

September 26, 2016

A meeting of the Town Board of the Town of Aurora took place on Monday, September 26, 2016, 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
	Charles D. Snyder	Councilman
	Jolene M. Jeffe	Councilwoman
	James J. Bach	Supervisor

Others Present:	Ronald Bennett	Town Attorney
	William Kramer	Code Enforcement Officer
	William Wheeler	GHD/Engineer
	Shane Krieger	Chief of Police

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

Councilwoman Friess moved to approve the minutes of the September 12, 2016 Town Board meeting; seconded by Councilman Snyder. Upon a vote being taken: ayes – five	noes – none	Motion carried.	Action # 274 9/12/16 mtg min approved
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AUDIENCE I: none

UNFINISHED BUSINESS:

Councilman Harris moved to set Tuesday, October 11, 2016 at 7:15 pm at the Town of Aurora Southside Municipal Auditorium, 300 Glead Ave., E. Aurora, as the date, time and place for a public hearing on the Aurora Mills Cluster Subdivision Preliminary Plat. Councilwoman Jeffe seconded the motion.			Action #275 Aurora Mills prelim plat public hrg set
Upon a vote being taken: ayes – five	noes – none	Motion carried.	

NEW BUSINESS:

Councilman Snyder moved to add the following items to tonight's agenda:		Action #276 Four items added to agenda
6H – Jackson Falls		
1) SEQRA		
2) Subaward Resolution		
3) Letter to State Parks		
6I - Six (6) month moratorium extension		
1) Subdivisions		
2) Open Development Areas		
6J – 2017 Tentative Budget		
6K – Broker Agreement – Century 21		

Councilman Harris seconded the motion. Upon a vote being taken: ayes – five	noes – none	Motion carried.
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Councilwoman Friess moved to adopt the following resolution; seconded by Councilman Snyder:

WHEREAS, the Erie County Water Authority (“Authority”) operates and maintains a water main along Quaker Road (Route 20A) in the Town of Aurora (“Town”); and

WHEREAS, there are currently ten (10) fire hydrants on Quaker Road between Transit Road and the Village of East Aurora, a distance of approximately three miles, that the Town pays an annual rental fee on; and

WHEREAS, there is a distance of approximately 3000 feet between fire hydrants located at 785 Quaker Road and 1039 Quaker Road; and

WHEREAS, there have been numerous homes built along this area of Quaker Road since the original water main and fire hydrants were installed; and

WHEREAS, Thomas and Susan Zolnowski, 912 Quaker Road, have requested that a fire hydrant be installed opposite their property, which is mid-way between the existing hydrants located at 785 Quaker Road and 1039 Quaker Road; and

WHEREAS, the Erie County Water Authority Tariff section 8.01 states, "Upon receipt of a duly certified resolution adopted by a public body properly qualified and authorized by law to contract and pay for Public Fire Protection Service, the Authority will furnish, place and install, at its cost and expense the hydrant and hydrant connections at the locations requested, provided that there exists, at such point or points, an existing Authority main appropriate to the service requested."

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Aurora is requesting that the Erie County Water Authority install five (5) fire hydrants along the Erie County Water Authority main on Quaker Road (Route 20A) between 1039 Quaker Road – hydrant L16-H22 and 785 Quaker Road – hydrant M16-E45; and be it

Action #277
ECWA asked to install 5 fire hydrants on Quaker Rd.

RESOLVED, that the Town of Aurora agrees to pay the annual hydrant rental fee charged by the Erie County Water Authority for these additional hydrants.

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

Councilwoman Jeffe moved to declare the 2001 Ford Parks Department truck #331, VIN no. 1FTNF211LX1EA49977 (Town inventory no. 1233) as surplus inventory and authorize the truck to be auctioned through Auctions International. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none
Motion carried.

Action #278
2001 Ford truck declared surplus inventory.

Councilman Snyder moved to approve the Civil Service title change from Lifeguard Part Time Seasonal to Lifeguard Part Time effective October 1, 2016 for the following employees:

Jack Bean	Julia May
Sarah Boyle	Yana Ray
Emma Brinker	Calvin Roberts
Cameron Campbell	Helena Schmitt
Alexander Christie	Meaghan Tent
Catarina Gnecco	Madison Wild
Harry Hoffman	Maxwell Williams
Sierra Kenney	Mary Zagobelny

Action #279
Lifeguard Civil Service title changes approved

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

Councilwoman Friess moved to approve the Civil Service title change from Recreation Attendant Part Time Seasonal to Recreation Attendant Part Time effective October 1, 2016 for the following employees:

Kathryn Aures	Patrick Dayton
Michelle Bedard	Meaghan Tent
Matthew Boss	Molly Tent
Megan Bourne	Courtney Winter
Alexander Christie	Hope Winter

