

A meeting of the Town Board of the Town of Aurora took place on Monday, November 8, 2010, at 7:00 p.m. in the Town Hall Auditorium, 300 Gleed Avenue, East Aurora, New York.

Members Present:	Jolene M. Jeffe James J. Bach Susan A. Friess James F. Collins	Supervisor Councilman Councilwoman Councilman
Absent/Excused:	Jeffrey T. Harris	Councilman
Others Present:	Ronald Bennett Bryan Smith David Gunner Patrick Blizniak Donna Bodekor William Adams Jeff Markello Alan Kasprzak Ron Krowka	Town Attorney Town Engineer Highway Superintendent Superintendent of Building Senior Center Director Planning Board Member Town Justice Village Mayor Chief of Police

Supervisor Jeffe opened the meeting at 7:00 p.m. with the Pledge of Allegiance to the Flag. The Supervisor read the Public Notice from Erie County for the 2010 30-day period for inclusion of lands into an Agricultural District.

The first item on the agenda was a PUBLIC HEARING on an Open Development Application for the property at SBL#164.00-1-40 Bowen Road. The notice was published in the East Aurora Advertiser and posted on the Town Clerk's bulletin board as evidenced by the Affidavits of Publication and Posting. Supervisor Jeffe opened the hearing at 7:02 p.m.

Bill Schutt of William Schutt Associates (Engineering Firm) and Tom Greenauer, property owner, presented their proposal to the Board. The 15 acre parcel which has 60 feet of road frontage will be divided into three lots that will be accessed by a 20-foot wide common driveway. In October the Planning Board voted to recommend the proposal. Four notes were added to the original plan – 1) residential sprinkler systems will be required in each residence; 2) wetland delineation of each lot will be required prior to any development; 3) geotechnical evaluation is required prior to any building permit application submittal; and 4) Erie County Health Department permits are required for all on-site septic systems.

John Baker, Bowen Road, asked if the drainage could be rerouted because the wet area drains across his backyard. Mr. Greenauer responded that those wet areas are federal wetlands and can't be disturbed or changed.

Peter Hess, Buffalo Road, asked if there was a minimum lot size for this area. The response was no special minimum lot size, just the minimum in the Town Code. Mr. Hess stated he has no objection to the proposal.

Supervisor Jeffe asked if there were any further questions or comments. Hearing none, the Supervisor closed the public hearing at 7:10 p.m.

Councilman Bach moved to approve the minutes of the October 25, 2010 Town Board meeting; seconded by Councilwoman Friess. Upon a vote being taken: ayes – four noes – none	Motion carried.	Action #377 10/15/10 minutes approved
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BUSINESS FROM AUDIENCE I:

Jeff Markello, Town Justice, asked the Board if they would consider meeting with him and others who would be affected to discuss the proposal to eliminate health insurance for part time elected officials.

UNFINISHED BUSINESS:

Councilwoman Friess moved to adopt the 2011 Operating Budget for the Town of Aurora as amended. (see insert) Councilman Collins seconded the motion. Upon a vote being taken: ayes – four noes – none	Motion carried.	Action #378 2011 Budget adopted.
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Supervisor Jeffe gave a brief summary of the 2011 budget noting that the tax rate for general fund is \$2.78/\$1000 a.v.; part town fund tax rate is \$2.49/\$1000 a.v.; and highway fund tax rate is \$1.52/\$1000 a.v.

Councilwoman Friess stated that a 0% increase means that spending has been cut.

Councilman Collins noted that there were many difficult cuts in preparing this budget.

In August 2010 the Erie County Health Department performed its annual inspection of the Town of Aurora water system. In general, the water system was found to operate in compliance with the requirements of subpart 5.1 of the New York State sanitary code.

Councilman Bach moved to amend tonight's agenda by adding item 6M – Fuel tank area concrete pad replacement. Councilman Collins seconded the motion.

Action #379
Item 6M added to agenda.

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

NEW BUSINESS:

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

RESOLUTION TO SET PUBLIC HEARING

WHEREAS, Local Law Intro. No. 8-2010 has been introduced to the Town Board on Monday, November 8, 2010, and

WHEREAS, Municipal Home Rule Law Section 20(5) requires a public hearing upon five (5) days' notice, and

WHEREAS, Municipal Home Rule Law Section 20(4) provides that no such local law shall be passed until it shall have then in its forum and upon the desks or table of the members at least seven (7) calendar days, exclusive of Sunday, prior to its final passage or mailed to each of them in post-paid properly addressed and secured closed envelopes or wrappers in a post box of a post office of the United States Post Office Department within the local government at least ten (10) calendar days, exclusive of Sunday, prior to its passage,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Aurora does hereby set the 22nd day of November, 2010 at 7:00 p.m. at the Town of Aurora Town Auditorium, 300 Gleed Avenue, East Aurora, New York, for the purpose of conducting a public hearing on the proposed Local Law to amend Chapter 55 of the Codes of the Town of Aurora in regard to dogs and other animals.

