

January 9, 2023

A meeting of the Town Board of the Town of Aurora took place on Monday, January 9, 2023, beginning at 6:55 p.m. immediately after the work session. The Board met in-person at the Aurora Municipal Center, 575 Oakwood Avenue, East Aurora, New York. The meeting was also streamed via Zoom and YouTube:

Present:	Charles D. Snyder	Councilman
	Luke Wochensky	Councilman
	James F. Granville	Councilman
	Joseph McCann	Councilman
	James J. Bach	Supervisor
Others Present:	Brigid Maloney	Town Attorney
	Elizabeth Cassidy	Code Enforcement Officer
	David Gunner	Highway Superintendent
	Rod Simeone	Zoning Board Member
	Shane Krieger	Chief of Police
	Timothy Stroth	Planning Board Member
	Robert Goller	Historian
	Elizabeth Wilber	Live Stream Coordinator

Supervisor Bach opened the regular meeting at 6:55 p.m., following the conclusion of the work session.

Councilman Snyder moved to approve the minutes of the December 27, 2022 work session and meeting. Councilman McCann seconded the motion. Upon a vote being taken: ayes – five	noes – none	Action #1 12/27/2022 minutes aprvd
Motion carried.		

Audience I: none

2023 ORGANIZATIONAL CHART

<u>TITLE</u>	<u>ACTION</u>	<u>TERM</u>
ASSISTANT TO THE SUPERVISOR & BUDGET OFFICER	Supervisor appointed: Kathleen A. Moffat to serve a (1) one-year term	1/1/23 – 12/31/23
SECRETARY TO THE SUPERVISOR	Supervisor appointed: Valerie Venturo to serve a (1) one-year term Motion to approve non-residency status for Ms. Venturo, an Orchard Park, NY resident.	1/1/23 – 12/31/23
DEPUTY SUPERVISOR	Supervisor appointed: Charles D. Snyder to serve a (1) one-year term	1/1/23 – 12/31/23
TOWN HISTORIAN	Supervisor appointed: Robert Lowell Goller to serve a (1) one-year term	1/1/23 – 12/31/23
DEPUTY TOWN CLERK #1	Town Clerk appointed: Sheryl A. Miller to serve a (1) one-year term	1/1/23 – 12/31/23
DEPUTY TOWN CLERK #2	Town Clerk appointed: Karin Dojnik to serve a (1) one-year term	1/1/23 – 12/31/23
DEPUTY TOWN CLERK #3	Town Clerk appointed: Victoria E. Montagu to serve a (1) one-year term	1/1/23 – 12/31/23
REGISTRAR OF VITAL STATISTICS	Martha L. Librock is currently serving a four (4) year term.	1/1/22 – 12/31/25

SUB-REGISTRAR OF VITAL STATISTICS	Registrar appoints: Sheryl A. Miller to serve a (1) one-year term	1/1/23 – 12/31/23
TOWN ATTORNEY	Brigid Maloney is currently serving a (2) two-year term as Town Attorney	1/1/22 – 12/31/23
DEPUTY TOWN ATTORNEY	Motion to appoint: : Edward J. Snyder to a (1) one-year term as Deputy Town Attorney	1/1/23 – 12/31/23
TOWN PROSECUTOR	Motion to appoint: Edward J. Snyder to a (1) one-year term as Town Prosecutor	1/1/23 – 12/31/23
MARRIAGE OFFICERS	Motion to appoint: James J. Bach, Luke Wochensky and Joseph McCann to serve a (1) one-year term	1/1/23 – 12/31/23
RECREATION DIRECTOR <i>(Town Code Chapter 28, Section 2)</i>	Motion to appoint: Christopher W. Musshafen to serve a (1) one-year term	1/1/23 – 12/31/23
WATER CLERK	Motion to appoint: Martha Librock to serve a (1) one-year term	1/1/23 – 12/31/23
PLANNING BOARD	Motion to appoint: Angela Griffis to serve a (7) seven -year term	1/1/23 – 12/31/29
PLANNING BOARD ALTERNATES <i>(Town Code Chapter 23, Section 23-4)</i>	Motion to appoint: Alice Brown and Christopher Contento to serve a one (1) year term	1/1/23 – 12/31/23
PLANNING BOARD CHAIRMAN	Motion to appoint: Donald Owens to serve a (1) one-year term	1/1/23 – 12/31/23
PLANNING BOARD MEETINGS	1 st Wednesday of each month at 7 p.m. and, if required, 3 rd Wednesday at 7 p.m. at the Aurora Municipal Center, 575 Oakwood Ave.	
PLANNING BOARD SERVICES	Motion to retain GHD Consulting Services for Planning Board assistance, as needed.	1/1/23 – 12/31/23
ZONING BOARD OF APPEALS <i>(Town Code Article VI, Chapter 116-60)</i>	Motion to appoint: Nancy Burkhardt to serve a (5) five-year term	1/1/23 – 12/31/27
ZONING BOARD ALTERNATES	Motion to appoint Raymond Wrazen and Stephanie Morgan to serve (1) one-year terms	1/1/23 – 12/31/23
ZONING BOARD CHAIRMAN	Motion to appoint: Paul Ernst to serve a (1) one-year term	1/1/23 – 12/31/23
DISASTER / HAZARDOUS MATERIALS COORDINATOR	Motion to appoint: Mark Hartley , HazMat Coordinator; Randy Taylor , Asst. Disaster Coordinator; Timothy Stroth , Asst. Disaster Coordinator, to serve a (1) one-year term	1/1/23 – 12/31/23
DISASTER ADVISORY	Motion to appoint: Shane Krieger, David Thomason, Victoria Sturman, Mark Hartley, Randy Taylor, Timothy Stroth, Douglas Hooper, Glen Diemer, Code Enforcement Officer Elizabeth Cassidy, Superintendent of Highways David Gunner,	1/1/23 – 12/31/23
Note: Village of East Aurora Mayor and Town of Aurora Supervisor to serve as members ex-officio		

