

October 15, 2019

A meeting of the Town Board of the Town of Aurora took place on Tuesday, October 15, 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 Bennett	Town Attorney
	William Kramer	Code Enforcement Officer
	David Gunner	Highway Superintendent
	Shane Krieger	Chief of Police
	William Wheeler	Engineer/ GHD
	Tony Rosati	Zoning Board member

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

The first item on the agenda is a PUBLIC HEARING on the use of Federal Community Development funds in the Town of Aurora. The notice of public hearing was published and posted as noted by the Affidavits of Publication and Posting. Supervisor Bach opened the hearing at 7:01 p.m. and asked if anyone wished to comment. Hearing no one, the Supervisor closed the hearing at 7:02 p.m.

Councilwoman Friess moved to approve the minutes of the September 19, 2019 special meeting; the September 23, 2019 Town Board work session and meeting; and the September 30, 2019 special meeting; seconded by Councilman Snyder. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #352  
9/19 &  
9/30/19 spec  
mtgs; 9/23/19  
wk sess &  
mtg min  
aprvd

AUDIENCE I: none

UNFINISHED BUSINESS:

Councilwoman Jeffe moved to adopt the following resolution approving a Special Use Permit for 1089 Davis Road; seconded by Councilman Snyder:

SPECIAL USE PERMIT

Pursuant to Chapter 116 Article III of the Zoning Code of the Town of Aurora, a Special Use Permit is hereby granted by the Town Board of the Town of Aurora in accordance with the following:

**APPLICANT:** MPG Properties, LLC  
Attn: Michael Gish

**PROPERTY ADDRESS:** 1089 Davis Road, PO West Falls

**PROPERTY OWNER:** 4200 California Road, LLC

**CODE:** Chapter 116 – Zoning §116-8.7

B2 Business; Paragraph B

**USE:** Principal Use: Office and operation of three (3) businesses:  
Goliath Tech of WNY (helical pile installation)  
MPG Heating (heating and cooling)  
MPG Properties (property management)

Additional conditions and safeguards are deemed necessary by the Town Board to implement the purpose and intent of the Special Use Permit. This permit is contingent and subject to the following:

1. CODE REQUIREMENTS: Full compliance with all sections of the Aurora Code as presently codified or as may be amended from time to time.
2. APPLICATION AND PLANNING BOARD: Subject to all plans and specifications submitted with the application, recommendations of the Planning Board and additional conditions and terms as adopted by the Town Board.
3. VIOLATION: Any violation of the provisions of the Permit or any other applicable law, code, rule or regulation of any government or department shall subject this Permit to suspension or revocation in the discretion of the Town Board.
4. AMENDMENT: This Special Use Permit is subject to amendment or modification by the Town Board at any time in its sole discretion.
5. ATTACHMENT: This permit is subject to any and all special conditions attached hereto.

ACKNOWLEDGEMENT: The undersigned as applicant for this Special Use Permit for an office and operation of a helical pile installation business, a heating and cooling business and a property management business at 1089 Davis Road, PO West Falls, Town of Aurora, NY, does hereby acknowledge receipt of a copy of this Permit and agrees and accepts the provisions herein. The applicant further acknowledges that a violation or breach of any covenants, provisions or conditions of this Special Use Permit will result in suspension or revocation of this Special Use Permit. The undersigned agrees to all terms and provisions of this Special Use Permit as herein stated or as hereafter may be amended.

MGP PROPERTIES, LLC

DATED: \_\_\_\_\_

By: \_\_\_\_\_  
Michael Gish

ACKNOWLEDGED AND APPROVED AS TO FORM AND SUBSTANCE

DATES: \_\_\_\_\_

\_\_\_\_\_  
JAMES J. BACH, Supervisor  
Town of Aurora

SPECIAL CONDITIONS FOR  
SPECIAL USE PERMIT GRANTED TO  
MPG Properties, LLC  
MPG Heating  
Goliath Tech of WNY  
Attn: Michael Gish  
FOR  
1089 DAVIS ROAD  
PO WEST FALLS, TOWN OF AURORA

1. USE: The site will be used for the office and operation of the following businesses:  
Goliath Tech of WNY (helical pile installation)  
MPG Heating (heating and cooling)  
MPG Properties (property management)

There will be no retail operation(s) at this location.

