October 7, 2013

A meeting of the Town Board of the Town of Aurora took place on Monday, October 7, 2013, at 7:00 p.m. in the Town Hall Auditorium, 300 Gleed Avenue, East Aurora, New York.

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

Absent/Excused:  
James J. Bach  Councilman  

Others Present:  
Ronald Bennett  Town Attorney  
Patrick Blizniak  Superintendent of Building  
Charles Snyder  Planning Board  
William Adams  Planning Board  
David Gunner  Highway Superintendent  
Donna Bodekor  Senior Center Director  

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 the use of Federal Community Development funds also know as Community Development Block Grant (CDBG). The notice was published and posted as noted by the Affidavits of Publication and Posting. Supervisor Jeffe opened the hearing at 7:03pm and asked if anyone in the audience wished to address this topic. Hearing no one, the public hearing was closed at 7:04pm.

The next item on the agenda was a PUBLIC HEARING on Local Law Intro 2-2013, a local law that amends Chapter 113 Section 113-34 regarding penalty for late water payments. The notice was published and posted as noted by the Affidavits of Publication and Posting. Supervisor Jeffe opened the hearing at 7:05pm and asked if anyone in the audience wished to address this topic. Hearing no one, the public hearing was closed at 7:06pm.

Councilwoman Friess moved to approve the minutes of the September 17, 2013 budget work session; seconded by Councilman Harris.  
Upon a vote being taken:  ayes – four  noes – none  Motion carried.  

Councilman Harris moved to approve the minutes of the September 17, 2013 work session; seconded by Councilman Collins.  
Upon a vote being taken:  ayes – four  noes – none  Motion carried.  

Councilman Collins moved to approve the minutes of the September 23, 2013 Town Board meeting; seconded by Councilwoman Friess.  
Upon a vote being taken:  ayes – four  noes – none  Motion carried.  

AUDIENCE I:  none

UNFINISHED BUSINESS:

Councilwoman Friess moved to adopt the following resolution for a Local Law regarding rezoning 992 Olean Road; seconded by Councilman Collins:

RESOLUTION TO SET A PUBLIC HEARING

WHEREAS, Local Law Intro. No. 3-2013 has been introduced to the Town Board on October 7, 2013, and
WHEREAS, such Local Law proposes an amendment to the Codes of the Town of Aurora by amending the Zoning Map, and

WHEREAS, Municipal Home Rule Law Section 20(5) requires a public hearing upon five (5) days notice, and

WHEREAS, Municipal Home Rule Law Section 20(4) provides that no such local law shall be passed until it shall have then in its forum and upon the desks or table of the members at least seven (7) calendar days, exclusive of Sunday, prior to its final passage or mailed to each of them in post-paid properly addressed and secured closed envelopes or wrappers in a post box of a post office of the United States Post Office Department within the local government at least ten (10) calendar days, exclusive of Sunday, prior to its passage,

NOW, THEREFORE, BE IT

RESOLVED, that a public hearing on such Local Law shall be held on the 28th day of October, 2013 at 7:00 p.m., at the Town of Aurora Town Hall located at 300 Gleed Avenue, East Aurora, New York for the purpose of conducting a public hearing to consider proposed Local Law Intro. No. 3-2013, and be it further

RESOLVED, that the Town Clerk is hereby directed to publish a notice of said public hearing in the East Aurora Advertiser.

Upon a vote being taken: ayes – four noes – none
Duly adopted this 7th day of October, 2013.

Councilman Harris moved to authorize the Supervisor to sign, submit and execute contracts with the Erie County Community Development Block Grant (ECCDBG) program for the following projects upon approval of the ECCDBG:

1) Aurora Senior Center Programming, Building Improvements and Generator
2) Continuation of the Rural Transit Service, Inc. program

Councilwoman Friess seconded the motion.

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

NEW BUSINESS:

Councilman Harris moved to accept the bids from Auctions International for the sale of the following equipment previously declared surplus:

1992 Ford L9000 dump truck $4,550.00
Briggs & Stratton Leaf Blower 260.00

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

Councilwoman Friess moved to add the following to the 2014 Erie County Tax Rolls, in accordance with Town Law Article 12 Section 198, for non-payment of water bills; seconded by Councilman Harris:
Property Owner | Billing Customer | Service Address | Billing Source and Amount
--- | --- | --- | ---
Julie Adrien | Jerry S. Ellis | 468 Jewett Holmwood Rd. East Aurora, NY 14052 SBL# 174.00-2-30.21 | ECWA $157.05
Steven Hochwald | Michael C. Penfold | 1304 Sweet Road East Aurora, NY 14052 SBL#175.00-4-21 | ECWA $91.15
Joseph Warmus | Eric C. Eldridge | 1680 Mill Road East Aurora, NY 14052 SBL#186.00-3-12.1 | ECWA $105.31
Sunny Sollutions LLC | Wassim Issa Sunny Solutions LLC | 7000 Davis Road West Falls, NY 14170 SBL#199.00-4-32 | ECWA $254.11
Michael Mawk | Same | 43 Manchester Road East Aurora, NY 14052 SBL#186.01-1-26 | ECWA $178.58
Dennis Hirschfelt | Justin Muise | 1455 Center Street East Aurora, NY 14052 SBL#187.00-4-24 | ECWA $124.88
Terry White | Laura Clark | 2171 Center Street East Aurora, NY 14052 SBL#200.00-1-14 | ECWA $6.77