**Dog Control Officer Kyle Olday, Senior Citizen
 Dir. Donna Bodekor,
 Fire Chiefs: EAFD – Roger LeBlanc,
 South Wales – Marty O’Connor
 West Falls – David Wohlfeil
 Town Attorney – Brigid Maloney
 Assessor Roger Pigeon**
 to serve a (1) one-year term **1/1/23 –
 12/31/23**

SAFETY COMMITTEE CHAIRMAN Will be appointed on an as-needed basis

SAFETY COMMITTEE Will be appointed on an as-needed basis

RECREATION ADVISORY BOARD (Town Code Chapter 26, Section 1) Will be appointed on an as-needed basis.

AURORA TOWN LIBRARY BOARD Motion to appoint: **Sashi Racho** to serve a (5) five-year term **1/1/23 –
 12/31/27**

OPEN SPACE COMMITTEE Motion to appoint: **Dale Morris and Brad Felton** to each serve a (3) three-year term (meeting schedule to be announced) **1/1/23 –
 12/31/25**

TOWN AUDITORS Motion to appoint: **Drescher & Malecki, LLP** to serve a (1) one-year term **1/1/23 –
 12/31/23**

ENGINEERING SERVICES Motion to retain **GHD Consulting Services, Inc.** for Town Engineering Services **1/1/23 –
 12/31/23**

MILEAGE REIMBURSEMENT RATE Motion to set the rate at **\$0.625 per mile** as compensation for travel while on Town business.

TOWN BOARD WORK SESSION AND MEETING DATES Motion to set regular Town Board work sessions at 6:30 p.m., followed immediately by the Town Board meetings at the Aurora Municipal Center, 575 Oakwood Avenue, as follows:
January 9, 23; February 13, 27; March 13, 27; April 10, 24; May 8, 22; June 12, 26; July 10, 24; August 14, 28; September 11, 25; October 10 (Tuesday), **23; November 13, 27; December 11, 21** (Thursday @ 11 a.m.).
 Additional (special) meetings may be set if necessary.

PUBLIC HEARINGS For the orderly and efficient conducting of public hearings, they will be held at the early part of the meeting. The Board may defer voting on issues discussed at the public hearing for at least two weeks but may be voted on at the same meeting.

HOLIDAYS Motion to designate:
Martin Luther King Day (1/16/23) / Presidents Day (2/20/23) / Good Friday (4/7/23) / Memorial Day (5/29/23) / Juneteenth Day (6/19/23) / Independence Day (7/4/23) / Labor Day (9/4/23) / Columbus Day (10/9/23) / Veterans Day (11/10/23) / Thanksgiving Day (11/23/23) / Day after Thanksgiving (11/24/23) / Christmas (12/25/23) / New Year’s Day, (1/1/24)
 Employees may or may not be granted time off on Christmas Eve and/or Election Day at the discretion of the Town Board. These days are not considered holidays.

OFFICIAL NEWSPAPER Motion to designate: **East Aurora Advertiser** as the official publication for all Town of Aurora official business.

SPECIAL DISTRICTS ADMINISTRATOR Motion to designate: **Supervisor as Administrator** for all Town of Aurora Special Districts

BANKS AS DEPOSITORIES Motion to designate: **JP Morgan Chase Bank, Bank of America, Bank of Holland, Key Bank, Citizens Bank, Manufacturers & Traders Trust Company, Five Star Bank, New York Cooperative Liquid Assets Securities System (NYCLASS).**

PAY PERIODS Motion to set pay periods for every two weeks.

