

December 27, 2013

A meeting of the Town Board of the Town of Aurora took place on Friday, December 27, 2013, at 11:00 a.m. in the Town Hall Auditorium, 300 Glead Avenue, East Aurora, New York.

Members Present:	Susan A. Friess	Councilwoman
	James F. Collins	Councilman
	Jeffrey T. Harris	Councilman
	James J. Bach	Councilman
	Jolene M. Jeffe	Supervisor
Others Present:	Ronald Bennett	Town Attorney
	Bryan Smith	Town Engineer
	Charles Snyder	Planning Board
	Patrick Blizniak	Supt. of Building
	David Gunner	Highway Superintendent
	Robert Lowell Goller	Town Historian
	Donna Bodekor	Senior Center Director

Supervisor Jeffe opened the meeting at 11:00 a.m. with the Pledge of Allegiance to the Flag.

Councilwoman Friess moved to approve the minutes of the December 9, 2013 Town Board meeting; seconded by Councilman Harris. Upon a vote being taken: ayes – five noes – none Motion carried. Action #424 12/9/13 TwN Brd meeting minutes apvd

Councilman Bach moved to approve the minutes of the December 17, 2013 Town Board work session; seconded by Councilman Collins. Upon a vote being taken: ayes – five noes – none Motion carried. Action #425 Work session min. aprvd

AUDIENCE I:

Bill Kane, Bowen Road, asked about the process for filling vacancies. Tony Rosati, Center Street, commented on the percentage of work completed in Water District 6 improvements.

UNFINISHED BUSINESS:

Councilman Harris moved to approve payment no. 2 to Fairway Contacting, PO Box 352, Orchard Park, NY, in the amount of \$143,959.48 for Water District No. 6 (Geneva Road/Center Street) improvements covering the period from October 2, 2013 through November 30, 2013. Funds will be disbursed from Capital Fund H2-8397.200. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried. Action #426 Pymt. #2 to Fairway for WD6 apvd.

Councilman Bach moved to amend the list of job titles covered by non-mandatory disability insurance for Town employees who regularly work forty (40) hour or more per week to include the two (2) full-time Clerks to the Town Justices. The amended list is as follows:

- Assessment Clerk
- Deputy Town Clerk(s)
- Secretary to the Supervisor
- Recreation Director
- Recreation Supervisor
- Superintendent of Building
- Code Enforcement Officer
- All full-time union personnel
- Clerk(s) to Town Justice

Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried. Action #427 Amendment to list of employees covered by disability ins approved.

NEW BUSINESS:

Councilwoman Friess moved to add items 6M – Appointment carry-over and 6N – Town Road miles (for CHIPS) to today’s agenda; seconded by Councilman Collins. Upon a vote being taken: ayes – five noes – none Motion carried. Action #428 Items 6M and 6N added to agenda.

Supervisor Jeffe moved to authorize the carry-over of three (3) vacation days each for Patrick Blizniak and William Kramer to be used in the first quarter of 2014. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried. Action #429 Vacation carry over for two employees approved.

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

RESOLUTION APPROVING BULK SALE AGREEMENT BETWEEN ERIE COUNTY WATER AUTHORITY AND TOWN OF AURORA

WHEREAS, the Town of Aurora (Town) is responsible to furnish potable water to the following two (2) Water Service Areas:

1. Water District No. 1A (now 1S) (Glenridge and Castle Hill Roads), Water District No. 7 (Cook Road and East Main Street), WIA No. 7 (Cook Road, Lapham Road, Park Lane South and East Main Street), Water District No. 11 (Victoria Heights).
2. Mary Jane Lane meter only; and

WHEREAS, representatives of the Town and the Erie County Water Authority (Authority) have negotiated an agreement whereby the Authority will furnish potable water to these Water Service Areas; and

WHEREAS, the Authority has presented a proposed Bulk Sale Agreement whereby the Authority will sell water to the Town of Aurora as a bulk sale customer, thereby furnishing water to the subject Water Service Areas.

NOW, THEREFORE, be it

RESOLVED, the Town Board of the Town of Aurora does hereby approve the proposed Bulk Sale Agreement with the Erie County Water Authority, a copy of which is attached as Exhibit “A”; and be it further

RESOLVED, the Supervisor is authorized on behalf of the Town to sign the Bulk Sale Agreement, and be it further

RESOLVED, that a certified copy of this Resolution be prepared by the Town Clerk to be submitted to the Erie county Water Authority together with four (4) executed copies of the Bulk Sale Agreement.

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

Action #430 Bulk water sale with ECWA resolution adopted.

