

February 27, 2012

A meeting of the Town Board of the Town of Aurora took place on Monday, February 27, 2012, at 7:00 p.m. in the Town Hall Auditorium, 300 Gleed Avenue, East Aurora, New York.

Members Present:	Jolene M. Jeffe	Supervisor
	James F. Collins	Councilman
	Susan A. Friess	Councilwoman
	James J. Bach	Councilman
	Jeffrey T. Harris	Councilman

Others Present:	Edward Snyder	Deputy Town Attorney
	Bryan Smith	Town Engineer
	William Kramer	Code Enforcement Officer
	David Gunner	Highway Superintendent
	William Adams	Planning Board
	Kathleen Moffat	Secretary to Supervisor
	Ronald Krowka	Chief of Police
	Robert Goller	Town Historian

Supervisor Jeffe opened the meeting at 7:00 p.m. with the Pledge of Allegiance to the Flag and thanked everyone for their well-wishes, with a special thank you to Councilwoman Friess for filling in during her absence.

Councilman Harris moved to approve the minutes of the February 13, 2012 Town Board meeting; seconded by Councilwoman Friess.	Action #59
Upon a vote being taken: ayes – five noes – none Motion carried.	2/13/12 minutes aprvd

AUDIENCE I: none

UNFINISHED BUSINESS:

Councilman Bach moved to approve the Professional Engineering and Architectural Construction Support Services proposal, having a lump sum fee of \$19,700, for the 300 Gleed Avenue Renovation project and to authorize the Supervisor to sign the proposal. Councilman Collins seconded the motion.	Action #60
Upon a vote being taken: ayes – five noes – none Motion carried.	Construction support agreement for Gleed renovations approved.

The Town Board reviewed the SEQR Short Environmental Assessment Form for the Sweet Road Open Development Area (ODA) application, answering no to all items on Part II – Impact Assessment.	Action #61
Councilman Harris moved that the Town of Aurora, as lead agency on the project, declares that the proposed Open Development Area at SBL#187.01-1-51 Sweet Road will not result in any significant adverse environmental impacts. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.	SEQR for Sweet Rd. ODA – negative declaration.

Supervisor Jeffe stated that consideration of the application for the Sweet Road ODA will be placed on the March 12, 2012 meeting agenda. The Town Attorney needs to review the maintenance agreement for the ingress/egress easement.

NEW BUSINESS:

Councilwoman Friess moved to adopt the following temporary set of written procedures, retroactive to February 14, 2012, that monitor post-issuance compliance with federal tax rules relating to tax-exempt Bond and Note Financing:

Purpose: The purpose behind implementation of post-issuance compliance procedures is to ensure that the Town is compliant with federal tax law requirements related to its outstanding tax-exempt obligations for the life of the obligations.

Compliance Officer Designation, Education and Training: The Town will designate a “Compliance Officer” who will be the primary official responsible for monitoring post-issuance with federal tax laws. The Compliance Officer will attend training and educational seminars at least annually at the law firm of Hodgson Russ and will consult with bond counsel as needed to keep current on IRS regulations and developments relating to post-issuance compliance for its obligations. The Town’s designated Compliance Officer is Nicole Serra (bookkeeper/assistant to the Supervisor).

Record Retention and Due Diligence Review: The Compliance Officer is responsible for thorough record retention of all material documents relevant to the issuance of the Town’s tax-exempt obligations including, but not limited to, the transcript of proceedings, closing binder, bond counsel opinion, tax certificate, IRS-required filings, records of investments and expenditures made with proceeds, documents pertaining to existing or potential private and public use of bond-financed property, etc. The Compliance Officer will conduct due diligence review of these documents both upon receipt and at regular intervals throughout the life of the obligation.

Monitoring Compliance: Compliance Officer will monitor use of proceeds and arbitrage restrictions through implementation of accounting methods and consultation with bond counsel and a rebate consultant when necessary.

