

March 9, 2020

A meeting of the Town Board of the Town of Aurora took place on Monday, March 9, 2020 at 7:00 p.m. in the Town Hall Auditorium, 300 Glead Avenue, East Aurora, New York.

Members Present:	Jolene M. Jeffe	Councilwoman
	Susan A. Friess	Councilwoman
	Charles D. Snyder	Councilman
	Luke Wochensky	Councilman
	James J. Bach	Supervisor
Absent/Excused:	None	
Others Present:	Ronald Bennett	Town Attorney
	William Kramer	Code Enforcement Officer
	William Wheeler	Engineer/GHD
	David Gunner	Highway Superintendent
	Donna Bodekor	Senior Center Director
	Tony Rosati	Zoning Board of Appeals member
	Paul Porter	Village Trustee

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 February 24, 2020 Town Board work session and meeting; seconded by Councilwoman Jeffe. Upon a vote being taken: ayes – five	noes – none	Action #64 2/24/20 wk sess & mtg min aprvd
Motion carried.		

#### AUDIENCE I:

Donna Bodekor thanked the Board for purchasing the property at 113 King Street and, said that she hopes the Senior Center parking lot will be expanded to eliminate safety issues in the current lot.

Kathy Frost, Mill Road, stated the Senior Center averages between 1800 and 2000 attendees each month and showed the Board the activities calendar for the Center.

Daryl Bennett, Olean Road, stated there is always something going on at the Center, generating a lot of traffic. Two lanes are needed for going in and out of the parking lot.

Penny McDowell, Center Street, stated the Center is used at night by many groups and better lighting and more even pavement are needed.

Rob Rohrbach, Linden Ave., supports the purchase of the property and demolition of the house.

Pat Honsberger noted the need for a bigger parking lot at the Center.

Rose Gassman asked if tickets will be issued if they park in the Oakwood Plaza lot as the sign indicates. Supervisor Bach stated the police chief was not here tonight to answer that.

Barb Dadey, Brooklea Dr., asked if there were any concern about Village pushback. Supervisor Bach responded he has been in contact with Village personnel and they seem to be on board with the plan.

David Meltzer, Roycroft Circle, stated parking at the Senior Center and new Town Hall needs to be addressed, as does the need for two-way traffic.

Daryl Bennett asked if a traffic study had been done before this project. Councilman Snyder responded that the architects did a study.

Tom Bender, Walnut St., stated the old fire hall always had a problem with parking and the Town did a marvelous job of getting two houses adjoining the property.

Mark Carey, Castlehill Road, asked if the speed limit on King Street could be reduced to 20mph. Supervisor Bach stated that is something the Village would need to address.

Nancy Baranowski stated that parking has not been addressed well at all since the area being used by the construction people will only be used by employees and visitors to the Town Hall.

Supervisor Bach asked if it was safe to say that most of the people in attendance tonight were in favor of the purchase of the home on King Street. The audience responded with many “yesses” and applause.

UNFINISHED BUSINESS:

Councilman Snyder moved to amend the agenda by adding Parts 2 and 3 of the SEAF for the purchase of 113 King Street. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #65  
SEQR for  
property  
purchase  
added to  
agenda

Supervisor Bach reviewed Part 2 of the SEAF (SEQR short form) for the purchase of real property at 113 King Street, East Aurora, NY. The answer to all ten questions was ‘no’.

Councilman Wochensky moved that the purchase of 113 King Street by the Town of Aurora would have no environmental impact and therefore the Town issues a negative declaration for purposes of SEQR for this unlisted action. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #66  
Negative  
Declaration  
issued for  
purchase of  
113 King St

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

RESOLUTION FOR PURCHASE OF REAL PROPERTY

WHEREAS, the Town of Aurora is in the process of completing construction of a new Town Hall adjacent to the Aurora Senior Center, and

WHEREAS, upon review of the use of the buildings by residents, community groups and Town personnel, it is deemed that the existing parking area may be inadequate to serve the new Town Hall and the existing Senior Center, and

WHEREAS, property located at 113 King Street in the Village of East Aurora adjoins the South boundary of the existing parking lot, and which if acquired by the Town would provide additional parking area and would provide for a safer entrance/exit on King Street, and

WHEREAS, the Town has obtained two property appraisals of the subject property located at 113 King Street with an estimated fair market value of \$140,000, and

WHEREAS, NY Open Meeting law §105(l)(h) authorizes the Town to enter into Executive Session to consider the acquisition of real property, the value of which could substantially be affected by the unique location of the property and its value to the continuing development of the municipal campus of the Town Hall and Senior Center, and

WHEREAS, the Town has negotiated with the owner of 113 King Street and agreed to a purchase price based on the two property appraisals.

NOW, THEREFORE, be it

RESOLVED, the Town Board does find that the purchase of 113 King Street in the Village of East Aurora will result in additional parking area for the new Town Hall and Senior Center and a safer entrance and exit on King Street, and be it further

RESOLVED, that the Town Attorney is directed to proceed with the acquisition of the property at 113 King Street, in the Village of East Aurora by the Town of Aurora in accordance with the agreed upon Real Estate Contract with the Sellers.

Action #67  
Resolution  
re: purchase  
of 113 King  
Street  
adopted

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

NEW BUSINESS:

Councilwoman Jeffe moved to amend the meeting agenda and add items 6G – Special Counsel to ZBA and 6H – ODA referral to Planning Board to the agenda. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #68  
Agenda  
amended – 2  
items added

Councilwoman Jeffe moved to approve, and authorize the Supervisor to sign, Change Order No. 1 from Industrial Power and Lighting to change three troffer fixtures to four recessed cans in the North stairway ceiling. Material and labor \$926.33.