2. SIGN(S): Shall be in accordance with Section 116.34 of the Town Code of the Town of Aurora.
3. PARKING: Parking for employees and customers shall be in the parking lot adjacent to the existing building. Licensed and registered company owned vehicles and trailers, empty or bearing equipment, will be allowed to park in the parking lot outside of any enclosures.
4. EQUIPMENT STORAGE: All equipment not listed above, including but not limited to additional trailers, skid steers, excavators, tractors and attachments, and snowplows shall be stored in an enclosed building and/or inside an area enclosed by a six (6) feet high stockade type fence or buffer located behind the front line of the existing building.
5. MATERIAL STORAGE: All construction materials, including but not limited to lumber, stone, dirt, etc. shall be stored in an enclosed building and/or inside an area enclosed by a six (6) feet high stockade type fence or buffer located behind the front line of the existing building.
6. LIGHTING: Lighting shall be shielded for the purpose of minimizing the illumination of adjoining properties. Prior to installation of lighting fixtures which illuminate adjoining properties, the plans for such installation and shielding shall be submitted to the Town Building Department for review and approval.
7. ROADS AND OPEN AREAS: All roads and areas serving the subject property and its use shall be maintained dust free.
8. NOISE: Noise generated from use of the facilities shall be maintained to not affect adjoining properties. The approved hours of operation are Monday through Friday from 7:00 a.m. until 5:00 p.m. The Town reserves the right to monitor such noise levels.
9. EQUIPMENT REPAIR: All repairs to equipment used by MPG Properties LLC, MPG Heating, Goliath Tech of WNY and any subsidiaries shall be within the structures whenever possible. Any substances such as oil, antifreeze, grease or similar substances must be disposed of in accordance with the requirements of the New York State Department of Environmental Conservation.
10. DRAINAGE AND RUN-OFF: The run-off through a floor drain inside or a French drain outside must be in accordance with the New York State Department of Environmental Conservation regulations. In the event there is process wastewater such as containing oil, grease or soap discharged through a floor or drain, a SPEDES Permit may be required.
11. SALVAGE: Salvage related to the equipment identified in paragraph 4 may not be retained on the subject property and must be disposed of in a proper manner.

Action #353  
Special use  
permit 1089  
Davis Rd  
approved

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

NEW BUSINESS:

Councilwoman Friess moved to add two items to the agenda:  
6R – Public hearing for Local Law and 6S – Purchase of truck for highway department. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five      noes – none      Motion carried.

Action #354  
LL public hrg  
and truck  
purch added  
to agenda

Councilman Snyder moved to authorize the Supervisor to sign, submit and execute contracts with the Erie County Community Development Block Grant (ECCDBG) program for the following projects upon approval of the ECCDBG:

Action #355  
CDBG fund  
resolution  
adopted

1) Continuation of the Rural Transit Services, Inc. program  
Councilman Harris seconded the motion. Upon a vote being taken:  
ayes – five      noes – none      Motion carried.

The Town Board reviewed the Short Environmental Assessment Form for the North Grove Street Culvert project as prepared by Foit Albert Associates.

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

WHEREAS, the Town of Aurora Town Board has been notified that there is a deficiency in the bridge on North Grove Street in the Village of East Aurora; and

Action #356  
N. Grove  
bridge –  
SEQR lead  
agency

WHEREAS, the Town has engaged Foit Albert Associates to engineer a solution to replace the bridge.

NOW, THEREFORE, BE IT RESOLVED the Town of Aurora does hereby declare itself lead agency for the North Grove Bridge Replacement Project.

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

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

WHEREAS, in accordance with the New York State Environmental Quality Review (SEQR) procedures, the Town Board of the Town of Aurora has reviewed the significance of and potential environmental impact of the replacement of the North Grove Street Bridge in the Village of East Aurora.

Action #357  
N. Grove  
bridge –  
SEQR type II  
determination

NOW, THEREFORE, BE IT RESOLVED, that the Aurora Town Board hereby concurs with Foit Albert Associates that the Project is considered a Type II Action in accordance with 6 NYCRR Part 617.5 (c)(2); a replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site; and further declares that the project will result in no significant adverse impacts to the environment and requires no further action.

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

The above Resolution was duly adopted this 15<sup>th</sup> day of October, 2019.