RATES OF PAY Motion to set the Hourly and Bi-Weekly Rates of Pay for Town Employees, appointed and Elected Officials as follows:

Title	Hourly Rate	Biweekly Rate
Councilman		480.47
Councilman		480.47
Councilman		480.47
Councilman		480.47
Town Justice		1,433.53
Town Justice		1,433.53
Clerk to Town Justice	20.16	
Clerk to Town Justice	18.03	
Supervisor		1,690.56
Assistant to the Supervisor	22.46	
Budget Officer		183.59
Secretary to Supervisor	17.50	
Human Resources Stipend		80.00
Web Administrator		142.79
Live Stream Coordinator		60.00
Historian		612.00
Assessor	39.35	
Assessor Mileage		76.92
Assessment Clerk	19.96	
Clerk PT-Assessor's Office	17.50	
Town Clerk		2,722.48
Registrar		36.75
Grant Coord. Stipend		204.00
Deputy Town Clerk 1 FT	19.46	
Zoning Clerk	19.46	
Deputy Town Clerk 2 FT	17.93	
Deputy Town Clerk 3 PT	18.25	
Attorney		1,956.27
Prosecutor		682.68
Drivers (minibus)	16.50	
Drivers (minibus)	16.50	
Dog Control PT	16.66	
Code Enforcement Officer	32.50	
Building & Zoning Clerk	17.50	
Planning Clerk	17.50	
Assistant CEO PT	21.85	
Assistant CEO PT	21.85	
Highway Secretary	17.50	
Parks Secretary	17.50	
DCO Secretary	17.50	
Building Secretary	17.50	
Sup. Of Highway		2,722.48
Buildings Dir.-HW Super		234.25
Parks Director – HW Super		459.46
Water Director-HW Super		38.46
Dog Control Dir-HW Super		178.00
Bridge Stipend-HW Super		204.00
Dpty Highway Supt.-Stipend		153.84
Recreation Leader-Senior C	24.99	
Part-Time Kitchen	16.50	
Part-time clerk – Sr Center	16.50	

Town Board meeting 1/9/2023 Page 5		
Part-time clerk – Sr Center	16.50	
Custodian (RPT) – Sr Center	16.50	
Rec Attendant	21.74	
Aquatics/Recreation Director	26.77	
Recreation Mileage		46.15
Recreation Mileage		46.15
Recreation Supervisor	19.75	
Clerk Typist	16.50	
UNION		
Laborer	19.60	
Motor Equip. Operator	31.89	
Motor Equip. Operator	31.89	
Truck Driver	23.98	
Motor Equip. Operator	31.89	
Building Maint Mechanic	31.89	
Truck Driver/Mechanic	26.52	
Laborer	19.60	
Truck Driver	23.98	
Motor Equip. Operator	31.89	
Truck Driver	23.98	

**LIMITED SUPPLIES
PURCHASE**

Motion for the **Highway Superintendent, Recreation & Aquatics Director, Assessor, Historian, Superintendent of Building, Supervisor, Recreation Leader-Senior Center and Town Clerk** to purchase supplies, without Town Board approval, with a limit of \$2,999, except computer related purchases, which must first be approved by **Kathleen Moffat, System Administrator**.

**ALTERNATE CHECK
SIGNER**

Motion to authorize: **Councilman Charles D. Snyder and Luke Wochensky** to sign checks in the absence of and at the request of the Town Supervisor.

VOUCHER FORM

Motion to require a voucher to be used by persons having claims from the Town, be substantially in the standard form prescribed by NYS Audit and Control.

PREPAYMENT OF CLAIMS

The Town is authorized to pay, in advance of audit, all public utilities, postage, freight and express charges, insurance, and payments for all approved contracts extending over one-year, and such payments shall be presented at the next regular meeting for audit; as used this resolution the term of public utilities shall mean electric, gas, water, sewer, and telephone services as contained in Section 118, Sub. 2 of the Town Law.

LIABILITY PROTECTION

Action #168 on 11/11/85 provided that the Town will provide personal liability protection for all employees and elected officials by local law:
Selective Insurance Company or Equivalent.

**PUBLIC OFFICERS
COVERAGE**

Supervisor noted that a Public Officers Liability Policy is in effect for Town Board Members and Public Officers for **\$1,000,000**

**EMPLOYEE BOND
COVERAGE**

Supervisor noted that the Blanket Bond is in effect for **\$1,000,000** for all Town employees.

BOARD LIAISONS

The Supervisor appoints the following Town Board Liaison assignments for 2023:

VILLAGE CONTRACTS

Water, Police & Dog	Bach	Snyder
Disaster Preparedness, Fire, Ambulance, Alarm	Bach	McCann

TOWN SERVICES

Budget & Finance	Bach	Snyder
Personnel	Bach	Wochensky
Insurance & Bonding	Bach	McCann
Assessing	Wochensky	Granville
Building, Grounds, Handicapped	Snyder	Wochensky
Building Codes & Zoning Enforcement	Snyder	McCann
Rubbish & Recycling	Granville	McCann
Water & Sewer Districts	Snyder	McCann
Library	Wochensky	Granville
Highway & Street Lighting	Wochensky	Snyder
Recreation, Parks & Senior Citizens	Granville	McCann
Planning Board & Conservation	Wochensky	Snyder
Zoning Board of Appeals	McCann	Granville
Boys & Girls Club	Granville	Wochensky

INVESTMENT POLICY

Adopted 03/12/2018 Action #74

TOWN OF AURORA INVESTMENT POLICY

I. SCOPE

This investment policy applies to all moneys and other financial resources available for deposit and investment by the Town of Aurora on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order:

- To conform with all applicable federal, state and other legal requirements (legality);
- To adequately safeguard principal (safety);
- To provide sufficient liquidity to meet all operating requirements (liquidity) and
- To obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Town Supervisor, who shall establish written procedures for the operation of the investment program consistent with these investment policies. Such procedures shall include internal controls to provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept, and other relevant information, including dates of sale or other dispositions and amounts realized. In addition, the internal control procedures shall describe the responsibilities and levels of authority for key individuals involved in the investment program.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town of Aurora to govern effectively.

