

November 14, 2016

A meeting of the Town Board of the Town of Aurora took place on Monday, November 14, 2016, at 7:00 p.m. in the Town Hall Auditorium, 300 Glead Avenue, East Aurora, New York.

Members Present:	Jeffrey T. Harris	Councilman
	Susan A. Friess	Councilwoman
	Charles D. Snyder	Councilman
	Jolene M. Jeffe	Councilwoman
	James J. Bach	Supervisor

Others Present:	David Gunner	Highway Superintendent
	William Kramer	Code Enforcement Officer
	Shane Krieger	Chief of Police
	Camie Jarrell	Engineer/GHD

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 the proposed Aurora Mills Cluster Subdivision Preliminary Plat. The notice was published in the East Aurora Advertiser as evidenced by the Affidavit of Publication and posted on the Town Clerk's bulletin board as noted by the Affidavit of Posting. Supervisor Bach opened the hearing at 7:01 p.m. and asked if anyone in the audience wished to address this topic.

Tom Seelig, Mill Road, suggested that the speed limit on Mill from the Village line to south of the subdivision be changed to 30 or 35 mph. Mr. Seelig requested more trees as a buffer between the subdivision and Kelly Drive. He also suggested a streetlight at the entrance to Kelly Drive.

Marion Smith Dombrowski, Jewett Holmwood Road, stated she has two safety concerns: 1) the amount of traffic that this development will generate and affect Mill at Route 20A and Mill at Beech Road; 2) the ravines along the creek are dangerous and there should be a buffer or at least some signage along the walking trail warning of the danger.

Val Davis, Mill Road, stated that traffic is her concern as her mailbox was hit again. Ms. Davis stated that traffic from 85 more homes will be more difficult and she was concerned about the parking on Mill Road where the new restaurant is located. Supervisor Bach stated that the restaurant is in the Village and they would have to address that parking issue.

Rosemary King, Mill Road, stated her lot backs up to the development and she wants to be sure there is enough of a buffer. Ms. King's other concern was the amount of traffic that will be generated and that traffic at Mill and Route 20A is very heavy at times.

Joyce Walsh, Mill Road, stated that traffic and the speed limit on Mill Road were two of her concerns. Ms. Walsh said that she would like to see the project made smaller.

Gerard Green, North Willow Street, stated he is a professional realtor and is in favor of the project. There is a need for this type of housing, as people who are downsizing want to stay in their community. They are looking for low maintenance, single-floor housing.

Donna ( ), Mill Road, stated she is in real estate and from a real estate point of view she is in favor of the project, but from a property owner's point of view she is concerned about the traffic on Mill Road.

Mark Warnke, Grover Road, is in favor of the project, as he wants to be able to stay in East Aurora after he downsizes from his current home.

Tyler Kirchmeyer, Mill Road, noted his concern with noise and light pollution from the project and believes this to be urban sprawl.

Gary Eckis, Davis Road, (project manager for Aurora Mills), stated they hired a professional landscaper to help with the buffering and other landscaping for the project. Mr. Eckis said they tried to save as much of the existing view as possible and moved the project away from the homes on Mill Road and closer to the creek and Kelly Drive apartments.

Supervisor Bach asked if anyone else wished to comment. Hearing no one, the hearing was closed at 7:23 p.m.

Supervisor Bach noted that lowering the speed limit on Mill Road (a county road) has not been discussed and maybe Erie County Highway could review that possibility. The Aurora Mills Preliminary Plat will be discussed further at the November 22, 2016 work session.

Councilwoman Friess moved to approve the minutes of the October 18, 2016 Town Board work session; seconded by Councilwoman Jeffe. Upon a vote being taken: ayes – five noes – none Motion carried. Action #337 10/18/16 wk sess minutes approved

Councilman Harris moved to approve the minutes of the October 24, 2016 Town Board meeting; seconded by Councilman Snyder. Upon a vote being taken: ayes – five noes – none Motion carried. Action #338 10/24/16 mtg min aprvd

#### AUDIENCE I:

Karl Simmeth, representing Assemblyman David DiPietro's office, stated that there is new legislation in New York State that allows any veteran who is part of the NYS retirement system to buy back time from when they were in the service.