\* \* \* \* \*

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

**A BOND RESOLUTION, DATED OCTOBER 15, 2019, OF THE TOWN BOARD OF THE TOWN OF AURORA, ERIE COUNTY, NEW YORK (THE “TOWN”) AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT CONSISTING OF THE RECONSTRUCTION OF AND CONSTRUCTION OF IMPROVEMENTS TO VARIOUS BRIDGES IN THE TOWN, AT AN ESTIMATED MAXIMUM COST OF \$600,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$600,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH 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.**

WHEREAS, the Town Board of the Town of Aurora, in the County of Erie, New York (the "Town") has determined to undertake a capital improvements project for the reconstruction of and construction of improvements to various bridges in the Town.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board (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 a capital improvements project for the reconstruction of and construction of improvements to various bridges (including bridges located on North Grove Street, Whaley Avenue, East Fillmore Avenue and Church Street), such work to generally consist of the rehabilitation or replacement of such bridges including other such improvements as more fully identified in (or contemplated by) one or more reports prepared by or for the Town of Aurora Highway Department, all of the forgoing to include all preliminary work and necessary equipment, materials and related site work, and any preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$600,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$600,000 of the Town, hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, 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 10 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such Purpose is 20 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 is expected to 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 will 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 or charges, there will 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, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 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 said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes 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 the date hereof or within 60 days prior to the earlier of (a) the date hereof or (b) the date of any earlier expression by the Town of its intent to reimburse such expenditures) 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 the declaration (or reaffirmation) of the Town's "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 may 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) 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 with 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 SEQRA is necessary.

SECTION 12. In the absence or unavailability of the Town Supervisor, the Deputy Town Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 13. 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) 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 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 14. 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 days after the date of adoption of this resolution.**

SECTION 15. If no petitions are filed in the permissive 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:

Action #358  
Bond resol  
for bridge  
repair &  
replacement  
adopted

AYES: Five      Councilwoman Friess      Aye  
                         Councilman Snyder            Aye  
                         Councilwoman Jeffe            Aye  
                         Councilman Harris            Aye  
                         Supervisor Bach                Aye

NOES: None

ABSENT: None

The foregoing resolution was thereupon declared duly adopted.

\* \* \* \* \*

Councilwoman Jeffe moved to approve payment no. 1 to Foit Albert Associates in the amount of \$9,350.00 for professional services rendered from August 1 to September 27, 2019 for the North Grove Street bridge replacement project. Funds will be disbursed from H7 Village Bridges capital project. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five      noes – none      Motion carried.

Action #359  
Pymt #1 to  
Foit Albert  
for N. Grove  
bridge project  
aprvd

Councilwoman Friess moved to authorize the Supervisor to sign a Polling Location Lease Agreement with the Erie County Board of Elections (ECBOE) whereby the ECBOE will lease space at the Aurora Senior Center, 101 King Street, East Aurora, as a polling place for the Early Voting dates of October 26 to November 3, 2019 and will pay the Town \$900. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five      noes – none      Motion carried.

Action #360  
Supv auth to  
sign agreemt  
with ECBOE  
for early  
voting at  
SrCtr

Councilman Snyder moved to approve the following budget transfers to correct overdrawn appropriation (expense) budget lines:

From: WM 8320.401 Source of Supply	\$2,887.00
To: WM 8340.401 Repairs	\$2,887.00
From: ZB 8320.401 Source of Supply	\$2,474.00
To: ZB 8340.102 Payroll	\$2,474.00
From: ZB 8320.401 Source of Supply	\$2,490.00
To: ZB 8340.401 Repairs	\$2,490.00

Action #361  
Budget  
transfers  
aprvd

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

Councilwoman Friess moved to approve the following budget transfers to correct and/or prevent overdrawn appropriation (expense) budget lines:

From: A 9040.800 Workers Compensation	\$1,500.00	Action #362 Budget transfers aprvd
To: A 1320.404 Financial Services	\$1,500.00	
From: WB 8320.401 Source of Supply	\$888.00	
To: WB 8340.401 Repairs	\$888.00	
From: WL 8320.401 Source of Supply	\$786.00	
To: WL 8340.102 Payroll	\$786.00	

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

Councilwoman Jeffe moved to accept the donation of 6 chairs for community pool, with a total value of \$180, from the East Aurora Baseball and Softball organization. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five                      noes – none                      Motion carried.

Action #363  
 Donation of chairs for pool accepted

Councilwoman Friess moved to accept a donation of \$250.00 from the Monday Supper Club which meets monthly at the Aurora Senior Center and to deposit the funds in TA1000.0090 Senior Center donations. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five                      noes – none                      Motion carried.