Investments shall be made with prudence, diligence, skill, judgment and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the Town of Aurora to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

The governing board shall establish appropriate limits for the amount of investments that can be made with each financial institution or dealer and shall evaluate this listing at least annually.

VI. INTERNAL CONTROLS

It is the policy of the Town of Aurora for all moneys collected by any officer or employee of the government to transfer those funds to the Town of Aurora within 7 days of deposit, or within the time period specified in law, whichever is shorter.

The Town Supervisor is responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization, properly recorded, and managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITARIES

The banks and trust companies that are authorized for the deposit of moneys are as follows:

- JP Morgan Chase Bank
- Bank of America
- Bank of Holland
- Key Bank
- Citizens Bank
- Manufacturers & Traders Trust Company
- Five Star Bank
- New York Cooperative Liquid Assets Securities System (NYCLASS).

VIII. SECURING DEPOSITS AND INVESTMENTS

All deposits and investments at a bank or trust company, including all demand deposits, certificates of deposit and special time deposits (hereinafter, collectively, "deposits") made by officers of the Town of Aurora that are in excess of the amount insured under the provisions of the Federal Deposit Insurance Act, including pursuant to a Deposit Placement Program in accordance with law, shall be secured by one or more of the following:

1. A pledge of "eligible securities" with an aggregate "market value" (as provided by the GML Section 10) that is at least equal to the aggregate amount of deposits by the officers. See Schedule A of this policy for a listing of "eligible securities."
2. A pledge of a pro rata portion of a pool of eligible securities, having in the aggregate, a market value at least equal to the aggregate amount of deposits from all such officers within the State at the bank or trust company.
3. An "eligible surety bond" payable to the government for an amount at least equal to 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The governing board shall approve the terms and conditions of the surety bond.

4. An "eligible letter of credit," payable to the Town of Aurora as security for the payment of 140 percent of the aggregate amount of deposits and the agreed-upon interest, if any. An "eligible letter of credit" shall be an irrevocable letter of credit issued in favor of the Town of Aurora, for a term not to exceed 90 days, by a qualified bank (other than the bank where the secured money is deposited). A qualified bank is either one whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank which is the principal subsidiary of a holding company, whose holding company's commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization, or one that is in compliance with applicable federal minimum risk-based capital requirements.
5. An "irrevocable letter of credit" issued in favor of the Town of Aurora by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any.

IX. COLLATERALIZATION AND SAFEKEEPING

Eligible securities used for collateralizing deposits made by officers of the Town of Aurora shall be held by (the depository or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities (or the pro rata portion of a pool of eligible securities) are being pledged to secure such deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities (or pro rata portion of a pool of eligible securities) held may be sold, presented for payment, substituted or released and the events of default which will enable the local government to exercise its rights against the pledged securities.

In the event that the pledged securities are not registered or inscribed in the name of the Town of Aurora, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town of Aurora or the custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the local government in the securities (or the pro rata portion of a pool of eligible securities) as set forth in the security agreement.

The custodial agreement shall provide that pledged securities (or the pro rata portion of a pool of eligible securities) will be held by the custodial bank or trust company as agent of, and custodian for, the Town of Aurora, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt, substitution or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral when a change in the rating of a security causes ineligibility. The security and custodial agreements shall also include all other provisions necessary to provide the Town of Aurora with a perfected security interest in the eligible securities and to otherwise secure the local government's interest in the collateral and may contain other provisions that the governing board deems necessary.

X. PERMITTED INVESTMENTS

As provided by General Municipal Law Section 11, the Town Board of the Town of Aurora authorizes the Town Supervisor to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in the State of New York;
- Through a Deposit Placement Program, certificates of deposit in one or more "banking institutions", as defined in Banking Law Section 9-r;

- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- With the approval of the State Comptroller, obligations issued pursuant to Local Finance Law Section 24.00 or 25.00 (i.e., Tax Anticipation Notes and Revenue Anticipation Notes) by any municipality, school district or district corporation in the State of New York other than the Town of Aurora; and
- Obligations of the Town of Aurora, but only with moneys in a reserve fund established pursuant to General Municipal Law Sect. 6-c, 6-d, 6-e, 6-f, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Town of Aurora within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event at the option of the Town of Aurora within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the moneys were obtained and shall be secured as provided in Sections VIII and IX herein.

