

February 22, 2010

A meeting of the Town Board of the Town of Aurora took place on Monday, February 22, 2010, at 7:00 p.m. in the Town Hall Auditorium, 300 Glead Avenue, East Aurora, New York.

Members Present:	Jolene M. Jeffe	Supervisor
	Jeffrey T. Harris	Councilman
	James F. Collins	Councilman
	James J. Bach	Councilman
	Susan A. Friess	Councilwoman
Others Present:	Ronald P. Bennett	Town Attorney
	Bryan Smith	Town Engineer
	Patrick Blizniak	Supt. of Building
	Peggy Cooke	Recreation Director
	Sheryl Harris	Dog Control Officer
	David Gunner	Highway Superintendent
	Jeffrey Markello	Town Justice
	William Adams	Planning Board Member
	Ronald Krowka	Chief of Police

Supervisor Jeffe 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 an Open Development Area application for 686 Quaker Road, East Aurora, NY. The notice 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.

The applicant, Greg Schneider, presented an overview of what he plans to do with the 6.3 acre parcel at 686 Quaker Road. His proposal is to divide the land into four (4) building lots. The existing farm house would remain as part of lot no. 1. Lot no. 2 would be to the east of lot no. 1. The remaining two lots would be behind these and would be accessed by long driveways. It is these two lots, nos. 3 and 4, which triggered the Open Development Area code. The existing barn would be part of lot no. 4.

The Supervisor opened the hearing to questions from the audience. Joanne Hameister, Sweet Road, questioned the location of the property. Hearing no further questions or comments, Councilwoman Friess moved to close the hearing at 7:10 p.m.; seconded by Councilman Harris. Upon a vote being taken: ayes – five noes – none
Motion carried.

Action #64
686 Quaker
ODA public
hearing closed.

Supervisor Jeffe noted that this application will be voted on at the March 8, 2010 meeting.

Councilman Bach moved to approve the minutes of the February 8, 2010 Town Board meeting; seconded by Councilman Collins. Upon a vote being taken: ayes – five noes – none
Motion carried.

Action #65
2/8/10 Town
Board minutes
approved.

Councilman Harris moved to approve the minutes of the February 9, 2010 Work Session; seconded by Councilman Bach. Upon a vote being taken: ayes – five noes – none
Motion carried.

Action #66
2/9/10 work
session minutes
aprvd.

Councilwoman Friess moved to approve the minutes of the February 16, 2010 Work Session; seconded by Councilman Harris. Upon a vote being taken: ayes – five noes – none
Motion carried.

Action #67
2/16/10 work
session minutes
aprvd.

BUSINESS FROM AUDIENCE I:

Arlene Mann, Emery Road, spoke in opposition to the proposed Bailey Road windmill. Mrs. Mann stated the size of the windmill has never accurately been reported, nor has there been a scale drawing. She stated she is not opposed to wind energy in some areas, but this neighborhood is being faced with a windmill and a cell tower.

UNFINISHED BUSINESS:

Councilman Harris moved that a letter from the Town Board be sent to the Planning Board giving them direction on the development of a Wind Energy Conversion System code encompassing both commercial and residential/personal use wind systems. The Board is requesting a draft of the code by April 20, 2010. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none
Motion carried.

Action #68
Town Board to send directives to Planning Board re: wind energy code

NEW BUSINESS:

Supervisor Jeffe moved to revise the description of the Open Space Committee Composition as follows:
The Open Space Committee shall consist of seven (7) members, all of whom have voting rights. (The sentence, “*One member shall be the Town Board’s ex officio representative; this member may vote, but may not serve as Chair.*” has been deleted.) Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none
Motion carried.

Action #69
Open Space committee composition revised.

Action #70
N. Ronan appointed to fill vacancy on Open Space Committee.

Councilwoman Friess moved to appoint Noelle Ronan, 1796 Mill Road, West Falls, NY, to fill the vacancy on the Open Space Committee, term ending December 31, 2012. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none
Motion carried.

Councilman Bach moved to approve a new Recreation Department program entitled *Geocaching* and to amend the 2010 Budget increasing revenue line A2056 by \$600 and expense line A7020.401 by \$300 and line A7310.400.1 by \$300. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none
Motion carried.

Action #71
Geocaching – recreation program approved – budget amended

Councilman Harris moved to approve having the following programs by the Buffalo Audubon Society held in Town and Village Parks, contingent upon approval of from the Village for use of Sinking Ponds and Hamlin Park; seconded by Councilwoman Friess:

- | | |
|----------------------------|---|
| February 13 – Majors Park | February 27 – JP Nicely (West Falls) Park |
| March 13 – Majors Park | March 27 – Sinking Ponds |
| April 10 – Majors Park | April 24 – Hamlin Park |
| May 8 – Majors Park | May 22 – Majors Park (Hubbard Road area) |
| June 12 – Majors Park | June 26 – Warren Drive Park |
| July 10 – Majors Park | July 24 – JP Nicely (West Falls) Park |
| August 14 – Majors Park | August 28 – Majors Park (Hubbard Road area) |
| September 11 – Majors Park | September 25 – Hamlin Park |
| October 9 – Majors Park | October 23 – JP Nicely (West Falls) Park |
| November 13 – Majors Park | November 27 – Sinking Ponds |
| December 11 – Majors Park | |

Guitar Factory	4 wireless microphones	\$1400
	4 microphone stands	100
	Installation	<u>10</u>
	Total	\$1510

Councilman Collins moved to approve the purchase of 4 Shure PGX24/SM58-H6 Wireless microphones, 4 tabletop microphone stands and installation at the Glead Avenue Auditorium, from LimeLite Music, 706 Main Street, East Aurora, NY for a total of \$1447. Funds will be disbursed from Proprietary (Enterprise) Fund budget line ER1621.422. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #75
 Purchase of microphones for Glead auditorium approved.

