RPT/college swim	\$12.50	\$13.20
Murnock, Kevin	Lifeguard RPT	\$11.10	\$11.80
Zagobelny, Paula	Lifeguard RPT/college swim	\$12.80	\$13.50

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

Action #25
EAST coaches rates aprvd

Councilwoman Friess moved to approve the request from Code Enforcement Officer William Kramer to attend the State College and University Building Association Conference on April 9-11, 2019, in Buffalo, NY. The fee of \$310 will be disbursed from A3620.404. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five
noes – none Motion carried.

Action #26
B. Kramer to
attend building
assoc conf
April 2019

Councilwoman Jeffe moved to authorize the Supervisor to sign an agreement with GHD Consulting Services, Inc. whereby GHD will provide Engineering Services to the Town for the 2019 calendar year:
General Engineering Retainer - \$6,000 (\$500/mo.)
Planning Board Support Services - \$10,000 (billed hourly at \$120)
Councilman Snyder seconded the motion. Upon a vote being taken:
ayes – five noes – none Motion carried.

Action #27
GHD to
provide general
& planning brd
engineering
svcs to town

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

RESOLUTION CALLING PUBLIC HEARING REGARDING THE PROPOSED DISSOLUTION OF WATER DISTRICTS NO. 1-NORTH, 1-SOUTH, 1-EXT. 1, 235, 6, 6-EXT.1, 6-EXT. 2, 7, 8, 9, 10, 10-EXT.1, 10-EXT. 2, 10-EXT. 4, 10-EXT. 5, 11, 12, 14, 16, 16-EXT. 1, 17 AND 18, WATER IMPROVEMENT AREAS 5 AND 7 AND VARIOUS EXTENSIONS THEREOF OF THE TOWN OF AURORA HAVING BEEN CONSOLIDATED INTO ONE CONSOLIDATED WATER DISTRICT DESIGNATED AS CONSOLIDATED WATER DISTRICT NO. 1 IN THE TOWN OF AURORA PURSUANT TO ARTICLE 17-A TITLE TWO OF THE GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK AND ARTICLE 12, SECTION 198 OF THE TOWN LAW OF THE STATE OF NEW YORK

WHEREAS, the Resolution for Dissolution references the Consolidated Water District No. 1 which district as constituted is the subject of the Resolution for Dissolution, and

WHEREAS, there is presently in effect a Lease Management Agreement between the Town of Aurora and the Erie County Water Authority whereby fifteen of the former water districts and extensions are managed by the Erie County Water Authority,

WHEREAS, the Town Board of the Town of Aurora has under consideration a dissolution of the referenced water districts, extensions and improvement areas to be dissolved to transition the said areas to be transferred to the Erie County Water Authority for the purpose of a Direct Service Agreement with the Erie County Water Authority,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Aurora as follows:

SECTION 1. The Town Board has reviewed the Dissolution Plan to include the water districts, extensions and improvement areas referenced herein as Consolidated Water District No. 1 and has determined it is in the best interest of the Town to proceed with such dissolution.

SECTION 2. It is in the public interest to dissolve the Consolidated Water District No. 1 based on the review by the Town Board of the record before it, the consideration of the requirements of the property owners for a public water supply, and the anticipated benefits associated with a Direct Service Agreement with the Erie County Water Authority.

SECTION 3. The territorial boundaries of the Consolidated Water District No. 1 is encompassed in the proposed Dissolution.

SECTION 4. That the Town Board hereby endorses the Dissolution Plan, thereby commencing dissolution proceedings pursuant to the New York General Municipal Law Article 17-A Title 3 and New York Town Law Article 12, Section 198.

SECTION 5. The fiscal estimate of the cost of the dissolution shall not be more than five thousand dollars (\$5,000.00).

SECTION 6. The assets of the Consolidated Water District No. 1 to be dissolved include, but are not limited to, real property and personal property which when the District is dissolved shall be transferred to the Erie County Water Authority in accordance with the Memorandum of Understanding dated January 3, 2019.

SECTION 7. The Memorandum of Understanding dated January 3, 2019 between the Town of Aurora and the Erie County Water Authority provides that once the town water system has been conveyed

to the Erie County Water Authority, the Town will no longer have any obligation of responsibility to maintain, repair, improve or oversee the water system property and facilities, except the payment of annual public hydrant fees to the Erie County Water Authority.

SECTION 8. Upon dissolution, the residents of the consolidated water district will continue to be furnished municipal services by the Erie County Water Authority in accordance with the Memorandum of Understanding.

SECTION 9. Any outstanding debts, liabilities and obligations of the dissolved consolidated water district shall be assumed by the Town of Aurora and shall be a charge upon the taxable property within the limits of the dissolved entity, collected in the same manner as town taxes.

SECTION 10. There are no Local Laws, ordinances, rules or regulations of Consolidated Water District Number 1 that shall remain in effect upon dissolution of the said district.