Except as may otherwise be provided in a contract with bondholders or noteholders, any moneys of the Town of Aurora authorized to be invested may be commingled for investment purposes, provided that any investment of commingled moneys shall be payable or redeemable at the option of the Town of Aurora within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law Section 11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested.

Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

All financial institutions and dealers with which the Town of Aurora transacts business shall be creditworthy, and have an appropriate level of experience, capitalization, size and other factors that make the financial institution or the dealer capable and qualified to transact business with the Town of Aurora. The Town Supervisor shall evaluate the financial position and maintain a listing of proposed depositories, trading partners, and custodians. Recent Reports of Condition and Income (call reports) shall be obtained for proposed banks, and security dealers that are not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers.

The Town of Aurora shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amounts of investments that can be made with each financial institution or dealer.

XII. PURCHASE OF INVESTMENTS

The Town Supervisor is authorized to contract for the purchase of investments:

1. Directly, from an authorized trading partner
2. By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to Article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town of Aurora by the bank or trust company.

Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law Section 10(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of, and custodian for, the Town of Aurora, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to secure the local government's perfected interest in the securities, and the agreement may also contain other provisions that the governing board deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide the Town of Aurora with a perfected interest in the securities.

The Town Supervisor, where authorized, can direct the bank or trust company to register and hold the evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit, or arrange for the deposit of any such evidences of investments with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show, at all times, the ownership of such evidences of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a written custodial agreement as set forth in General Municipal Law Section 10(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

XIII. COURIER SERVICE

The Town Supervisor may, subject to the approval of the governing board by resolution, enter into a contract with a courier service for the purpose of causing the deposit of public funds with a bank or trust company. The courier service shall be required to obtain a surety bond for the full amount entrusted to the courier, payable to the Town of Aurora and executed by an insurance company authorized to do business in the State of New York, with a claims-paying ability that is rated in the highest rating category by at least two nationally recognized statistical rating organizations, to insure against any loss of public deposits entrusted to the courier service for deposit or failure to deposit the full amount entrusted to the courier service.

The Town of Aurora may agree with the depository bank or trust company that the bank or trust company will reimburse all or part of, but not more than, the actual cost incurred by the Town of Aurora in transporting items for deposit through a courier service. Any such reimbursement agreement shall apply only to a specified deposit transaction, and may be subject to such terms, conditions and limitations as the bank or trust company deems necessary to ensure sound banking practices, including, but not limited to, any terms, conditions or limitations that may be required by the Department of Financial Services or other federal or State authority.

XIV. ANNUAL REVIEW AND AMENDMENTS

The Town of Aurora shall review this investment policy annually, and it shall have the power to amend this policy at any time.

XV. DEFINITIONS

The terms "public funds," "public deposits," "bank," "trust company," "eligible securities," "eligible surety bond," and "eligible letter of credit" shall have the same meanings as set forth in General Municipal Law Section 10.

Schedule A

Schedule of Eligible Securities for Collateralizing Deposits and Investments in Excess of FDIC Coverage (see Investment Policy, Section VIII) [Note: This is not a list of Permitted Investments. Please see Investment Policy, Section X, for Permitted Investments. Moreover, this list is for the purposes of illustration only. Governing Boards, in the exercise of their prudent discretion, must determine which types of eligible securities, authorized by law, to list as permitted.]

"Eligible Securities" for Collateral	For purposes of determining aggregate "market value", eligible securities shall be valued at these percentages of "market value":
(i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.	100%
(ii) Obligations issued or fully guaranteed by the international Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank	100%
(iii) obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.	100%
(iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of this State or obligations of any public benefit corporation, which under a specific State statute may be accepted as security for deposit of public moneys.	100%
(v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2 nd highest; 80% for 3 rd highest
(vi) Obligations of the Commonwealth of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2 nd highest; 80% for 3 rd highest
(vii) Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2 nd highest; 80% for 3 rd highest
(viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.	80%
(ix) Any mortgage-related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.	70%
(x) Commercial paper and bankers' acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.	80%
(xi) Zero-coupon obligations of the United States government marketed as "Treasury STRIPS."	80%

PROCUREMENT POLICY

Adopted 1/17/2000 Action #2
 Amended 5/14/2001 Action #151
 Amended 5/10/2010 Action #179
 Amended 1/7/2013 Action #1
 Amended 1/08/2018 Action #1

**TOWN OF AURORA
 PROCUREMENT POLICY**

WHEREAS, Section 104-b of the General Municipal Law requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of the General Municipal Law, Section 103 or any other law, and

WHEREAS, comments have been solicited from those officers of the Town involved with procurement:

NOW, THEREFORE, be it

RESOLVED, that the Town of Aurora does hereby adopt the following procurement policies and procedures:

PURPOSE

Goods and services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public moneys, in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the Town Board is adopting internal policies and procedures governing all procurement of goods

and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, Section 103, or of any other general, special or local law.