Action #280
Rec Attendant Civil Service title changes approved

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

Councilwoman Friess moved to approve the following amendments and transfers to the 2016 budget:

Amendments:

<u>Increase Revenue Line</u>		<u>Increase Appropriation Line</u>	
A2088.1 Playground registration	\$2,880.00	A7140.400.2 Playground Supplies	\$2,880.00
A2055 Summer Playground Sports	\$1,947.00	A7142.400-1 Playground Vendors	\$1,947.00
A2025 Community Pool	\$6,351.00	A7180.115 Lifeguard Salaries	\$1,306.39
		A7180.426 Pool Maintenance	\$5,044.61
A2073 Concert Sponsorship	\$300.00	A7560.411.1 Backyd Bash Concerts	\$300.00
A2057 Art, Theater, Dance	\$2,665.00	A7205.100 Art/Theater/Dance Staff	\$2,665.00

Transfers:

From: A7205.100 Art/Theater Dance	\$3,043.00
To: A7310.400.1 Youth Education Vendor	\$3,043.00
From: A2083 Winterfest Revenue	\$ 480.00
To: A2056 Youth Education Vendor	\$ 480.00
From: A7140.400.2 Playground Supplies	\$ 28.60
To: A7182.400.2 Bowling Supplies	\$ 28.60
From: A7140.400.2 Playground Supplies	\$ 85.18
To: A7550.101 Reunion Weekend	\$ 85.18

Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried. Action #281 Rec. budget amendments & transfers aprvd

Councilman Snyder moved to approve the request for Elizabeth Cassidy to attend Basic (building) Code courses on October 11-13; November 29 - December 1; and December 19-21, 2016 at the fire training center in Cheektowaga, NY. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried. Action #282 E. Cassidy to attend building code courses

Councilwoman Friess moved to authorize the Supervisor to sign into the Rural Transit Service, Inc., van program for the 2017-18 CDBG year. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried. Action #283 Supv auth to sign into Rural Transit van program

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

WHEREAS, the Town of Aurora Town Board declared the residential structure situated at 43 Manchester 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 and posted on the structure at 43 Manchester Road; and

WHEREAS, the Town Board held a public hearing on September 14, 2015 in relation to such unsafe, dangerous or defective building; and

WHEREAS, the reputed owner(s) of the property failed to secure, repair, remove or demolish the vacant residential structure 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 Fire Prevention and Building Construction, Section 65-20 Unsafe Buildings, the Town proceeded to have the unsafe structure removed; and

WHEREAS, the costs and expenses incurred by the Town to remove the unsafe structure shall be charged to the owner of the premises involved and/or assessed against the land on which said structure was 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 that the \$14,000.00 cost to demolish and remove the unsafe building at 43 Manchester Road, Town of Aurora, SBL#186.01-1-26, be added to the 2017 Erie County Tax Rolls in accordance with Town Code Chapter 65; Section 65-20; Paragraph I.
Upon a vote being taken: ayes – five noes – none Motion carried.

Action #284
Expense to
demo 43
Manchester
added to 2017
tax rolls

The Town Board reviewed Parts I and II of the Full Environmental Assessment Form for the Major's Park Notice of Restrictions/Subaward Agreement pertaining to the grant submitted by the Western New York Land Conservancy, Inc. for the Jackson Falls (aka: Mother Falls; Owens Falls) project in the Town.

Councilwoman Friess moved that the Town of Aurora, as lead agency, believes that this project will result in no significant adverse impacts on the environment, and therefore, an environmental impact statement need not be prepared and a negative declaration is issued. Councilman Snyder seconded the motion. Upon a vote being taken:
ayes – five noes – none Motion carried.

Action #285
SEQR neg dec
for Jackson
Falls/Major's
Park project

Supervisor Bach moved to adopted the following resolution contingent upon approval of US Fish and Wildlife for the changes made to the Notice of Restrictions and Town Attorney review of the Major's Park appraisal; seconded by Councilwoman Friess:

RESOLUTION APPROVING THE SUBAWARD AGREEMENT AND NOTICE OF RESTRICTIONS FOR JACKSON FALLS/MAJOR'S PARK CONSERVATION AREA

WHEREAS, the Western New York Land Conservancy, Inc. (the "Land Conservancy") submitted a grant proposal to the United States Fish and Wildlife Service (the "Service") entitled "Creating the Jackson Falls Preserve/Major's Park Conservation Area"; and

WHEREAS, the Town Board of the Town of Aurora ("Town Board"), consistent with the public park purpose of creating a preserve area, has considered and evaluated placing certain restrictions on the use of portions of Major's Park as a land match for the grant proposal; and