- Original Contract \$687,500.00
- Net change by previous change order(s) 0.00
- Contract sum prior to this change order 687,500.00
- Amount of this change order (No. 2) 926.33
- New contract sum including this change order \$688,426.33

Action #69  
IPL change  
order #1 for  
AMC aprvd

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

(\*Note: change order no. 1 was inadvertently omitted from a previous meeting agenda. Change order no.'s 2, 3 and 4 were approved at the 2/24/2020 Town Board meeting.)

Councilwoman Jeffe moved to approve, and authorize the Supervisor to sign, Change Order No. 5 from Industrial Power and Lighting to install a new CT cabinet during the relocation of the Senior Center electrical service. Material and labor \$1,415.22.

- Original Contract \$687,500.00
- Net change by previous change order(s) 17,552.45
- Contract sum prior to this change order 705,052.45
- Amount of this change order (No. 3) 4,415.22
- New contract sum including this change order \$706,467.04

Action #70  
IPL change  
order #5 for  
AMC aprvd

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

Councilwoman Jeffe moved to approve, and authorize the Supervisor to sign, Change Order No. 2 from Mollenberg-Betz Inc. to change sprinkler heads in the three vestibules from the wet system to the dry system. Material and labor \$1,482.00.

- Original Contract \$492,000.00
- Net change by previous change order(s) -8,400.00
- Contract sum prior to this change order 483,000.00
- Amount of this change order (No. 3) 1,482.00
- New contract sum including this change order \$485,082.00

Action #71  
Mollenberg  
Betz changer  
order #2 for  
AMC aprvd

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

Councilman Wochensky moved to table the resolution from the Association of Erie County Governments pertaining to an amendment made by Governor Cuomo to the 2020 NYS budget. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #72  
Resolution re:  
NYS budget  
amendment  
tabled

Councilwoman Jeffe moved to authorize the Supervisor to sign a contract with Municipal Solutions, 62 Main Street, LeRoy, NY, whereby Municipal Solutions will prepare and file Annual Financial Statements and budgets and prepare and file Material Event Notices on EMMA on the Town's behalf. The fee is \$200 per filing. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #73  
Supv auth to sign contract with Municipal Solutions re: EMMA filing

Councilwoman Friess moved to authorize the Supervisor to sign a two-year contract with Municipal Solutions, 62 Main Street, LeRoy, NY, for General Financial Services associated with BAN borrowing, Serial Bond borrowing, general financial services, conflicts of interest/other required disclosures and miscellaneous items. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #74  
Supv auth to sign contract with Municipal Solutions re: General financial svcs

Councilman Snyder moved to approve the following 2020 Budget amendment to record the reinstatement of the Town Attorney salary as approved at the January 27, 2020 Town Board meeting as follows:

- Decrease A1990 Contingent \$9,800
- Increase A1420.100 Town Attorney \$9,800

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

Action #75  
Budget amendment re: Twn Atty salary aprvd

Councilwoman Jeffe moved to approve the request from Chris Musshafen, Recreation/Aquatics Director, to travel to the TYT International Junior National Championship Cup swim event from March 24-29, 2020 in St. Petersburg, Florida. Travel expenses will be paid for by the East Aurora Swim Team booster club. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #76  
C. Musshafen to attend swim competition in Florida

Councilman Snyder moved to authorize outside Special Counsel to the Zoning Board of Appeals for cases before that board. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes - five noes – none  
Motion carried.

Action #77  
Special Counsel to ZBA auth.

Councilwoman Jeffe moved to forward the application for an Open Development Area (ODA) at 2331 Lapham Road to the Planning Board for review and recommendation. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #78  
ODA appl for 2331 Lapham forwarded to Planning Brd

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

- Town Clerk/Tax – February 2020 report
- Water Clerk – February 2020 report
- Town Clerk – February 2020 report
- Building Department – February 2020 report
- Dog Control – February 2020 report
- Work Requisitions – February 2020 report
- Boys & Girls Club of East Aurora 2019 report
- Supervisor – February 2020 report

**BUSINESS FROM BOARD MEMBERS AND LIAISONS:**

Supervisor Bach attended a seminar conducted by the Erie County Health department regarding the coronavirus (Covid-19). He stated that the best thing to do is wash your hands, wipe down public counters and stay home if you are sick.

**AUDIENCE II:**

Tony Rosati, Oakwood Ave., asked if there was a report on the amount of electricity being used at the electric car charging station at the Senior Center. Supervisor Bach responded he should be able to get that information.

**STAFF REPORTS:**

Donna Bodekor stated they are being very diligent at the Senior Center with regard to sanitizing the building and reminding people to wash their hands in reference to the coronavirus.

**ABSTRACT OF CLAIMS:**

The Abstract of Claims dated March 9, 2020, consisting of vouchers numbered 219 to 286, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 31,900.59
Part Town	10.01
Highway DB	51,461.34
Capital/AMC	38,495.00
Capital/VEA bridges	130.32
Trust/Agency 2	1,781.59
Special Districts	<u>724.48</u>
Grand Total Abstract	\$ 124,503.33

Councilwoman Jeffe moved to approve the 3/9/2020 Abstract of Claims and authorize payment of same. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #79  
3/9/2020  
Abstract of  
Claims aprvd

Councilwoman Jeffe moved to adjourn at 7:45 p.m.; seconded by Councilman Snyder. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #80  
Meeting  
adjourned

Martha L. Librock  
Town Clerk