PROCEDURE FOR DETERMINING BIDDING AND PROCUREMENT POLICY

Guideline 1. Every prospective purchase of goods or service shall be evaluated to determine the applicability of General Municipal Law Section 103. Every Town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter called Purchaser) shall, if appropriate, estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 2. All purchases and public works requests (RFQ's) for bids or quotes of \$3,000.00 or more, but less than \$20,000.00, may be solicited by the Purchaser without having prior Town Board approval. The purchase of goods or services as a result of these RFQ's shall require Town Board approval and authorization prior to the Purchaser procuring the goods or services.

Guideline 3. All purchases of (a) supplies or equipment from a single individual or entity which will equal or exceed \$20,000 in the fiscal year or (b) public works contract equal to or over \$35,000 shall be formally bid pursuant to General Municipal Law Section 103.

Guideline 4 – 1. Purchases in the amounts as follows:

A. Under \$1,000 – At the discretion of the Purchaser, provided expense is shown within current year budget allocations(s) and supported by written invoices and signed vouchers. Documented quotes are not required.

B. \$1,000 up to \$2,999 – Requires two (2) documented verbal quotes.

C. \$3,000 up to \$19,999 – Requires written request for a quote (RFQ) and written/faxed quotes from at least three (3) vendors must be provided.

Guideline 4 – 2. Public Works in the amounts as follows:

A. Under \$1,000 – At the discretion of the Purchaser, provided expense is shown within the current year budget allocation(s) and supported by written invoices and signed vouchers. Documented quotes are not required.

B. \$1,000 up to \$2,999 – Requires two (2) documented verbal quotes.

C. \$3,000 up to \$34,999 – Requires written request for quote (RFQ) and written/faxed quotes from at least three (3) contractors/vendors must be provided.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 5. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares written justification providing reasons why it is in the best interest of the Town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement. If prices bid or proposed in a quote or response to an RFP are not materially different the Town reserves the right to award any applicable contract to an individual or business residing or located within the Town.

Guideline 6. A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

Guideline 7. Sets forth the exceptions to the requirements of the Procurement Policy. Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- a) Acquisition of professional services;
- b) Emergencies;
- c) Sole source situations;

- d) Goods purchased from agencies for the blind or severely handicapped;
- e) Goods purchased from correctional facilities;
- f) Goods purchased from another governmental agency;
- g) Goods purchased at auctions;
- h) Computer software;
- i) Purchases pursuant to state or county bid.

Under the above exceptions, any such purchase or public works contract shall be forwarded to the Town Board for approval and be described and documented as to the reason for its exception from these guidelines and procedures.

Guideline 8. This policy shall be deemed renewed annually by the Board at its organizational meeting unless otherwise determined by the Board.

Guideline 9. Any unintentional failure to fully comply with the provisions of General Municipal Law Section 104-b or the Town Board's policies and procedures shall not be grounds to void any action taken or given rise to a cause of action against the Town or any officer or employee thereof.

	DOCUMENTED VERBAL QUOTES			WRITTEN QUOTES		COMPETITIVE BIDDING	OTHER
	0	2	Less than 3	2	3 or More		
PURCHASE CONTRACTS							
Under \$1,000	X						
\$1,000 - \$2,999		X					
\$3,000 – \$19,999					X		
\$20,000 and over						X	
CONTRACTS FOR PUBLIC WORK							
Under \$1,000	X						
\$1,000 - \$2,999		X					
\$3,000 - \$34,999					X		
\$35,000 and over						X	
EMERGENCIES (must be declared by Town Board)							X
INSURANCE							X
PROFESSIONAL SERVICES							X

Purchase contracts involve the acquisition of commodities (Material, Supplies or equipment)

Public works contracts involve services, labor, or construction.

Contracts that involve both goods and services.

If a contract involves a substantial amount of services and the acquisition of commodities is only incidental to the work, it should be considered a contract for public work. If the services or labor are minor or incidental to the acquisition of goods, it should be considered a purchase contract.

The above resolution setting forth the Town's Purchasing Policies and Procedures and guidelines necessary to comply with New York General Municipal Law Section 104-b.

MEETING/SEMINAR ATTENDANCE APPROVAL POLICY

**TOWN OF AURORA
 MEETING/SEMINAR ATTENDANCE APPROVAL POLICY**

BE IT RESOLVED,

SECTION 1:

That during the current year, Town department heads or officials, or their designees, whose expenses have been allowed in the current adopted Budget are hereby authorized to attend the regular luncheon/dinner meetings of the various official organizations relating to their official duties as Town department heads or officials noted below. The cost of such meals shall not exceed \$55.00 per luncheon or dinner. Necessary expenses (mileage and/or tolls) incurred in traveling to or from said are hereby determined a legitimate Town expense for which such officials shall be reimbursed.