WHEREAS, the value of the developmental rights of the property per the September 2016 Appraisal is approximately \$40,000; and

WHEREAS, the delineation of the match parcels allows the Town to continue to utilize the land identified for recreation and athletic purposes, if desired, per the Majors Park Master Plan Overview prepared by Trowbridge & Wolf and Nussbaumer & Clarke; and

WHEREAS, in furtherance of the creation of the Jackson Falls Preserve/ Major's Park Conservation Area, the Town Board and the Land Conservancy desire to enter into a Subaward Agreement relative to the administration and long-term protection of the conservation area;

NOW THEREFORE BE IT RESOLVED by the Town Board of the Town of Aurora that:

1. The Notice of Restrictions attached as Exhibit A and incorporated herein by reference, is hereby approved and the Town Supervisor is directed to execute and record the same, upon approval from the New York State Office of Parks, Recreation, and Historic Preservation, and
2. The Subaward Agreement between the Town of Aurora and the Western New York Land Conservancy, Inc., attached as Exhibit B and incorporated herein by reference, is hereby approved and the Town Supervisor is directed to execute the same, upon approval from the New York State Office of Parks, Recreation, and Historic Preservation.

Action #286
Jackson Falls/Major's Park resolution adopted

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

Councilman Snyder moved to authorize the Supervisor to sign a letter addressed to Noelle Kardos, New York State Office of Parks, Recreation and Historic Preservation, regarding 1) the Town's understanding of the Subaward Agreement and Notice of Restrictions for the WNY Land Conservancy's Jackson Falls project and the Town's involvement with Major's Park; 2) the completion of the full EAF; and 3) confirmation of the boundary map for Major's Park. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none
Motion carried.

Action #287
Supv auth to sign letter to NYS Parks re: Jackson Falls

Action #288
Town Attorney to prepare LL re: moratorium extension – subdivisions & ODA

Councilman Snyder moved to authorize the Town Attorney to prepare Local Laws to extend the moratoriums on Subdivisions and Open Development Areas for an additional six (6) months. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five
noes – none Motion carried.

Action #289
Town Board receives 2017 Tentative budget from Town Clerk

Councilwoman Friess moved to receive the 2017 Tentative Budget from the Town Clerk. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

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

RESOLUTION TO TERMINATE LEASE AGREEMENT

WHEREAS, on July 14, 2014, the Town of Aurora, as the "Town", and Century 21 Gold Standard, as the "Broker", entered into an agreement whereby the Broker had the right to lease the property located at 300 Gleed Avenue in the Village of East Aurora, and

WHEREAS, the Town has entered into an agreement for the sale of 300 Gleed Avenue to Wales Aurora Holdings, LLC,

NOW, THEREFORE, be it

RESOLVED, the Town approves the termination of a broker agreement with Century 21 Gold Standard, and be it further

RESOLVED, the Supervisor is authorized to execute the agreement on behalf of the Town of Aurora, and be it further

Action #290
SSMC broker
agreement
terminated

RESOLVED, that the Town Clerk shall provide a certified copy of this Resolution to Century 21 Gold Standard.

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

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

- Building Department - August 2016 report
- Dog Control - August 2016 report
- Supervisor - August 2016 report

BUSINESS FROM BOARD MEMBERS AND LIAISONS:

Councilwoman Jeffe stated she has been in touch Paul D'Orlando from the Erie County Environment and Planning regarding funding for comprehensive planning.

Councilwoman Friess thanked Councilwoman Jeffe for all the work she did on the Jackson Falls project.

AUDIENCE II: none

STAFF REPORTS:

Bill Wheeler stated that they are on schedule to receive the air sampling test results from the Senior Center sometime tomorrow.

Police Chief Krieger stated that Taste coffee shop hosted a Police-Community event that was attended by several hundred people.

ABSTRACT OF CLAIMS

The September 26, 2016 Abstract of Claims, consisting of vouchers numbered 1539 to 1621, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 67,103.16
Part Town	1,356.95
Highway	19,553.39
Enterprise/Gleed	1,915.41
Capital/Brooklea	32,478.83
Capital/Fire Hall	9,337.34
Capital/Pool/Gar/Veh	904.43
Trust/Agency 2	318.60
Special Districts	<u>2,316.96</u>
Grand Total Abstract	\$135,285.07

Councilwoman Jeffe moved to approve the September 26, 2016 Abstract of Claims and to authorize payment of same. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #291
9/26/16
Abstract of
Claims aprvd

Councilwoman Jeffe moved to adjourn at 7:40 p.m.; seconded by Councilman Snyder. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #292
Board mtg
adjourned

Martha L. Libroch
Town Clerk