Action #380
Public hearing set for Local Law – Dogs & Other animals

RESOLVED, that the Town Clerk is hereby directed to publish a notice of said public hearing in the East Aurora Advertiser.

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

Duly adopted this 8th day of November, 2010.

Councilman Bach moved to accept with regret the resignation of Joyce Wohlfeil as kitchen site manager at the Senior Center effective November 23, 2010. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #381
J. Wohlfeil
resignation as
Sr. Center
kitchen
manager
accepted.

Donna Bodekor, Senior Center Director, stated she had advertised the position in the East Aurora Advertiser and interviewed several candidates and has chosen one to recommend to the Board for the kitchen site manager position.

Action #382
K. Kleckner
hired as Sr.
Center kitchen
manager.

Councilman Collins moved to approve the hiring of Kathy Kleckner, 286 Sycamore Street, East Aurora, NY, as Kitchen Site Manager at the Aurora Senior Center at a starting rate of \$10 per hour (budget line A6772.116) beginning November 10, 2010. Councilman Bach seconded the motion. Upon a vote being taken: ayes – four noes – none

Motion carried.

Councilwoman Friess moved to reappoint Robert Puntillo, Glenridge Road, East Aurora, to the Board of Assessment Review for a five-year term beginning 10/1/2010 and ending 9/30/2015. Councilman Bach seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #383
R. Puntillo
appointed to
Board of
Assessment
Review

Councilman Bach moved to approve the following budget transfer to bring the Zoning Board Secretary budget line out of a negative balance:

From: B8010.408 ZBA Dues & Subscriptions	\$50.00
B8010.404 ZBA Expense & Travel	\$81.18
To: B8010.100 ZBA Secretary	\$131.18

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

Action #384
ZBA budget
transfer
approved
(secretary).

Councilman Bach moved to approve the following budget transfer to cover the cost of dog license tags and paper:

From: A1410.414 Town Clerk minute binding	\$850.00
To: A1410.401 Town Clerk office expense	\$850.00

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

Action #385
Town Clerk
budget transfer
approved (dog
licensing).

Councilwoman Friess moved to approve the following budget transfers to bring recreation budget lines out of a negative balance:

From: A7989.401.2 Staff Training Supplies	\$388.42
A7180.114 Swim Lessons	\$350.00
To: A7989.401.1 Staff Training vendor	\$738.42

From: A7180.114 Swim Lessons	\$35.35
To: A7140.400.2 Playground Supplies	\$35.35

From: A7020.408 Dues & Subscriptions	\$460.00
To: A7020.401 Rec. Admin. Office Supplies	\$460.00

From: A7620.400.2 Adult Baseball	\$800.00
To: A7142.400.1 Playground vendors	\$800.00

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

Action #386
Recreation
budget
transfers
approved.

One computer in the Recreation Department office and one computer in the Assessor's office need to be replaced. Each is very old and contains numerous viruses. Three quotes were received:

Dell Government Contract	\$820.08 each
Buy.com	\$849.73 each
PC Nation	\$847.70 each

Councilman Collins moved to approve the purchase of two new computers from Dell Government Contract in the amount of \$820.08 per computer (\$1640.16 total) to replace one computer in the Recreation office and one in the Assessor's office. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none
Motion carried.

Action #387
Purchase of 2 computers approved.

Councilwoman Friess moved to approve the following budget transfer to cover the cost of purchasing two new computers:

From: A1990 Contingency	\$1800.00
To: A1680.210 Computer Equipment and Software	\$1800.00

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

Action #388
Computer budget transfer approved.

Councilwoman Friess moved to approve the hiring of David Thomason, 62 South Grove Street, East Aurora, and Russell Cryan, 4408 Reiter Road, East Aurora, as seasonal part time highway personnel at a rate of \$10 per hour to work as wingmen on the plow trucks on an on-call basis. Councilman Bach seconded the motion. Upon a vote being taken: ayes – four noes – none
Motion carried.

Action #389
Hiring of seasonal part-time highway wingmen approved.

Councilman Bach moved to table agenda item 6I – resolution eliminating medical, dental and vision benefits for part-time elected officials – to the December work session.

Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – three noes – one (Collins)
Motion carried.

Action #390
Resolution eliminating PT elected officials health insurance tabled.

