

February 27, 2017

A regular meeting of the Town Board of the Town of Aurora took place on Monday, February 27, 2017, at 7:00 p.m. in the Town Hall Auditorium, 300 Glead Avenue, East Aurora, New York.

Members Present:	Jeffrey T. Harris	Councilman
	Jolene M. Jeffe	Councilwoman
	Charles D. Snyder	Councilman
	James J. Bach	Supervisor
Absent/Excused:	Susan A. Friess	Councilwoman
Others Present:	Ronald Bennett	Town Attorney
	William Kramer	Code Enforcement Officer
	Camie Jarrell	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.

The first item on the agenda was a Public Hearing on a proposed Local Law for the enactment of a new Chapter to the Codes of the Town of Aurora entitled Solar Energy Systems. The notice of public hearing 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 Bach opened the hearing at 7:01 p.m. and proceeded with a PowerPoint presentation on the proposed code, followed by opening the floor to anyone who wished to address the Board on this topic:

Michael McGee, Jewett Holmwood Road, stated that by limiting solar farms to Business and Industrial zoning districts the Town is limiting utility solar power.

Richard Komarmi, Transit Road, would like to see this enacted as he and his wife have signed up to have a small ground mounted system installed on their property just before the moratorium went into effect.

Ron Heppner, Town of Orangeville Planning Board member, questioned differences in the penalty portion of the code for solar that reads \$250 and the wind turbine section that reads \$350. Mr. Heppner noted that residential solar systems can only sell a set limit back to the grid and commercial solar is set up to make money by selling back to the grid.

Al Salter, Underhill Road, suggested that on page 3, section E of the Solar Code it should read *solar* water heating systems.

Hearing no further comments, the Supervisor closed the hearing at 7:14 p.m.

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The next item on the agenda was a Public Hearing on a proposed Local Law for the new enactment of Chapter 116 of the Codes of the Town of Aurora entitled Zoning. The notice of public hearing 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 Bach opened the hearing at 7:14 p.m. and proceeded with a PowerPoint presentation on the proposed code, followed by opening the floor to anyone who wished to address the Board on this topic:

Michael McGee, Jewett Holmwood Road, stated that houses are tending to be smaller and believes that a 1,000sf well laid out structure can make a wonderful home.

James P. Collins, E. Main Street, spoke about the definition of *farm* in the proposed code and believes there may be a discrepancy from the State definition.

Hearing no further comments, the Supervisor closed the hearing at 7:28 p.m.

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The next item on the agenda was a Public Hearing on a proposed Local Law for the new enactment of Chapter 99 of the Codes of the Town of Aurora entitled Subdivisions and Open Development Area. The notice of public hearing 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 Bach opened the hearing at 7:28 p.m. and proceeded with a PowerPoint presentation on the proposed code, followed by opening the floor to anyone who wished to address the Board on this topic:

David Fatta, Davis Road, stated he has owned acreage off Ellis Drive since 1990 that has 25 feet of frontage. Utilities and a road are already in. Mr. Fatta asked about the possibility of getting a variance for this Open Development Area and asked if he could meet with someone from the Town Board or Zoning Board to discuss it.

Hearing no further comments, the Supervisor closed the hearing at 7:39 p.m.

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Councilwoman Jeffe moved to approve the minutes of the 2/13/17 Town Board meeting; seconded by Councilman Snyder. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #54  
2/13/17 Twn  
Brd min aprvd

AUDIENCE I: none

UNFINISHED BUSINESS:

Councilman Snyder moved to refer the Aurora Mills Cluster Subdivision Final Plat to the Planning Board for review and recommendation(s). Councilman Harris seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #55  
Aurora Mills  
final plat sent  
to Planning  
Board

NEW BUSINESS:

Councilman Harris moved to add item 6F – 2016 Year End Budget Amendments to tonight's agenda. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – four noes - none Motion carried.