SECTION 11. That a Public Hearing on the Dissolution Plan will be held on February 11, 2019 at 7:00 P.M. (prevailing time) or shortly thereafter, at the Town Hall, Town of Aurora, 300 Gleed Avenue, East Aurora, New York 14052.

SECTION 12. That within five days after adoption of this Resolution, the Town Clerk is hereby authorized and directed to have the Dissolution Plan and a summary thereof placed in the office of the Town Clerk at the Town Hall and on the Town's website.

SECTION 13. That within five business days after commencement of dissolution proceedings pursuant to Section 700-4 of the General Municipal Law and Section 198 of the New York Town Law, the Town Board of the Town of Aurora does hereby authorize and direct the Town Clerk to arrange to have a Notice of the proposed dissolution and Public Hearing to be held in connection therewith to be published in the East Aurora Advertiser having a general circulation in the Consolidated Water District. Such Notice shall be published at least one time a week for four consecutive weeks, with at least one publication to take place 10 and 20 days before the Public Hearing. Such notice shall also be placed on the Town's website and posted on the signboard of the Town, and it shall be in substantially the following form, to wit:

LEGAL NOTICE:

(A) Calling for a Public Hearing to be published as required in connection with a proposed Dissolution Plan for the dissolution of the Town of Aurora Consolidated Water District is as follows: NOTICE IS HEREBY GIVEN that the Town Board of the Town of Aurora, a municipality of the State of New York (the "Town") on January 14, 2019 duly authorized a Resolution endorsing a proposed Dissolution Plan for the dissolution of the Town of Aurora Consolidated Water District, a descriptive summary of which follows.

Descriptive Summary of Dissolution Plan

The Town of Aurora, a municipality of the State of New York (the "Town") proposes to dissolve the Town of Aurora Consolidated Water District (the "CWD").

The territorial boundaries of the CWD encompasses a major portion of the Town, as more specifically described as Water Districts Nos. 1-South, 1-North, 1-Ext. 1, 235,6, 6-Ext.1, 6-Ext. 2, 7, 8, 9, 10, 10-Ext.1, 10-Ext. 2, 10-Ext. 4, 10-Ext. 5, 11, 12, 14, 16, 16-Ext. 1, 17 and 18 and Water Improvement Areas 5 and 7 and the various extensions thereof fifteen of the former Water Districts and extensions are currently provided through a Lease-Management arrangement with the Erie County Water Authority (the "ECWA"). Residents of the CWD will continue to receive water service following the dissolution in accordance with the Memorandum of Understanding which provides for a transition of the Consolidated Water District to a Direct Service Agreement with the Erie County Water Authority.

The CWD's assets consist of Pump Stations, various easements, as more specifically described in Exhibit B to the Plan. Any debt of the CWD will be continued as an assessment against the former Water Districts, Extensions and Water Improvement Areas on the properties located therein.

Upon approval of the Plan (after a Public Hearing has taken place, which is scheduled for February 11, 2019), the Dissolution Plan calls for the dissolution by enactment of this Resolution calling for a Referendum on the proposed dissolutions by the Electors in the Town Consolidated Water District. The Resolution calling for the Mandatory Referendum is in accordance with General Municipal Law Article 17-A Title 3 and New York Town Law Section 198. The Mandatory Referendum shall be held in accordance with Section 198 of New York Town Law setting forth the substance of the question to be submitted to the Electors and setting forth other matters as may be necessary to call, provide for and give notice of the Referendum and to provide for the conduct thereof and the canvas of the returns thereon. The Resolution calling for the Referendum and the proposed dissolution shall be attached to it as the final approved version of the Dissolution Plan which Referendum shall be held not less than thirty (30) days and no more than ninety (90) days following adoption of the Resolution for Dissolution.

SECTION 14. No later than five (5) days after commencement of dissolution proceedings pursuant to Section 752 of Article 17-A, Title 2, the Town Clerk shall cause a copy of the proposed

Dissolution Agreement along with a descriptive summary thereof, to be displayed and readily accessible to the public for inspection in public places within the Town of Aurora; cause the proposed Dissolution Agreement, along with a descriptive summary thereof and reference to the public place or places within the Town where a copy may be examined, to be displayed on the website maintained by the Town; and arrange to be published a descriptive summary of the proposed Dissolution Agreement within the Town of Aurora where a copy thereof may be examined, at least once each week for four (4) successive weeks, in the East Aurora Advertiser.

Upon a roll call vote being taken:

Supervisor Bach	Voted Aye	Action #28
Councilwoman Friess	Voted Aye	CWD dissolut-
Councilman Harris	Voted Aye	ion plan and
Councilwoman Jeffe	Voted Aye	public hearing
Councilman Snyder	Voted Aye	adopted

NOTICE IS HEREBY FURTHER GIVEN, that the Dissolution Plan, along with a descriptive summary thereof, may be read at the office of the Town Clerk located in the Town Hall, Town of Aurora, 300 Gleed Avenue, East Aurora, New York 14052. The Dissolution Plan may also be accessed through the Town's website.