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

RESOLUTION TO ESTABLISH APPOINTED ASSESSOR AS REGULAR PART-TIME

WHEREAS, Thelma Hornberger was appointed Assessor for the Town of Aurora commencing on October 2, 2007 with a term ending on September 30, 2013; and

WHEREAS, the Town has examined the staffing levels of the office of Assessor with reference to towns of similar size and guidelines for staffing set forth by the Office of Real Property Services; and

WHEREAS, the Town has determined that the office of appointed Assessor can be properly served with a regular part-time Assessor.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board does hereby determine that the position of appointed Assessor, its obligations and requirements, can be adequately performed and accomplished as a part-time position; and be it further

RESOLVED, effective January 1, 2011, the position of appointed Assessor for the Town of Aurora shall be a regular part-time position scheduled for twenty (20) hours per week, with the schedule of work hours to be reviewed and approved by the Town Board; and be it further

RESOLVED, that a certified copy of this Resolution shall be given to Thelma Hornberger as appointed Assessor for the Town of Aurora.

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

Action #391
Appointed assessor position becomes RPT effective 1/1/11.

The Highway Superintendent received quotes for a 3000-gallon storage tank and pump system for de-icing liquids from:

Central Equipment	\$2848.00
Rusert Equipment	\$3853.00
Gregson Clark	\$3826.00

Councilman Bach asked how many plow trucks would be equipped to dispense the de-icing liquid and what budget line it will be paid from. Highway Superintendent Gunner responded, two trucks, and that it would cost about \$480 per truck to adapt them to use the de-icer. Mr. Gunner said the expense would come from the snow materials lines. Supervisor Jeffe stated that the budget lines are DB5142.449 and DB5148.449.

Councilman Bach moved to approve the purchase of a 3000 gallon storage tank, pump system and hose kit, for use with de-icing liquids, from Central Equipment, Weedsport, NY (warehouse in Port Byron, NY) in the amount of \$2848.00. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #392
 Purchase of de-icing storage tank and accessories approved.

Councilwoman Friess moved to add the following to the Erie County Tax Rolls, in accordance with Town Law Article 12 Section 198, for non-payment of a water bill; seconded by Councilman Collins:

<u>Property Owner</u>	<u>Service Address</u>	<u>Billing Source and Amount</u>
Donata Ahern	445 South Street SBL#175.16-1-1	\$243.36 Village of East Aurora

Action #393
 Delinquent VEA water bill added to tax rolls. * (Note: 11/12/10 - the VEA rescinded this request.)

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

Councilman Bach moved to approve the replacement of the entire concrete pad at the highway fuel tank area at a cost not to exceed \$3600 and to authorize The Pump Doctor, Inc., 10210 Boston Road, Eden, NY to perform the work. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #394
 Fuel tank pad full replacement approved.

Councilman Bach moved to approve the following budget transfer to cover the cost of replacing the concrete pad at the highway fuel tank area:

From: A1990 Contingency	\$3600.00
To: A1620.422 Repair & Maintenance	\$3600.00

Councilwoman Friess seconded the motion.

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

Action #395
 Budget transfer to cover cost of fuel tank pad replacement approved.

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

- Assessment Roll changes
- Snow plowing routes – bid results
- Highway – road master certification
- Dog Control – 3rd quarter report for Wales
- Building Department – October 2010 Report
- Town Clerk - October 2010 Report
- Senior Center - October 2010 Report
- Recreation Director - October 2010 Report
- Police Chief - October 2010 Report
- Assessor - October 2010 Report

BUSINESS FROM AUDIENCE II: none

BOARD MEMBERS AND STAFF REPORTS:

Councilwoman Friess commented on scam artists, noting that Chief Krowka had information on this topic in his monthly report.

Councilman Bach commented on hydraulic fracturing for the exploration of natural gas and possibly having a town code to address the issue. He noted there currently is a state-wide moratorium on hydraulic fracturing.

Supervisor Jeffe stated 1) the police advisory committee met last week; 2) the CSEA union members voted last Monday against the tentative agreement; and 3) next Friday she would be meeting with the CDBG grant committee regarding the Town's application, noting that we scored 13 points.

Pat Blizniak gave a brief overview of the building department's October activities.

Bryan Smith stated the capital plan for Gleed is progressing well and he should have a draft ready for the next work session.

Donna Bodekor thanked Ken Bojak and Steve Bach for their maintenance work at the Senior Center.

The November 8, 2010 Abstract of Claims, consisting of vouchers numbered 2094 to 2154, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 9,055.18
Part Town	3,709.52
Enterprise/Gleed	1,172.75
Special Districts	<u>16,076.02</u>
Grand Total Abstract	\$30,013.47

Councilman Bach moved to approve the November 8, 2010 Abstract of Claims as presented and to authorize payment of same. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #396
Abstract of
Claims dated
11/8/10
approved.

Councilman Collins moved to adjourn; seconded by Councilman Bach. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #397
Meeting
adjourned.

Martha L. Librock
Town Clerk