Councilman Collins moved to authorize the Supervisor to sign the Auditing Services Letter of Acknowledgement with Drescher & Malecki LLP, 3083 William Street, Cheektowaga, NY, whereby Drescher & Malecki’s services will include the audit of financial statements, business-type activities and aggregate remaining fund information for the Town for the year ending December 31, 2013 with the fees not to exceed \$26,500.00. Councilman Bach seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #431 Supv. auth to sign auditing agreement with Drescher & Malecki

Quotes to replace a heat exchanger in RTU#4 at the Aurora Senior Center were received from:

Tri-R Mechanical	\$1925.00
Superior Heat	\$2100.00
Allied Mechanical	\$1564.99

Action #432
Quote to repair
Sr. Ctr. HVAC
unit approved.

Councilman Bach moved to approve the quote from Allied Mechanical, 1111Niagara Street, Buffalo, NY, in the amount of \$1564.99 to replace the heat exchanger in RTU#4 at the Aurora Senior Center. Councilwoman Friess seconded the motion. Upon a vote being taken:
ayes – five noes – none Motion carried.

Highway Superintendent Gunner is requesting Town Board approval to purchase a 2014 4x4 Pickup truck from Van Bortel Ford, 71 Marsh Road, E. Rochester, NY in the amount of \$24,472.48 (NYS Bid Contract PC65855). In a memo to the Board, Mr. Gunner recommended rejecting the low bid of \$23,577 from Towne Ford because they did not meet the bid specs. West Herr Ford submitted a bid of \$26,249.00.

Action #433
Purchase of
2014 4x4
Pickup truck
approved.

Councilman Harris moved to authorize the purchase of a 2014 4x4 ¾ ton pickup truck from Van Bortel Ford in the amount of \$24,472.48, pending verification of NYS OSG bid award information. Funds will be disbursed from DB5130.214. Councilman Bach seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Councilman Collins moved to approve the purchase of a 2014 2x4 pickup truck from low bidder Towne Ford, Orchard Park, NY, in the amount of \$17,633.88. Funds will be disbursed from A7110.210. Councilman Bach seconded the motion. Upon a vote being taken:
ayes – five noes – none Motion carried.

Action #434
Purchase of
2014 2x4
Pickup truck
approved.

Councilwoman Friess moved to approve the following 2014 Budget transfer to cover the cost of the 2014 2x4 pickup truck being purchased through Towne Ford:

From: A7110.444 Parks Supplies	\$1,635.00
A7110.424 Parks Equip. Maint.	\$1,000.00

To: A7110.210 Parks Equipment	\$2,635.00
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Councilman Harris seconded the motion. Upon a vote being taken:
ayes – five noes – none Motion carried.

Action #435
2014 Budget
transfer
approved for
pickup truck
purchase.

Councilwoman Friess moved to approve the following 2013 Highway Budget transfers: From: DB5112.413 Permanent Imp.- Paver/Roller \$926.00

To: DB5110.433 Hwy. General Repairs	\$926.00
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From: DB5112.413 Permanent Imp. – Paver/Roller	\$1,700.00
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To: DB5110.413 Hwy. Operated Rental Equip.	\$1,700.00
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Councilman Collins seconded the motion. Upon a vote being taken:
ayes – five noes – none Motion carried.

Action #436
2013 Highway
budget transfer
approved.

Councilman Bach moved to approve a Civil Service title change for Elizabeth Cassidy from Clerk Part Time Seasonal to Clerk Part Time effective January 1, 2014. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #437
Civil Service
title change for
L. Cassidy
approved.

Supervisor Jeffe stated that she received two inquiries/applications for the council seat vacancy of James Bach. Mrs. Jeffe noted that Charles Snyder is the most qualified and his appointment to the Board will be considered in 2014.

Action #438
Agenda item 6I
tabled.

Councilwoman Friess moved to table agenda item 6I to January 1, 2014; seconded by Councilman Bach. Upon a vote being taken:
ayes – five noes – none Motion carried.

Councilman Collins moved to approve an FMLA policy for the Town; seconded by Councilman Harris. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #439
FMLA policy
adopted.

Councilman Collins moved to amend the Employee Handbook (Town's Personnel Policy) as follows:

Add to Section 4.01 – Benefits Eligibility:

“Specifically with regard to health insurance coverage provided pursuant to Section 4.09 – Health Insurance of this handbook – An employee shall be eligible for such coverage beginning the first of the month following the first sixty (60) days of full-time employment or as otherwise may be specified by law.”

Add Section 4.11 – Family Medical Leave Act (FMLA):

“Employees who have been employed by the Town for at least twelve (12) months and have worked at least 1,250 hours in that year are entitled to twelve (12) weeks of unpaid leave under the Family Medical Leave Act of 1993. Time worked is considered hours designated by the Fair Labor Standards Act (FLSA).