Councilman Bach moved to authorize the Supervisor to enter into an agreement with Computel Consultants, PO Box 35, Earlville, NY 13332, whereby Computel will review the Town's franchise agreement with Time Warner Cable (formerly Adelphia Cable). In the event Computel secures a refund for the Town, a one-time 50% fee will be paid to Computel. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #76
 Computel to perform review of cable franchise agreement.

Councilman Collins moved to authorize the Supervisor to sign an agreement with Conestoga-Rovers & Associates (CRA) for Professional Engineering Services for Municipal Separate Stormwater Sewer System Support for 2010. CRA will provide consolidated stormwater assistance to both the Town of Aurora and Village of East Aurora for a sum of \$16,000, with each municipality paying 50% of the total and each would be billed separately. Councilman Bach seconded the motion. Upon a vote being taken: ayes – four noes – one (Harris) Motion carried.

Action #77
 CRA to provide storm water sewer system assistance.

Councilman Harris went on record stating he is not against CRA performing this service, but is against unfunded State mandates.

Action #78
 Bid opening for court bench construction at VEA Hall set.

Councilman Collins moved go out to bid for construction work on the renovation of the Village of East Aurora Board Room into a shared use with the Town of Aurora Town Court (work includes replacement of the existing board platform with a new platform and bench, all required electrical work and miscellaneous room alterations) and to set Friday, March 12, 2010 at 10:00 a.m. at the Town Clerk's office, 5 South Grove Street, East Aurora, NY, as the date, time and place for the bid opening. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #79
 DCO to apply for grant for funds for dog exercise area.

Councilwoman Friess moved to authorize Dog Control Officer Sheryl Harris to apply for a (non-matching funds) grant from the Meacham Foundation Memorial Grant fund, awarded through the American Humane Association, for funds to create an exercise area for impounded/seized dogs at the Aurora kennel facility at 251 Quaker Road. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #80
 Town Clerk to attend NYSTCA conference.

Councilman Harris moved to authorize Town Clerk Martha Librock to attend the 2010 NYSTCA Conference in Saratoga, NY on April 26 – 28, 2010. The \$75 registration, \$469.10 hotel/meals and \$150 mileage/tolls expenses will be disbursed from A1410.405 Town Clerk mileage. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

BE IT RESOLVED, that New York State Governor Patterson, is encouraged to continue support and fund this important reimbursement program in 2010 and beyond to protect our residents and our environment, and,

Action #82
Resolution re:
support of
NYSDEC Haz.
Waste
reimbursement
adopted.

FURTHER RESOLVED, that the Clerk of the Town Board shall forward copies of this resolution to Governor David Patterson, New York State Comptroller's Office, Senate Majority Leader Pedro Espada Jr, Senate Minority Leader Dean G. Skelos, Assembly Speaker Sheldon Silver, Assembly Majority Leader Ron Canestrari, and Assembly Minority Leader Brian Kolb.

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

Action #83
1519 Quaker
ODA public
hearing set.

Councilman Collins moved to set 7:00 p.m. Monday, March 8, 2010 at the Town Hall Auditorium, 300 Gleed Avenue, East Aurora, NY, as the time, date and place for a Public Hearing on the Open Development Area application submitted by Russell and Sarah Harlock for 1519 Quaker Road. Councilwoman Friess seconded the motion.
Upon a vote being taken: ayes – five noes – none

Motion carried.

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

- DCO – January 2010 report

BUSINESS FROM AUDIENCE II:

William Patterson, Grover Road, stated that it is difficult to talk about agenda items without having more detail coming into the meeting.

BUSINESS FROM BOARD MEMBERS AND STAFF:

Councilman Harris stated he had received a lot of emails about the WECS (wind power) ordinance.

Councilwoman Friess stated the Village has money budgeted for CATV and that she told Jim Oubre, CATV Committee member, that three bids are needed when asking to purchase equipment. Councilwoman Friess noted that she is working with the Erie County Sewer Authority on a time frame for Geneva Road sewers to coordinate with the repaving of Geneva Road.

Councilman Harris requested a list of CATV equipment and asked if there is space at Gleed for the CATV studio.

Councilman Bach stated he will have more information about a grant for solar panels for town buildings ready for the next meeting. He noted that the highway garage would be a good location for solar panel installation since the roof is going to be replaced in the near future.

Councilman Collins stated that he is looking into our slow internet service situation. He noted that Mayor Crook is okay with Town Court using the Village internet service on their office computers.

Supervisor Jeffe state she received a water district update from the highway/water department. The report notes that 50 out of 94 hydrants have been tested to date, with repairs to be made in the Spring. Jeffe also stated that the Town and Village will work together on drafting a resolution in opposition of closing Knox Farm State Park. Interviews for Planning Board alternate members will take place on 2/23.

Police Chief Ron Krowka spoke about NIXLE.com noting that the program is similar to NY Alert which sends alerts out to the community. Residents can register at nixle.com.

The February 22, 2010 Abstract of Claims, consisting of vouchers numbered 203 through 301, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 38,357.50
Part Town	1,710.00
Highway	43,206.44
Enterprise (Gleed)	14,091.69
Capital	12,283.22
Trust & Agency	421,452.16
Special Districts	<u>41,834.58</u>
Grand Total Abstract	\$572,935.59

Councilman Collins moved to approve the February 22, 2010 Abstract of Claims as presented and to authorize payment of same. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #84
2/22/10
Abstract of
Claims aprvd

Councilman Harris moved to adjourn; seconded by Councilwoman Friess. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #85
Meeting
adjourned.

Martha L. Librock
Town Clerk