- Town Board – Association of Erie County Governments
- Town Clerk – Erie County Town Clerks & Tax Collectors Association; Association of Erie County Governments; NYS Archives Training Seminars
- Assessor – Erie County Assessor’s Association
- Highway Superintendent – Erie County Highway Superintendent’s Association
- Senior Center Director – Erie County Senior Center Director’s Assoc.
- Assessor – Erie County Assessor’s Association
- Building Department - NFBOA

SECTION 2:

That during the current year, the Town Assessor or his designee is hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- New York State Assessors' Association Annual Training School, Ithaca, NY (Reimbursed by NYS Office of Real Property Services)
- New York State Assessors' Association Conference

SECTION 3:

That during the current year, the Building Inspector/Code Enforcement Officer or his designee is hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- New York State Building Officials Conference
- Niagara Frontier Building Officials Education Conference
- Stormwater Management Conference

SECTION 4:

That during the current year, the Court Clerks are hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- New York State Magistrates' Association of Court Clerks

SECTION 5:

That during the current year, the Town Justices are hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- New York State Magistrates' Association Conference

SECTION 6:

That during the current year the Highway Superintendent or his designee is hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- New York State Association of Town Superintendents of Highways Conference
- New York State Association of Towns Training School and Annual Meeting
- Cornell Local Roads Program For Highway Superintendents
- NYS American Water Works Association training

SECTION 7:

That during the current year, the Supervisor and Council Members are hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- Industrial Development conferences as necessary
- Association of Towns Training School
- Association of Towns Finance School
- Chamber of Commerce sponsored meetings and events

SECTION 8:

That during the current year, the Recreation Director is hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- NYS Parks and Recreation
- NYS Parks and Trails

SECTION 9:

That during the current year, the Town Clerk or her designee is hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- New York State Town Clerks' Association Annual Conference
- New York State Archives Seminars
- New York State Town Clerks' Regional Seminars
- New York Association of Tax Receivers and Collectors Annual Conference

SECTION 10:

That the Planning Board Chairman and Planning Board Members (including alternates) be permitted to attend the following training and educational session with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- New York State Association of Towns Training Schools
- Erie County Department of Planning sponsored training schools

SECTION 11:

That the Zoning Board Chairman and Zoning Board Members (including alternates) be permitted to attend the following training and educational session with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- New York State Association of Towns Training Schools
- Erie County Department of Planning sponsored training schools

SECTION 12:

That the Dog Control Officer be permitted to attend the following training and educational session with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- NYS Agriculture and Markets Animal Control Seminar

SECTION 13:

That the Town Historian be permitted to attend the following training and educational session with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- Government Appointed Historians of WNY Meeting/Conference

SECTION 14:

That the Bookkeeper (Assistant to Supervisor) and/or Secretary to the Supervisor be permitted to attend the following training and educational session with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- NYS Association of Towns Finance School
- NYS Comptroller's Retirement Training

SECTION 15:

That the Aurora Senior Center Recreation Leader and/or Director be permitted to attend the following training and educational session with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- Network in Aging Seminar/Conference

SECTION 16:

That during the current year all Town officials and employees be and hereby are authorized to be paid \$0.50 per mile for the use of their personal automobiles on all Town business.

SECTION 17:

That all conferences, seminars, lectures and meetings not falling within a pattern of regular attendance and not listed in this resolution, and **not exceeding \$400.00** in reimbursable expenses, including mileage reimbursement, may be approved for attendance by the Supervisor pursuant to Section 77-b of the General Municipal Law. Conferences, seminars, lectures and meetings, not listed in this resolution, and/or **exceeding \$400.00** and/or **overnight travel in any amount** shall require the approval of the Town Board.

SECTION 18:

That all expenses incurred, including but not limited to meals, mileage, and lodging, will not exceed that amount which is budgeted in each departments' expense and travel and/or mileage lines for the current year's budget.

Councilman Wochensky moved to adopt the 2023 Organizational Chart.	Action #2		
Councilman McCann seconded the motion. Upon a vote being taken:	2023 Organiza-		
ayes – five	noes – none	Motion carried.	tional chart
			adopted

* * * * *

UNFINISHED BUSINESS:

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

**TOWN OF AURORA
RESOLUTION SUPPORTING THE NOMINATION OF THE WEST FALLS DEPOT TO THE
NATIONAL REGISTER OF HISTORIC PLACES**

WHEREAS, historic properties and buildings in the Town of Aurora contribute significantly to the visual character, quality of life, and culture of the community; and

WHEREAS, the New York State and National Registers of Historic Places are the official lists of buildings, structures, districts, objects, and sites significant in the history, architecture, archeology, engineering, and culture of New York and the nation which are worthy of preservation; and

WHEREAS, the 1980 New York State Historic Preservation Act and the 1966 National Historic Preservation Act provide municipalities with the ability to nominate historic resources to the New York State and National Registers of Historic Places; and

WHEREAS, the former Buffalo, Rochester & Pittsburgh Railway West Falls Passenger and Freight Station (“West Falls Depot”) located at 397 Old Glenwood Road, West Falls, New York 14170, has been deemed eligible for listing on the State Register of Historic Places by the New York State Historic Preservation Office; and

WHEREAS, Conor Schneider, the current owner of the West Falls Depot, has submitted an application with the New York State Historic Preservation Office on December 13, 2022, to list the West Falls Depot on the State and National Registers of Historic Places; and