Correcting Potential Non-Compliance: Upon discovery of potential or existing non-compliance with post-issuance tax laws, compliance Officer will promptly take steps, including consultation with bond counsel, to correct such non-compliance.  
Councilman Collins seconded the motion. Upon a vote being taken:  
ayes – five      noes – none      Motion carried.

Action #62  
Temporary  
procedures for  
IRS  
compliance for  
bond/note  
financing.

Councilman Bach moved to approve the request from Dog Control Officer Sheryl Harris to conduct a house-to-house dog census in the Town of Aurora, outside the Village of East Aurora, and to approve payment of \$1.00 for each dog counted and mileage reimbursement for use of personal vehicle(s) by the enumerator(s). The Dog Control Officer and Assistant Dog Control Officer(s) will not be paid for dogs enumerated (counted) during regular work hours. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five      noes – none      Motion carried.

Action#63  
Dog census  
for Town  
approved.

Councilman Collins moved to adopt the following Meeting/Seminar Attendance Approval policy; seconded by Councilman Harris:

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

**BE IT RESOLVED,**

**SECTION 1:**

That during the year 2012, Town department heads or officials, or their designees, whose expenses have been allowed in the 2012 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 \$35.00 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 Clerk’s Association; Association of Erie County Governments
- Tax Receiver – Erie County Tax Receivers Association

- Assessor – Erie County Assessor’s Association
- Highway Superintendent – Erie County Highway Superintendent’s Association
- Senior Center Director – Erie County Senior Center Director’s Assoc.
- Building Department – NFBOA

**SECTION 2:**

That during the year 2012, 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 year 2012, 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 year 2012, 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 year 2012, 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 year 2012, 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

**SECTION 7:**

That during the year 2012, 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 year 2012, 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 year 2012, 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

**SECTION 10:**

That during the year 2012, the Tax Receiver 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 Association of Tax Receivers and Collectors Annual Conference

**SECTION 11:**

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 School at Houghton, NY
- Erie County Department of Planning sponsored training schools

**SECTION 12:**

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 School at Houghton, NY
- Erie County Department of Planning sponsored training schools

**SECTION 13:**

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:

- Webster/NYS Agriculture and Markets Animal Control Seminar

**SECTION 14:**

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 15:**

That the Bookkeeper (Assistant to 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

**SECTION 16:**

That the Director of the Aurora Senior Center 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 17:**

That during the year 2012, all Town officials and employees be and hereby are authorized to be paid \$0.45 per mile for the use of their personal automobiles on all Town business.

**SECTION 18:**

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 19:**

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 2012.

Action #64  
Meeting and  
conference  
attendance  
policy  
adopted.

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

(Note: The above policy will be included in future annual Organization Meetings.)

Councilman Bach moved to authorize the Town of Aurora's participation in the Waste Management/Recyclebank (in conjunction with SC Johnson & Son, Inc.) national program and competition to encourage residential recycling performance through marketing, community outreach and program education. Councilwoman Friess seconded the motion.  
Upon a vote being taken: ayes – five      noes – none      Motion carried.

Action #65  
Town to  
participate in  
WM recycling  
program.

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

RESOLUTION  
OBJECTING TO THE DISCONTINUANCE AND/OR REDUCTION OF  
NIAGARA FRONTIER TRANSPORTATION AUTHORITY BUS  
TRANSPORTATION SERVICES

WHEREAS, the Town of Aurora is located within Erie County and is serviced by public transportation provided by the Niagara Frontier Transportation Authority; and

WHEREAS, several Town of Aurora residents rely upon the transportation services provided by the Niagara Frontier Transportation Authority for transportation for employment, medical and educational needs; and

WHEREAS, the Niagara Frontier Transportation Authority has announced the reduction and/or restructuring of the bus transportation route from downtown Buffalo to the Town of Aurora.