#### UNFINISHED BUSINESS:

Councilman Snyder moved to approve the following changes to the 2017 Preliminary Budget:

- Add final taxable valuations
- Replace Impact Report with updated version
- Add Fire District budget amounts
- Increase A1110.416 Court Security Officer by \$4,800.00 for a second officer
- Increase A9710.6 Bond Principal by \$205,000.00 for ER bond principal due
- Increase A9710.7 Bond Interest by \$42,450.00 for ER bond interest due
- Increase Appropriated Fund Balance in General (A) Fund by \$247,450.00 which is the total amount of ER fund debt due in 2017

Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried. Action #339 Preliminary budget changes approved

Councilwoman Friess moved to adopt the 2017 Operating Budget for the Town of Aurora. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried. Action #340 2017 Budget adopted

#### NEW BUSINESS:

Councilwoman Jeffe moved to add item 6M – letter of support for Owens Falls Sanctuary (formerly Jackson Falls) to tonight's agenda. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried. Action #341 Item 6M – ltr of support added to agenda

Councilman Snyder moved to authorize the Supervisor to sign the 2017 Erie County Department of Senior Services Program Contract – Transportation and Escort Services (Going Places Van program). Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #342  
Supv to sign  
EC van  
contract

Councilman Harris moved to authorize the Supervisor to sign the 2017 Erie County Department of Senior Services Program Contract – Congregate Dining (Senior Center Lunch program). Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #343  
Supv to sign  
EC lunch  
program  
contract

Councilwoman Friess moved to authorize the Supervisor to sign an amended contract with Clean Sweep Janitorial Services, Inc., 2985 Seneca Street, W. Seneca, NY, whereby Clean Sweep will clean the Town offices at 300 Gleed Avenue twice per month with five (5) labor hours per cleaning for \$210.00 per month, effective November 1, 2016. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #344  
Supv to sign  
amended  
cleaning  
contract

(Note: prior to the Town selling the 300 Gleed Ave. building, there was a contract with Clean Sweep to clean the Town offices and the common areas. The Town's lease with the new owner just requires the Town to clean the offices it leases.)

Councilwoman Jeffe moved to approve the request from Town Assessor Richard Dean to close the Assessor's office from 11:00 a.m. to 3:00 p.m. on Tuesday, December 6, 2016 to allow the Assessor's office staff to attend the Erie County Assessors' Association Christmas luncheon. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #345  
Assessor's  
office to close  
12/6/16 from  
11am-3pm

Councilwoman Friess moved to declare a Stihl 390 saw (inventory no. 1265) as surplus inventory and to declare it scrap material. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried. Highway Superintendent Gunner stated the 20-year old saw was damaged beyond repair when a tree fell on it.

Action #346  
Stihl saw  
declared  
surplus  
inventory and  
scrap

Councilwoman Jeffe moved to approve the request from Christopher Musshafen to hire the following lifeguards with a start date of November 15, 2016:

Action #347  
Hiring of 2  
lifeguards  
approved

Jon Ketcham	6 Morningside Ct., EA	Lifeguard RPT	\$10.50/hr
Erin Weppner	1016 Mill Rd., EA	Lifeguard PT	\$ 9.05/hr

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

Councilwoman Friess moved to approve the request from Patrick Blizniak and William Kramer to attend the Niagara Frontier Building Officials Conference on January 23-25, 2017, at the Millennium Hotel in Buffalo, NY. Registration fee of \$275 each will be disbursed from A3620.404. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #348  
Building Dept.  
personnel to  
attend NFBO  
conference

Councilwoman Jeffe moved to approve the following 2016 budget amendment and transfer for monies owed to the Erie County Director of Real Property Tax Services for an order relating to Trinity Park Housing Development Fund Company, Inc. v. Town of Aurora, et al, for a settlement made for taxes/assessment purposes:

Action #349  
2016 Budget  
amendment  
and transfer  
for assessment  
settlement  
aprvd

Add expenditure line A1930 judgements and Claim

Transfer \$7,250.00 from A1990 Contingency to A1930 Judgements/Claims

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

Councilwoman Friess moved to approve the following 2016 budget transfer to cover additional hours in the Assessor's office:

Action #350  
Assessor  
budget transfer  
for payroll  
purposed  
aprvd

From: A1355.106 Assessment Clerk                      \$7,000.00  
To: A1355.107 Star Program Clerk                      \$7,000.00

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

Councilman Snyder moved to authorize the Supervisor to sign the Health Reimbursement Account (HRA) termination form and the Blue Cross/Blue Shield renewal documents, including the Small Group Health Care Contract and the Group Application for Health Care Coverage.

Action #351  
Supv auth to  
sign HRA  
termination  
form and  
BCBS renewal  
documents

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

Supervisor Bach noted that there is a Health Insurance meeting for Town employees on Tuesday, November 29<sup>th</sup> at 2:00 p.m. in the auditorium.

Councilwoman Friess moved to authorize the Supervisor to sign and submit a letter of support to the NYS Conservation Partnership Program/Land Trust Alliance for the WNY Land Conservancy's application for funding for the Owens Falls Sanctuary (formerly Jackson Falls). Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five                      noes – none                      Motion carried.

Action #352  
Supv to  
sign/submit ltr  
of support for  
Owens Falls

The Town Board is considering issuing debt for the purchase of/improvements to the Aurora Senior Center building and the former Village of East Aurora Fire Hall, rather than using fund balance as originally planned. In order to issue debt several items require approval.