Action #364  
 \$250 donation to SrCtr aprvd

Councilwoman Jeffe moved to add the following Town of Aurora delinquent water bills for Town of Aurora customers to the 2020 Erie County Tax rolls, in accordance with Town Law Article 12 Section 198, for non-payment; seconded by Councilman Harris:

<u>Property Owner</u>	<u>Billing Customer</u>	<u>Service Address</u>	<u>Billing Source and Amount</u>
John Kubicki	Same	184 Roycroft Circle SBL#164.16-4-22	TOA \$54.57
James Kittner	Same	7 Victoria Hgts SBL#176.10-3-46	TOA \$17.94
Joseph Naughton	Same	635 Porterville Rd (Aurora Porterville) SBL#165.10-2-15	TOA \$317.98
Jennifer Russell	Same	23 Balcom Dr SBL#165.14-3-26	TOA \$168.67
David & Kellie Grabenstatter	David Grabenstatter	95 Cook Rd SBL#176.00-1-6.11	TOA \$759.94
Timothy & Donna Cordier	Jason Miller	328 Cook Rd SBL#176.00-2-16	TOA \$75.90
Merritt Hanson Katie Resetarits	Merritt Hanson	276 Greenwood Ct SBL#164.11-1-18	TOA \$64.50

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

Action #365  
 Delinquent TOA water – 2020 tax roll



Councilwoman Friess moved to add the following Erie County Water Authority delinquent water bills for Town of Aurora customers to the 2020 Erie County Tax rolls, in accordance with Town Law Article 12 Section 198, for non-payment; seconded by Councilman Harris:

<u>Property Owner</u>	<u>Billing Customer</u>	<u>Service Address</u>	<u>Billing Source and Amount</u>
Ravenwood Farm NY LLC	Ravenwood Farm	1550/60 Quaker Rd SBL#163.00-1-23.2	ECWA \$38.07
Cynthia F. Kurk	Same	1288 Quaker Road SBL#163.03-1-11	ECWA \$1,225.48
Mark A. and Dianna Jaworski	Mark Jaworski	523 Olean Road SBL#175.00-2-33	ECWA \$428.20
Cole Smith	Henry Szczypierowski	48 Ellicott Road SBL#186.01-1-37	ECWA \$54.79
William Archer	Kate Taher	1798 Davis Road SBL#199.03-2-1	ECWA \$34.53
James, Mary and Autumn Beck	James F. Beck	1838 Davis Road SBL#199.03-2-4.1	ECWA \$107.23

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

Action #366  
 Delinquent  
 ECWA water  
 – 2020 tax roll

\* \* \* \* \*

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

WHEREAS, in accordance with Town of Aurora Town Code Chapter 65 Fire Prevention and Building Construction, the Town of Aurora Town Board declared the residential structures (house and garage) situated at 2250 Blakeley Road, Town of Aurora, PO East Aurora, NY as being unsafe to the public; and

WHEREAS, the appropriate notices were mailed via USPS Certified mail to the property owners, Foison Holdings LLC, and posted on the structure at 2250 Blakeley Road; and

WHEREAS, the Town Board held a public hearing on April 8, 2019 in relation to such dangerous or defective building; and

WHEREAS, the reputed owner(s) of the property failed to secure, repair, remove or demolish the vacant residential structures within twenty days of the mailing and/or posting of the notice of unsafe structure; and

WHEREAS, in accordance with Town of Aurora Town Code Chapter 65, Section 65-20, paragraph G, the Town proceeded to have the unsafe structures removed; and

WHEREAS, the costs and expenses incurred by the Town to remove the unsafe structures shall be charged to the owner of the premises involved and/or assessed against the land on which said structures were located and collected in the manner provided by law for the collection of real estate taxes and other amounts due the Town.

NOW, THEREFORE, BE IT

RESOLVED, the Town of Aurora Town Board authorizes the \$27,720.00

cost to the Town to demolish and remove the unsafe buildings at 2250 Blakeley Road, Town of Aurora, SBL#188.01-1-21, be added to the 2020 Erie County Tax Rolls in accordance with Town Code Chapter 65; Section 65-20; Paragraph I.

Action #367  
Cost to demo  
2250 Blakeley  
added to 2020  
tax roll

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

Councilwoman Jeffe moved to approve the following change in the 2020 Preliminary Budget:

- A 6772.402 Rural Transit: \$725 appropriation was increased to \$769 based on receipt of an invoice from Rural Transit.

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

Action #368  
Change to  
Rural Transit  
line in 2020  
prelim budget  
aprvd

Councilwoman Jeffe moved to set Monday, October 28, 2019 at 7:00 p.m. at the Town Hall Auditorium, 300 Gleed Avenue, East Aurora, NY, as the date, time and place for a public hearing on the Town of Aurora 2020 Preliminary Budget. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five      noes – none      Motion carried.