WHEREAS, the West Falls Depot is of primary historical significance to the Town of Aurora and the Hamlet of West Falls for its association with the region's growth and development and its role related to the expansion and operation of the Buffalo, Rochester & Pittsburgh Railway Company during its period of significance from 1883 to 1955 during which time the West Falls Depot served as the nerve center of the community and principal link to the rest of the country; and

WHEREAS, the West Falls Depot is an exemplary model of the distinctive architectural characteristics of a Queen Anne Style Train Station and is also the only remaining wooden train depot on the Buffalo Division of the former Buffalo, Rochester & Pittsburgh Railway Company and is one of two remaining wooden train depots built by the Buffalo, Rochester & Pittsburgh Railway Company on its mainline track between Buffalo, New York and Pittsburgh, Pennsylvania; and

WHEREAS, the West Falls Depot is prominently located directly between the New York State Route 240 section of the Western New York Southtowns Scenic Byway and the developing multi-use Erie Cattaraugus Rail Trail; and

WHEREAS, the Town of Aurora recognizes the many benefits listing the West Falls Depot on the State and National Registers of Historic Places will have for the preservation and restoration efforts of the West Falls Depot and the positive contribution the West Falls Depot adds as a resource to the development of the multi-use Erie Cattaraugus Rail Trail; now

THEREFORE, BE IT RESOLVED, that the Town of Aurora supports the application to nominate the West Falls Depot to the State and National Registers of Historic Places because of its architectural significance, historical value, vital contribution to the growth of the Hamlet of West Falls, and its ability to serve as a reminder of the former importance of railroad transportation to the life of residents in the Town of Aurora.

Upon a vote being taken: ayes – five noes – none Motion carried. Action #3
Adopted this 9th day of January, 2023. WF Depot
resolution of
support
adopted

NEW BUSINESS:

Councilman McCann moved to issue a negative declaration with regard to SEQR for the GOW School site plan proposal for 2491 Emery Road, South Wales, New York. Councilman Granville seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried. Action #4
Neg Dec for
GOW site
plan issued

Councilman Granville moved to approve the site plan submitted by GOW School for a proposed education building at 2491 Emery Road, South Wales, New York. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried. Action #5
GOW site
plan aprvd

Councilman McCann moved to authorize the Supervisor to sign and send a letter of support for the West Falls Center for the Arts grant application. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – four noes – none abstain – one (Granville due to his relationship with the organization) Motion carried. Action #6
Supv auth to
send letter of
support for
WF Arts Ctr
grant appl

Councilman McCann moved to authorize Councilman Wochensky to send a letter of support for the West Falls Center for the Arts grant application. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried. Action #7
Councilman
Wochensky
auth to send
letter of
support for
WF Arts Ctr
grant

Councilman Wochensky moved to approve the carry-over of 12 hours vacation and 4 hours personal time (to be used 1st qtr. of 2023) for Deputy Town Clerk Sheryl Miller. Councilman McCann seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried. Action #8
S. Miller
vacation
carry over
aprvd

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

- Town Clerk – December 2022 report
- Building Department – December 2022 report
- Town Clerk/Tax – November & December 2022 reports
- Supervisor – December 2022 report

BUSINESS FROM BOARD MEMBERS/LIAISONS

Councilman McCann stated the Town failed to win the Comprehensive Plan grant.

Councilman Granville thanked the Board for approving the letter of support for the West Falls Center for the Arts.

Councilman Wochensky stated: he will be sending out a draft version of the Social Media policy for the Board to review; he met with department heads regarding the use of CodeRed; and the Climate Smart task force will be meeting with Matt Burke on 1/13 from 10:00 a.m. to noon.

AUDIENCE II

Rod Simeone, Byeberry Ct., said he would like to see Byeberry annexed back to the Town.

STAFF REPORTS:

Rod Simeone noted that the appointment of Nancy Burkhardt to the ZBA is good for the Town.

David Gunner stated that his department filed documents for the December snowstorm/blizzard for FEMA reimbursement.

Elizabeth Cassidy stated that the new building department software is up and running; Rural Outreach Center is nearing completion; and Paul Kielich is back on track with fire inspections.

ABSTRACT OF CLAIMS:

The January 9, 2023 – 2022 Encumbered Abstract of Claims, consisting of vouchers numbered 1571 to 1599, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 6,747.52
Part Town	271.25
Highway/DB	7,525.78
Capital H10	105,413.31
Special Districts	<u>469.93</u>
Grand Total Abstract	\$120,427.79

The January 9, 2023 Abstract of Claims, consisting of vouchers numbered 1 to 40, was presented to the Board for audit and authorization of payment from the following funds:

General	\$25,308.20
Highway/DB	<u>15,633.35</u>
Grand Total Abstract	\$40,941.55

Councilman McCann moved to approve the 1/9/2023 – 2022 Encumbered and the 1/9/2023 Abstracts of Claims and authorize payment of same. Councilman Granville seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #9
1/9/2023
Abstracts of
Claims aprvd

Councilman Snyder moved to adjourn at 7:20 p.m. Seconded by Councilman Granville. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #10
Meeting
adjourned