Action #353  
Board rescinds  
Action #329

Councilwoman Friess moved to rescind Action #329, which amended the budget to utilize fund balance for the Senior Center and Fire Hall purchase and improvements. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five                      noes – none                      Motion carried.

Councilman Snyder moved to approve the temporary borrowing of fund balance from the General Fund (A) by Capital Project H4 (Senior Center purchase/improvements) in the amount of \$349,500.00 to be repaid upon issuance of debt for the purchase. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five                      noes – none                      Motion carried.

Action #354  
Temporary  
borrowing  
from A Fund  
for Sr Center  
capital project  
aprvd

Councilwoman Friess moved to approve the temporary borrowing of fund balance from the General Fund (A) by Capital Project H5 (Fire Hall/New Town Hall purchase) in the amount of \$99,500.00 to be repaid upon issuance of debt for the purchase. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five

noes – none  
Motion carried.

Action #355  
Temporary borrowing from A Fund for Fire Hall/Town Hall capital project aprvd

Councilwoman Jeffe explained that one sentence in both the Sub-Award Agreement and the Notice of Restrictions for the use of Major Park as a land match for the Western New York Land Conservancy to obtain a grant from U.S. Fish and Wildlife for the purchase of the Owens Falls Sanctuary, (formerly known as Mother’s Falls and Jackson Falls), is not acceptable to U.S. Fish and Wildlife. The wording, “if the Town realizes a need to develop the Property outside of the scope of this agreement”, would need to be removed from both documents in order for the agreement and notice of restrictions to be acceptable.

Supervisor Bach moved to authorize the amendments to the Sub-Award Agreement and Notice of Restrictions for the Majors Park land match for a grant for Owens Falls Sanctuary (formerly Jackson Falls) as follows: the phrase “If the Town realizes a need to develop the property outside of the scope of this agreement...”, will be deleted from Page 5 Paragraph 9 of the Sub-Award Agreement and from the second page of Schedule B, paragraph 2 of the Notice of Restrictions. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five

noes – none  
Motion carried.

Action #356  
Amendment to Majors Park/Owens Falls subaward and notice of restrictions aprvd

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

- Town Clerk – October 2016 report
- Town Clerk Tax – October 2016 report
- Water Clerk – October 2016 report
- Senior Center – October 2016 report
- Dog Control – September/October 2016 reports
- Building Department – October 2016 report
- Recreation Director – October 2016 report
- Work Requisitions – September/October 2016 report

BUSINESS FROM BOARD MEMBERS AND LIAISONS:

Councilwoman Jeffe attended the Communications Committee meeting at the EAUFSD. She noted that the athletic project is going forward and the school is working on more shared sports, programming and busing projects with Holland and other school districts.

Supervisor Bach attended and spoke at the Veterans Day celebration at the American Legion. Mr. Bach stated that the Town closed on the sale of 300 Gleed Avenue on November 1, 2016. The sale price was \$2.8+ million dollars and did not include the athletic fields. The Town and Village are still working on the closing documents for the purchase of the Aurora Senior Center building and former East Aurora Fire Hall building by the Town. Councilman Snyder will act as the construction manager for the renovation portion of the project.

AUDIENCE II: none

STAFF REPORTS:

Camie Jarrell stated a meeting with the ECWA is scheduled for the week after Thanksgiving to discuss the possibility of extending water out East Main Street and into the Town of Wales.

When Councilman Harris commented on Police Chief Krieger's beard, Chief Krieger noted that he is participating in "No Shave November" to raise cancer awareness and donate to Roswell Park Cancer Institute. Chief Krieger stated that several members of the EAPD family have been directly affected by cancer.

ABSTRACT OF CLAIMS

The October 28, 2016 Prepaid Abstract of Claims, consisting of vouchers numbered 1762 to 1773, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 4,326.41
Enterprise/Gleed	224.60
Special Districts	<u>11,857.51</u>
Grand Total Abstract	\$16,408.52

The November 14, 2016 Abstract of Claims, consisting of vouchers numbered 1774 to 1852, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 29,902.37
Highway	11,270.12
Enterprise/Gleed	9,895.50
Capital/Senior Center	399.75
Capital/Fire Hall	262.75
Special Districts	<u>47,762.75</u>
Grand Total Abstract	\$ 99,493.24

Councilwoman Friess moved to approve the October 28, 2016 Prepaid and the November 14, 2016 Abstracts of Claims and to authorize payment of same. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #357  
10/28 and  
11/14/16  
Abstracts of  
Claims aprvd

Councilwoman Jeffe moved to adjourn at 8:10 p.m.; seconded by Councilman Harris. Upon a vote being taken: ayes – five noes – none Motion carried

Action #358  
Meeting  
adjourned

Martha L. Librock  
Town Clerk