NOTICE IS HEREBY FURTHER GIVEN that a public hearing on this Dissolution Plan will be held on February 11, 2019 at 7:00 PM at the Town Hall, Town of Aurora, 300 Gleed Avenue, East Aurora, New York 14052.

BY ORDER OF THE TOWN BOARD OF THE TOWN
OF AURORA, ERIE COUNTY, NEW YORK

* * * * *

Councilwoman Jeffe moved to authorize the Supervisor to sign the Agreement with the Boys & Girls Club of East Aurora "Club" whereby the Club will conduct programs set forth in the Agreement for the year 2019 and in consideration, the Town will pay the Club the sum of \$35,000.00. Councilwoman Friess seconded the motion. Upon a vote being taken:
ayes – five noes – none Motion carried.

Action #29
Supv auth to
sign 2019 Boys
& Girls Club
agreement

Councilman Snyder moved to approve a request from David DePaolo, Executive Vice President of Marrano/Mark Equity, to apply for and obtain building permits to begin house construction on lots in the Aurora Mills Subdivision prior to the infrastructure being completed throughout the entire project with the following restrictions/contingencies:

- Limited to ten (10) lots in the section of the Subdivision marked lots 1 through 32 along Aurora Mills Drive.
- No foundation work will begin until the water to the Subdivision is turned on at the ECWA tap.
- A plotted survey will be submitted to the Town Building Department after each foundation is poured/laid.
- No Certificate(s) of Occupancy will be issued until the infrastructure throughout the entire subdivision is completed and inspected.

Action #30
Limited
building
permits for
Aurora Mills
okayed with
restrictions

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

Councilman Harris moved to approve the upgrade of the Town's cell phone plan with Verizon Wireless to include unlimited talk, text and data for \$39.99 per line (based on the NYS contract), with a maximum of ten (10) phone lines and to upgrade to smart phones. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none
Motion carried.

Action #31
Board aprvs up-
grade to cell ph
plan

Councilwoman Friess moved to accept a donation of \$200 from the East Aurora Driving Society for the Aurora Senior Center. The funds will be deposited to TA 1000.0090 Senior Center Donations. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five
noes – none
Motion carried.

Action #32
Donation for Sr
Center accepted

COMMUNICATIONS AND REPORTS: The following communications and reports were received by the Board and filed:

- Town Clerk – December 2018 report
- Town Clerk – 2018 Annual report
- Town Clerk/Tax – December 2018 report
- Water Clerk – December 2018 report
- Building Department – December 2018 report
- Building Department – 2018 Annual report
- Senior Center – December 2018 report
- Dog Control – December 2018 report
- Work Requisitions – December 2018 report
- CDBG letter re: funding denial

BUSINESS FROM BOARD MEMBERS AND LIAISONS:

Councilwoman Jeffe stated that she and Councilwoman Friess walked the trail bed that is part of the rails to trails project. Mrs. Jeffe also attended the East Aurora School meeting regarding the proposed cell tower at the high school.

Councilwoman Friess thanked everyone who has been instrumental in the new Town Hall project.

Supervisor Bach thanked Councilman Snyder for covering for him while he was away and he thanked Village Mayor Mercurio for working with the Town.

AUDIENCE II: none

STAFF REPORTS:

Police Chief Krieger stated that retired EA police officer Bob Hardy recently passed away.

Camie Jarrell thanked the Board for hiring GHD for general engineering and planning board support services.

Tony Rosati noted his concern about recycling policies and stated that the Town should consider zoning or special use permits for commercial composting.

ABSTRACT OF CLAIMS:

The December 31, 2018 Prepaid Abstract of Claims, consisting of vouchers numbered 1952 to 1964, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 6,237.70
Special Districts	<u>62,597.79</u>
Grand Total Abstract	\$68,835.49

The 2018 Encumbered Abstract of Claims dated January 14, 2019, consisting of vouchers numbered 1965 to 2031, was presented to the Board for audit and authorization of payment from the following funds:

General	\$71,259.58
Part Town	1,324.38

Highway	9,011.01
Trust/Agency	17,150.00
Trust/Agency 2	20,877.93
Special Districts	<u>2,856.85</u>
Grand Total Abstract	\$122,479.75

The 2019 Abstract of Claims dated January 14, 2019, consisting of vouchers numbered 1 to 51 was presented to the Board for audit and authorization of payment from the following funds:

General	\$39,179.57
Part Town	192.50
Highway	<u>35,825.99</u>
Grand Total Abstract	\$75,198.06

Councilwoman Friess moved to approve the 12/31/18 Prepaid; 1/14/19 - 2018 Encumbered and 1/14/2019 Abstracts of Claims, and authorize payment of same. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #33
12/31/18 &
1/14/19
Abstracts of
Claims
approved.

Councilwoman Jeffe moved to adjourn at 8:05 p.m.; seconded by Councilman Harris. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #34
Meeting
adjourned

Martha L. Librock
Town Clerk