Action #440
Amendments to
Employee
Handbook
approved.

Family medical leave may be requested due to the birth of a child or placement of a child with you for adoption or foster care; during your own serious health condition that makes you unable to perform the essential duties of your job; during the serious health condition of an immediate family member that requires your care; or other circumstances defined by law and stated in the Town's complete FMLA policy. Refer to the Town's separate complete policy on Family Medical leave for additional details.”

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

Councilman Bach moved to authorize the Supervisor to sign the 2014 Engineering Services Proposal submitted by Conestoga-Rovers & Associates, 285 Delaware Ave., Buffalo, NY, whereby CRA will provide General Engineering Services for a lump sum annual fee of \$6,000 and Planning Board assistance at an hourly rate of \$95 per hour, not to exceed \$8,000.

Action #441
Supv. auth. to
sign
Engineering
services
proposal with
CRA.

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

The members of the Town Board thanked Bryan Smith for his years of dedicated service to the Town as Town Engineer.

Councilwoman Friess moved to carry over all 2013 Town appointments to the January 6, 2014 Organizational meeting. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five
noes – none
Motion carried.

Action #442
2013 Town
appointments
held over to
1/6/14

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

Whereas, Reed Hill Drive, Creekview Court and Stewart Court were constructed as town roads in accordance with plans and specifications prepared by R&D Engineering; and

Whereas, Reed Hill Drive is a two-way road .3 miles in length and consists of a new drainage system, curbs, asphalt pavement, and street signage having a traffic control (stop) sign at its intersection with Jewett Holmwood Road, an Erie County road; and

Whereas, Creekview Court is a two-way road .2 miles in length and consists of a new drainage system, curbs, asphalt pavement, and street signage having a traffic control (stop) sign at its intersection with Reed Hill Drive, a Town road; and

Whereas, Stewart Court is a two-way road .25 miles in length and consists of a new drainage system, curbs, asphalt pavement, and street signage having a traffic control (stop) sign at its intersection with New York State Route 20A; and

Whereas, construction of Reed Hill Drive, Creekview Court and Stewart Court has been completed in accordance with as-built drawings and has been accepted for maintenance by the Town and are currently open to vehicular traffic for the public.

Now, therefore be it

Resolved, that Reed Hill Drive, Creekview Court and Stewart Court shall be included in the 2013 Town of Aurora Local Highway Mileage Inventory of Town Roads, and be it further

Action #443
Resolution re:
Town's Local
Highway
Mileage
Inventory
adopted

Resolved, that the New York State Department of Transportation is requested to include Reed Hill Drive, Creekview Court and Stewart Court in the Town of Aurora's 2013 Inventory of Streets.

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

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

- Building Department – November 2013 Report
- Work Requisitions – November 2013 Report
- Dog Control – November 2013 Report

BUSINESS FROM BOARD MEMBERS:

Supervisor Jeffe, Councilwoman Friess and Councilmen Bach and Harris thanked Councilman Collins for his service to the Town, wishing him well in his "retirement" from the Town Board.

Councilmen Bach and Harris and Councilwoman Friess thanked Supervisor Jeffe for her four years of service as Town Supervisor and noted they look forward to her being on the Board as Councilwoman.

AUDIENCE II:

Tony Rosati, Center Street, spoke about the Erie County Water Authority bulk water service and Town properties that are out-of-district water customers to the Village. Mr. Rosati believes the bulk water meter on Center Street should be moved closer to the Village.

STAFF REPORTS: none

The December 27, 2013 Abstract of Claims, consisting of vouchers numbered 2222 to 2300 was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 36,770.18
Highway	21,770.51
Enterprise/Gleed	12,853.12
Capital/WD6	143,959.48
Trust & Agency 2	45,408.84
Special Districts	<u>26,355.41</u>
Grand Total Abstract	\$287,117.54

Councilman Collins moved to approve the December 27, 2013 Abstracts of Claims less vouchers numbered 2227 and 2300 payable to Webster Szanyi LLP, totaling \$10,727.00, and to authorize payment of the remaining vouchers; seconded by Councilman Bach.

Upon a vote being taken: ayes – five noes – none Motion carried. Supervisor Jeffe noted that these vouchers are being held until a decision is made as to whether the Town or the Village will be paying Webster Szanyi LLP for legal services rendered.

Action #444
Abstract of
Claims apprvd.

Councilman Collins moved to recess the meeting to Wednesday, January 1, 2014 at 11:15 a.m. at which time agenda item 6I, appointment to council seat vacancy, will be considered; seconded by Councilman Bach.

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

Action #445
Board recesses
until 1/1/2014 @
11:15am.

Martha L. Librock
Town Clerk