Action #56  
Item 6F  
budget  
amendments  
added to  
agenda

Councilman Snyder moved to authorize the Bookkeeper to make the 2016 budget transfers necessary to bring deficit budget lines into compliance. Councilman Harris seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #57  
Bookkeeper  
auth to make  
2016 YE  
budget  
transfers

Councilwoman Jeffe moved to authorize the following 2016 Budget Amendment to account for the receipt of recycling grant funds as follows:

- Increase revenue line SR3089 State Aid other by \$55,825.00
- Increase appropriation line SR8189.401 Recycling Services by \$55,825.00

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

Action #58  
SR fund 2016  
budget  
amendment  
approved

Councilman Harris moved to approve payment to Nathan S. Neill, Attorney, in the amount of \$3,456.00 for legal services provided toward water district consolidation and the Master Water Improvement Area. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #59  
Payment to N.  
Neill, Esq. for  
water dist.  
legal services  
aprvd

Councilwoman Jeffe moved to authorize the Supervisor to sign the Erie County 2017 Community Agency Funding Application for a \$2,000 grant for the Aurora Senior Center. Councilman Harris seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #60  
Supv auth to  
sign 2017 EC  
funding  
application for  
Sr Ctr

Councilman Snyder moved to approve the request from the Town Clerk to attend the 35<sup>th</sup> Annual New York State Town Clerk Association conference in Rochester, NY, April 23-26, 2017. The cost (registration \$125; room/meals \$665; mileage reimbursement \$70) will be disbursed from A1410.405. Councilman Harris seconded the motion. Upon a vote being taken: ayes – four        noes – none        Motion carried.

Action #61  
Twn Clerk to attend NYSTCA conference

Councilwoman Jeffe moved to authorize the following 2016 Year-end Budget amendments:

- Increase appropriation line B3120.411 Contractual Services in the amount of \$68,434.00. Source of funding is Part-town fund balance.
- Increase appropriation line SR8189.401 Recycling Services in the amount of \$778.53. Source of funding is SR fund balance.
- Increase appropriation line SR9030.800 Social Security in the amount of \$26.78. Source of funding is SR fund balance.
- Increase appropriation line W61320.404 Financial Services Loans/Bonds in the amount of \$4,392.00. Source of funding is Water District 6 fund balance.
- Increase WN9710.600 Bond Principal in the amount of \$1,600.00. Source of funding is Water District 16-1 fund balance.

Action #62  
2016 YE budget amendments using fund balance approved

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

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

- Supervisor – January 2017 report
- WNY Southtowns Scenic Byway thank you letter
- Letter from R. Knuth re: Cazenovia Creek flooding

#### BUSINESS FROM BOARD MEMBERS AND LIAISONS:

Supervisor Bach stated that on February 22, 2017 the Town closed on the purchase of the Senior Center building and former fire hall building from the Village of East Aurora. He and Councilman Snyder will be interviewing architects for the renovations to these buildings

AUDIENCE II: none

STAFF REPORTS: none

#### ABSTRACT OF CLAIMS

The February 27, 2017 – 2016 Encumbered Prepaid Abstract of Claims, consisting of vouchers numbered 2124 to 2125, was presented to the Board for audit and authorization of payment from the following funds:

General	\$2,768.25
Grand Total Abstract	\$2,768.25

The February 27, 2017 Abstract of Claims, consisting of vouchers numbered 172 to 236, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 15,748.92
Part Town	18.48
Highway	14,673.74
Capital/MWIA	10,670.00

Capital/Sr. Center	352,177.77
Capital/Fire Hall	100,299.90
Trust/Agency	478,387.89
Special Districts	<u>492,988.26</u>
Grand Total Abstract	\$1,464,894.96

Councilwoman Jeffe moved to approve the February 27, 2017 – 2016 Encumbered and the February 27, 2017 Abstracts of Claims and to authorize payment of same. Councilman Harris seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #63  
2/27/17  
Abstracts of  
Claims aprvd

Councilwoman Jeffe moved to enter into executive session to consult with the Town Attorney regarding a potential real estate purchase. Councilman Snyder seconded the motion. Upon a vote being taken: ayes - four noes – none Motion carried.

Action #64  
Board enters  
exec session

Councilwoman Jeffe moved to come out of executive session; seconded by Supervisor Bach. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #65  
Board exits  
exec session

Councilwoman Jeffe moved to adjourn at 8:25 p.m. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #66  
Meeting  
adjourned.

Martha L. Librock  
Town Clerk