NOW THEREFORE BE IT RESOLVED, that the Town of Aurora objects to any reduction of bus services provided by the Niagara Frontier Transportation Authority from downtown Buffalo to the Town of Aurora due to the negative impact service reduction would have on the Town of Aurora residents who rely on the service.

Action #66  
Objection to  
NFTA bus  
services  
reduction  
resolution  
adopted

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

In 2011, Boy Scout Ryan Fishback performed his Eagle Scout project at the Pioneer Cemetery. At the time, Fishback solicited donations to help pay for the construction of steps and a walk-way from Oakwood Ave. into the cemetery. There was a surplus of \$530.66 which he is donating to the Town for use at the cemetery.

Councilman Bach moved to accept the donation of \$530.66 from Ryan Fishback to be deposited into CE2770 Cemetery Miscellaneous to be used for the Pioneer Cemetery. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #67  
Donation for Pioneer cemetery accepted.

Councilwoman Friess moved to approve the following Civil Service title changes, effective October 1, 2011, in order to update the Town payroll records; seconded by Councilman Collins:

<b>CHANGE FROM LIFEGUARD SEASONAL to LIFEGUARD PT</b>		Hrly. Pay Rate
Anderson, Paige	20 Center Ridge Road, East Aurora, NY 14052	\$7.60
Busch, Breanna	899 Mill Road, East Aurora, NY 14052	\$7.80
Campbell, Cameron	1266 Sweet Road, East Aurora, NY 14052	\$7.60
Cedfeldt, Gwen	814 Luther Road, East Aurora, NY 14052	\$7.65
Coulter, Daniel	100 Kirkwood Drive, East Aurora, NY 14052	\$7.55
DeMario, Meg *	6846 Olean Road, South Wales, NY	\$7.75
Derr, Jonathan	1370 Mill Road, East Aurora, NY 14052	\$12.25
DeSantis, Grace	157 Gypsy Lane, East Aurora, NY 14052	\$7.60
Friess, Tyler	7 Ravine Court, EA, NY 14052	\$7.65
Hogenkamp, Taylor	303 South Grove Street, East Aurora, NY 14052	\$7.80
Jackson, Holly	1662 Reading Road, East Aurora, NY 14052	\$7.60
Johnston, Isobel	905 Davis Road, East Aurora, NY 14052	\$7.65
Kreeger, Joshua	1256 Warren Drive, East Aurora, NY 14052	\$7.60
Kresconko, John	923 Mill Road, East Aurora, NY 14052	\$7.80
Kresconko, Matthew	923 Mill Road, East Aurora, NY 14052	\$7.85
Leuthauser, Leah	84 Brooklea Drive, East Aurora, NY 14052	\$7.80
Link, William Cody	522 Center St. East Aurora, NY 14052	\$7.35
Malys, Peige	2117 Grover Road, West Falls, NY 14170	\$7.60
Mariea, Molly	1563 Underhill Road, East Aurora, NY 14052	\$7.70
McLaughlin, Allyssa	45 Park Lane, East Aurora, NY 14052	\$7.65
Montrose, Brittany	270 S. Grove Street, East Aurora, NY 14052	\$9.20
O'Brien, Lyle	505 Girard Avenue, East Aurora, NY 14052	\$7.55
O'Connell, Erin	1909 Reading Road, West Falls, NY 14170	\$7.65
Puntillo, Nicholas	116 Glenridge Rd, East Aurora, NY 14052	\$7.45
Richey, Matthew	1250 Carriage Drive, East Aurora, NY 14052	\$7.85
Vaccare, Jessica	12 Victoria Hts, East Aurora, NY 14052	\$7.65
Whitney, Bradley	1518 Hubbard Road, East Aurora, NY 14052	\$7.50
Zagrobely, Sam	230 N. Willow Street, East Aurora, NY 14052	\$7.60
<b>CHANGE FROM RECRATIONAL ATTENDENT SEASONAL TO PT</b>		
Bett, Kylie	1085 Lawrence Ave., East Aurora, NY 14052	\$7.35
Campanella, Julie	518 Fillmore Avenue, East Aurora, NY 14052	\$7.25
Caputi, Sean	280 Greenwood Court, East Aurora, NY 14052	\$7.70
Dahleiden, Jan	309 North Street, East Aurora, NY 14052	\$12.00