Upon a vote being taken: ayes – four noes – none Motion carried. Action #336 ECWA delinquent water bills added to 2014 tax roll

Councilman Collins moved to add the following to the 2014 Erie County Tax Rolls, in accordance with Town Law Article 12 Section 198, for non-payment of water bills; seconded by Councilwoman Friess:

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>Billing Customer</th>
<th>Service Address</th>
<th>Billing Source and Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alexander 46 Inc. c/o Jas. Joyce 4733 Transit Rd. Depew, NY 14043</td>
<td>Same</td>
<td>555 South Street East Aurora, NY 14052 SBL#175.16-1-9</td>
<td>Village of East Aurora $543.13</td>
</tr>
</tbody>
</table>

Upon a vote being taken: ayes – four noes – none Motion carried. Action #337 VEA delinquent water bill added to 2014 tax roll

Councilwoman Friess moved to add the following to the 2014 Erie County Tax Rolls, in accordance with Town Law Article 12 Section 198, for non-payment of water bills; seconded by Councilman Collins:

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>Billing Customer</th>
<th>Service Address</th>
<th>Billing Source and Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Virginia Beatty</td>
<td>Same</td>
<td>225 Porterville Road East Aurora, NY 14052 SBL#165.13-4-40</td>
<td>Aurora $315.29</td>
</tr>
</tbody>
</table>
Robert Ostrander
Mary Ostrander

60 Girdle Road
East Aurora, NY 14052
SBL#165.10-1-9
Aurora $57.27

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

Supervisor Jeffe moved to approve the change in Civil Service classification of Elizabeth Deveso from Part-time Seasonal to Clerk Part-time effective September 28, 2013. Councilman Collins seconded the motion.

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

Councilwoman Friess moved to authorize the Supervisor to sign a Group Health Care Contract with BlueCross BlueShield of Western New York with the applicable Three Tier coverage plan (Single $315.02; 2 Person $645.79; Family $872.80) beginning at 12:01 a.m. on December 1, 2013. Councilman Harris seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Councilman Collins moved to approve the following Recreation Department personnel changes:

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>NAME</th>
<th>ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atendido, Madelyn</td>
<td>537 Fillmore Ave., EA</td>
<td>Aures, Kathryn</td>
<td>533 Snyder Rd., EA</td>
</tr>
<tr>
<td>Busch, Breanna</td>
<td>899 Mill Rd., EA</td>
<td>Bedard, Michele</td>
<td>1414 Emery Rd., EA</td>
</tr>
<tr>
<td>Campbell, Cameron</td>
<td>1266 Sweet Rd., EA</td>
<td>Dayton, Patrick</td>
<td>349 Prospect Ave., EA</td>
</tr>
<tr>
<td>Cedfeldt, Gwen</td>
<td>814 Luther Rd., EA</td>
<td>DiFilippo, Thomas</td>
<td>235 Glenridge, EA</td>
</tr>
<tr>
<td>Davidson, Carl</td>
<td>140 Geneva Rd., EA</td>
<td>Dylewski, Jan</td>
<td>309 North St., EA</td>
</tr>
<tr>
<td>DeMario, Meg</td>
<td>6846 Olean Rd., So. Wales</td>
<td>Falkowski, Amanda</td>
<td>573 Linden Ave., EA</td>
</tr>
<tr>
<td>DeSantis, Grace</td>
<td>157 Gypsy Lane, EA</td>
<td>Nigro, Francis</td>
<td>104 Maple Rd., EA</td>
</tr>
<tr>
<td>Jackson, Holly</td>
<td>1662 Reading Rd., WF</td>
<td>Radziwon, Christian</td>
<td>4 Nye Hill Rd., EA</td>
</tr>
<tr>
<td>Johnston, Isobel</td>
<td>905 Davis Rd., EA</td>
<td>Tent, Meaghan</td>
<td>1240 Sweet Rd., EA</td>
</tr>
<tr>
<td>Kraus, Leah</td>
<td>1579 Mill Rd., EA</td>
<td>Wolf, Bridget</td>
<td>59 Manchester, EA</td>
</tr>
<tr>
<td>McLaughlin, Marta</td>
<td>1913 Lapham Rd., EA</td>
<td>Wolf, Meghan</td>
<td>59 Manchester, EA</td>
</tr>
<tr>
<td>O’Connell, Erin</td>
<td>1909 Reading Rd., WF</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Strazella, Andrew</td>
<td>101 Church St., EA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zagrobelny, John</td>
<td>230 N. Willow St., EA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zagrobelny, Margaret</td>
<td>230 N. Willow St., EA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zagrobelny, Sam</td>
<td>230 N. Willow St., EA</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Employment ended on last day worked in 2013:

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>NAME</th>
<th>ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anderson, Paige</td>
<td>20 Center Ridge Rd., EA</td>
<td>Conron, Anne</td>
<td>69 Church St., EA</td>
</tr>
<tr>
<td>Coulter, Daniel</td>
<td>100 Kirkwood Dr., EA</td>
<td>Dziulko, Emily</td>
<td>1580 Mill Rd., EA</td>
</tr>
<tr>
<td>Coulter, Robert</td>
<td>100 Kirkwood Dr., EA</td>
<td>Falkowski, Kimberly</td>
<td>573 Linden , EA</td>
</tr>
<tr>
<td>Ketcham, Jonathan</td>
<td>6 Morningside Ct., EA</td>
<td>Giacomini, Evan</td>
<td>5 Mary Jane Lane, EA</td>
</tr>
<tr>
<td>Leuthauser, Leah</td>
<td>84 Brooklea Dr., EA</td>
<td>Goodberry, Katherine</td>
<td>165 W. Falls Rd., WF</td>
</tr>
<tr>
<td>Malys, Peige</td>
<td>15 Victoria Hts., EA</td>
<td>Harts, Joshua</td>
<td>248 Walnut St., EA</td>
</tr>
</tbody>
</table>

Action #338 TOA delinquent water bills added to 2014 tax roll
Action #339 E. Deveso civil service classification changed
Action #340 Supv auth to sign health care contract with BCBS
Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

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

WHEREAS, Section 2019-a of the Uniform Justice Court Act requires every justice of a village or town to submit his records and docket to the auditing board of said village or town; and

WHEREAS, Section 2019-a of the Uniform Justice Court Act requires that Justice Court records shall be examined and audited by said auditing board or a certified public accountant.

NOW, THEREFORE BE IT RESOLVED that the audit and examination of the records of the Aurora Town Justices for the year ended December 31, 2012 was performed by the auditing firm of Drescher & Malecki LLP; and

BE IT FURTHER RESOLVED that the findings of said audit and examination were presented to the Town Board of the Town of Aurora.

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

Councilman Collins moved to authorize the Supervisor to sign and submit a Justice Court Assistance Program grant application for the 2013-2014 year in the amount of $3,907.90 for computer hardware (computer, monitor, laptop computer). Councilwoman Friess seconded the motion.

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

Councilwoman Friess moved to accept the following amendments to the Tentative Budget and to accept the amended Tentative Budget as the 2014 Preliminary Budget:

- Change A6772.114 Part-time Recreation Personnel from $0 to $5535
- Change A7020.110 Recreation Supervisor from $33,569 to $28,061
- Change A1081 Payments in Lieu of Taxes from $6,193 to $6,236
- Add delinquent water to levy (ECWA) $917.85

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

Councilman Collins moved to set October 22, 2013 at 7:00p.m. at the Town Hall Auditorium, 300 Gleed Avenue, East Aurora, New York, as the date, time and place to hold a public hearing on the 2014 Town of Aurora Preliminary Operating Budget. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.
Councilman Harris moved to appoint Susan A. Friess as a Town of Aurora marriage officer for a term beginning October 7, 2013 and ending December 31, 2013. Councilman Collins seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

COMMUNICATIONS – The following communications were received by the Board and filed:
- Town Clerk – September 2013 report
- Recreation Director – September 2013 report
- Tax Receiver – September 2013 report

BUSINESS FROM BOARD MEMBERS:
Supervisor Jeffe stated the Freed Maxick bookkeeping arrangement is working well; new accounting software is being looked into; and the Village and Town are joint hosts for the October Association of Erie County Governments meeting at the Roycroft Inn.

AUDIENCE II:
George and Patricia Roetzer, Kirkwood Drive, addressed the Board on drainage issues and youths partying in the Kirkwood Drive area.

STAFF REPORTS:
Donna Bodekor reported that fall programming has begun at the Senior Center.
David Gunner stated that the Geneva Road paving project is done.

The October 7, 2013 Abstract of Claims, consisting of vouchers numbered 1798 to 1892, was presented to the Board for audit and authorization of payment from the following funds:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>$29,231.19</td>
</tr>
<tr>
<td>Part Town</td>
<td>954.00</td>
</tr>
<tr>
<td>Cemetery</td>
<td>300.00</td>
</tr>
<tr>
<td>Highway</td>
<td>8,328.99</td>
</tr>
<tr>
<td>Enterprise/Gleed</td>
<td>14,368.67</td>
</tr>
<tr>
<td>Trust &amp; Agency</td>
<td>351.46</td>
</tr>
<tr>
<td>Trust &amp; Agency II</td>
<td>20,558.28</td>
</tr>
<tr>
<td>Special Districts</td>
<td>99,742.19</td>
</tr>
<tr>
<td><strong>Grand Total Abstract</strong></td>
<td><strong>$173,834.78</strong></td>
</tr>
</tbody>
</table>

Councilwoman Friess moved to approve the October 7, 2013 Abstracts of Claims and to authorize payment of same; seconded by Councilman Collins. Upon a vote being taken: ayes – four noes – none Motion carried.

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

Martha L. Librock
Town Clerk