Action #369  
Public hrg set  
for 2020  
Preliminary  
budget

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

WHEREAS, on August 20, 2019, New York State Governor Andrew Cuomo signed into law Senate (S.3756) and Assembly (A.55) bills which waive the state fee for marriage licenses when either party making application for such marriage license is a member of the United States armed forces on active duty; and

WHEREAS, Senate (S.3756) and Assembly (A.55) bills state that a town or city may elect to waive the portion of the fee, known as the local fee, which the town or city is entitled to.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Aurora does hereby authorize Martha L. Librock, Town Clerk, to waive the local fee for marriages licenses and marriage registration certificates when either applicant is a member of the United States armed forces on active duty.

Action #370  
Marriage  
license fee  
exemption  
aprvd for  
active military

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

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

#### RESOLUTION AUTHORIZING PUBLIC HEARING

WHEREAS, Local Law Intro. No. 3-2019 has been introduced at a meeting of the Town Board held on the 15<sup>th</sup> day of October, 2019, and

WHEREAS, the Local Law would amend Chapter 101 of the Zoning Code with regard to exclusion of the provisions of Real Property Tax Law §487 granting a tax exemption relating to any Solar Energy Systems,

WHEREAS, Municipal Home Rule Law Section 20(5) requires a Public Hearing to be held before the Town Board with at least five (5) days' notice of said Public Hearing,

NOW, THEREFORE, be it

RESOLVED, the Town Board of the Town of Aurora does hereby approve a Public Hearing to be held on said Local Law Intro. 3-2019 on the 12th day of November, 2019, at 300 Glead Avenue in the Village of East Aurora, and be it further

Action #371  
Public hrg set  
for LL intro 3  
re: tax  
exemption  
Solar Energy  
Systems

RESOLVED, the Town Clerk is directed to publish notice of said Public Hearing in the official newspaper of the Town of Aurora, said notice being published at least five (5) days prior to the scheduled Public Hearing.

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

Councilwoman Friess moved to authorize the Highway Superintendent to purchase a new 2020 Dodge 1500 4X4 pickup truck through NYE Automotive Group, Oneida, NY, off the NYSOGS Light Duty Vehicle Contract Group #40451, Award #22898 in the amount of \$30,927.50. This purchase is contingent upon the 2020 Town Budget being adopted. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five      noes – none      Motion carried.

Action #372  
Purch of 2020  
Dodge 1500  
for highway  
aprvd

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

- Town Clerk/Tax – September 2019 report
- Town Clerk – September 2019 report
- Water Clerk – September 2019 report
- Building Department – September 2019 report
- Senior Center – September 2019 report
- Recreation – September 2019 report
- Supervisor – September 2019 report
- EAPD – August 2019 report

BUSINESS FROM BOARD MEMBERS AND LIAISONS:

Councilwoman Friess stated she thinks there could be better signage regarding the Oakwood Avenue road closure, noting that some of the road-closed signs are confusing especially to older residents

AUDIENCE II: none

STAFF REPORTS:

Police Chief Krieger stated that the police and fire department had a busy week with several accidents and a house fire on Girard Avenue.

ABSTRACT OF CLAIMS:

The Prepaid Abstract of Claims dated October 2, 2019, consisting of P-Card voucher number 1316 and voucher numbers 1317 to 1321, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 18,056.52
Part Town	160.00
Highway DA	116.98
Highway DB	9,483.29
Capital/AMC	10,820.60
Special Districts	<u>55,007.06</u>
Grand Total Abstract	\$ 93,644.45

The Abstract of Claims dated October 15, 2019, consisting of vouchers numbered 1322 to 1419, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 55,897.45
Highway DB	22,501.85
Capital/AMC	2,000.00
Capital/VEA Bridges	9,350.00
Trust/Agency	2,600.00
Trust/Agency 2	930.87
Special Districts	<u>823.54</u>
Grand Total Abstract	\$94,103.71

Councilman Harris moved to approve the 10/2/19 Prepaid Abstract of Claims and the 10/15/19 Abstract of Claims, and authorize payment of same. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #373  
10/2/19 PPD  
& 10/15/19  
Abstracts of  
Claims aprvd

Councilwoman Jeffe moved to adjourn at 7:30 p.m.; seconded by Councilman Snyder. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #374  
Meeting  
adjourned

Martha L. Librock  
Town Clerk