Danzer, Kristen	275 Greenwood Court, East Aurora, NY 14052	\$7.25
Dayton, Patrick	349 Prospect Avenue, East Aurora, NY 14052	\$7.70
Dziulko, Kimberly	1580 Mill Rd , East Aurora, NY 14052	\$7.40
Falkowski, Amanda	573 Linden Ave, East Aurora, NY 14052	\$7.45
Giamcomini, Connor	5 Mary Jane Lane, East Aurora, NY 14052	\$8.70
Giacomini, Evan	5 Mary Jane Lane, East Aurora, NY 14052	\$8.70
Harts, Gregory	248 Walnut St, East Aurora, NY 14052	\$7.90
Koch, Tristan	476 Ridge Road, East Aurora, NY 14052	\$7.25
Learn, Dana	1360 Sweet Rd, East Aurora, NY 14052	\$9.00
Lyons, Sarah	452 Girard Avenue, East Aurora, NY 14052	\$7.90
Martynkiewicz, Elliott	310 Parkdale Avenue, East Aurora, NY 14052	\$7.30
Mayer, Stephen	9 Victoria Hts., East Aurora, NY 14052	\$7.90
Miller, Andy	61 Glenridge Rd, East Aurora, NY 14052	\$9.10
Mosser, Katie	1272 Underhill Road, East Aurora, NY 14052	\$8.00
West, Derek	1008 Davis Road, West Falls, NY 14170	\$7.40
Wolff, Bridget	59 Manchester Road, East Aurora, NY 14052	\$7.25
Zink, Madeline	620 South Street, East Aurora, NY 14052	\$7.70

**CHANGE FROM CLERK TYPIST SEASONAL TO CLERK TYPIST PT**

DiFilippo, Dawn	235 Glenridge Rd, East Aurora, NY 14052	\$12.55
Monroe, Patricia	341 Cook Rd, East Aurora, NY 14052	\$12.55

**TERMINATE**

Sundquist, Karen 279 Oakwood Avenue, East Aurora, NY 14052 \$7.35  
 \*non-resident

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

Councilwoman Friess moved to approve the request from Highway Superintendent David Gunner to attend the 2012 American Water Works Event & Expo in Saratoga Springs, NY, on April 17-19, 2012. Mr. Gunner will use a Town vehicle to travel to and from the event. The \$612 expense (\$300 registration; \$312 hotel) will be disbursed from the Town operated water districts. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #68  
 Seasonal civil service titles changed to part time – Rec. dept.

Action #69  
 Hwy Supt to attend AWW event.

Councilman Collins moved to set Monday, March 12, 2012 at 7:00 p.m. at the Town Hall auditorium, 300 Gleed Avenue, East Aurora, NY as the date, time and place for a public hearing on a proposed local law amending Chapter 65 of the Town Code – Fire Prevention and Building construction to provide an amended penalty for offenses. Councilman Bach seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #70  
 Public hrg on LL to amend Town Code Chapter 65 set

Councilman Bach moved to set Monday, March 12, 2012 at 7:00 p.m. at the Town Hall auditorium, 300 Gleed Avenue, East Aurora, NY as the date, time and place for a public hearing on a proposed local law adding Chapter 86 to the Town Code – Regulating Picketing. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #71  
 Public hrg on LL to add picketing chapter to code set

In a memo to the Town Board, Highway Superintendent Gunner stated that he wants to provide the additional service of picking up electronic waste at the curbside of residents of the Town outside the Village in conjunction with the quarterly tire and battery pick up. He presented a one (1) year proposal from RCR&R offering \$0.05 per pound and a three (3) year proposal from Sunnking Electronics Recycling offering \$0.06 per pound.

Councilwoman Friess moved to authorize the Supervisor to sign an agreement with Sunnking Electronics Recycling, Brockport, NY, for electronic waste disposal of electronic waste collected and stored at the Highway Department property, 251 Quaker Road, East Aurora, NY for \$0.06 per pound contingent upon the agreement being for a period of one (1) year, not three years, and eliminating the section whereby the Town would operate a manned “drop-off” site for residents and contingent upon approval from the NYSDEC. Councilman Bach seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #72  
 Supv to sign agreement with Sunnking for electronic waste disposal

Councilwoman Friess moved to reappoint the following persons to the following positions due to failure to file an oath of office in a timely manner (Section 25 of NYS Town Law):

<u>Name</u>	<u>Committee/Board</u>	<u>Term</u>
Jon Sundquist	Open Space Committee	2/27/12 – 12/31/14
Carlton Wohlheuter	Civil Officer	2/27/12 – 12/31/12
Laurie Kutina	Conservation Board	2/27/12 – 12/31/12
Roger LeBlanc	Disaster Advisory Committee	2/27/12 – 12/31/12
John Wilger	Disaster Advisory Committee	2/27/12 – 12/31/12
Gary Grote	Disaster Advisory Committee	2/27/12 – 12/21/12

Action #73  
 Reappointment to committees & boards for late oath filers.

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

Action #74  
 D. Heussler appointed alternate to ZBA.

Councilman Harris moved to reappoint Davis Heussler as an alternate to the Zoning Board of Appeals for a term 2/27/12 through 12/31/12. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

The February 27, 2012 Abstract of Claims, consisting of vouchers numbered 230 through 306, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 86,263.84
Part Town	49,316.34
Highway	9,194.39
Enterprise/Gleed	8,836.31
Capital/Gleed	544.50
Trust & Agency	419,599.34
Trust & Agency 2	836.82
Special Districts	<u>141,156.16</u>
Grand Total Abstract	\$715,747.70

Councilwoman Friess moved to approve the February 27, 2012 Abstract of Claims as presented and to authorize payment of same. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #75  
 2/27/12  
 Abstract of Claims approved.

COMMUNICATIONS: none



PRESENTATION ON COST AND SERVICE ANALYSIS FOR PUBLIC SAFETY SERVICES

Supervisor Jeffe and Councilwoman Friess gave a Powerpoint presentation on the current police contract and five (5) options as reviewed by the Town and the Police Advisory Committee (PAC) whose members are: Supervisor Jeffe, Councilwoman Friess, Village Trustees Randy West and Patrick Shea.

Option 1: Status Quo – Village owns and administers police department; Town contracts with Village and pays almost 60% of costs.

Option 2: Dissolve Village police department and establish Town-wide police department.

Option 3: Do not contract with Village for police services and rely on current manpower of Erie County Sheriff's Department. Reduced Village police department remains.

Option 4: Dedicated service contract with Erie County Sheriff's Department for Town outside Village. Reduced Village police department remains.

Option 5: Town renegotiates police services contract with Village at percentage or fixed amount for services.

The recommendation is to renegotiate the inter-municipal police services contract at an acceptable level of cost to the Town. The PAC's recommendation is for a five (5) year agreement; payment split 49% Town/51% Village; and language that provides a cap on the number of personnel for which the Town will reimburse the Village.

Supervisor Jeffe noted that there will be time for the public to address this proposal at the March 12<sup>th</sup> and 20<sup>th</sup> Town Board meetings and at the March 5<sup>th</sup> Village Board meeting.

AUDIENCE II: none

Councilman Collins moved to adjourn the meeting; seconded by Councilman Bach. Upon a vote being taken: ayes – five	noes – none Motion carried.	Action #76 Meeting adjourned.
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Martha L. Librock  
Town Clerk