

September 25, 2017

A regular meeting of the Town Board of the Town of Aurora took place on Monday, September 25, 2017, at 7:00 p.m. in the Town Hall Auditorium, 300 Gleed Avenue, East Aurora, New York.

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

Others Present:	Ronald Bennett	Town Attorney
	David Gunner	Highway Superintendent
	William Kramer	Code Enforcement Officer
	William Wheeler	GHD/Engineer
	Shane Krieger	Chief of Police

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 9/11/17 Town Board meeting; seconded by Councilman Snyder. Upon a vote being taken: ayes – five noes – none	Motion carried.	Action #300 9/11/17 TB minutes aprvd
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Councilman Harris moved to approve the minutes of the 9/19/17 Town Board work session; seconded by Councilwoman Jeffe. Upon a vote being taken: ayes – five noes – none	Motion carried.	Action #301 9/19/17 TB work session minutes aprvd
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AUDIENCE I: none

UNFINISHED BUSINESS: none

NEW BUSINESS:

Councilwoman Friess moved to add item 6V – 2018 Tentative Budget and item 6W – Tennis court light installation to the agenda. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none	Motion carried.	Action #302 Two items added to agenda.
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Councilman Snyder moved to adopt the following resolution; seconded by Councilman Harris:

Whereas, Five Star Equipment, Inc., 280 Ellicott Road, PO West Falls, Town of Aurora, has submitted applications for a Special Use Permit and Site Plan Review for their project to construct a new 22,500 sf building with associated parking and infrastructure and demolish existing buildings at this location.

Now, Therefore, Be It

Resolved, that the Town Board hereby determines that the application by Five Star Equipment, Inc., 280 Ellicott Road, PO West Falls, Town of Aurora, is subject to SEQRA and is designated as an “unlisted” action; and be it further

Resolved, that a coordinated review with involved and interested agencies will be initiated; and be it further

Resolved, that the Town Board declares its desire to assume Lead Agency status for the purpose of SEQRA review.

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

Action #303
Five Star
Equip.
special use
permit –
SEQR
resolution

Councilwoman Friess moved to accept a \$2500 donation from East Aurora Baseball and Softball, Inc. to be used toward baseball supplies. Councilwoman Jeffe seconded the motion. Upon a vote being taken:
ayes – five noes – none Motion carried.

Action #304
\$2500
donation
from EA
Baseball
accepted

Councilwoman Jeffe moved to approve the following budget amendment to record the \$2500 donation from East Aurora Baseball and Softball, Inc.:

- Add revenue line A2705.2 Donations EA Baseball & Softball
- Increase revenue line A2705.2 by \$2,500.00
- Increase appropriation line A7110.444 Park Supplies by \$2,500.00

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

Action #305
Budget
amendment
for EA
Baseball
donation/use
aprvd

Councilwoman Jeffe moved to approve the following budget transfer for the installation of (4) LED lights and brackets at the South Street tennis court:

From: A1620.422 Op Building – Repair/Maintenance \$1,479.30
To: A7110.444 Parks – Supplies \$1,479.30

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

Action #306
Budget
transfer for
tennis court
light install
aprvd

Councilman Snyder moved to approve the following budget transfer to cover the unbudgeted property tax (2017 School tax) for 559 Oakwood Ave.:

From: A1910 Unallocated Insurance \$970.00
To: A1950 Taxes & Assessments on Property \$970.00

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

Action #307
Budget
transfer for
559
Oakwood
school tax
pymt aprvd

Councilwoman Friess moved to approve the following general fund and highway fund budget transfers to mitigate negative balances in several budget lines:

From: A5010.404 Hwy Admin/Expense & Travel \$100.00
To: A5010.401 Hwy Admin/Office expense \$100.00

From: A7110.410 Parks/Fuel & Oil \$3,400.00
To: A7110.444 Parks/Supplies \$3,400.00

From: DB5130.432 Hwy/Machinery \$200.00
To: DB3989.400 Hwy/Public Safety \$200.00

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

Action #308
Hwy/Parks
budget
transfers
aprvd

Councilwoman Friess moved to approve the following budget amendment to rectify the negative balance in DB5130.217:

- Increase revenue line DB2665 Sale of scrap/property \$10,769.00
- Increase revenue line DB2300 Transport Svcs/County \$10,990.00
- Increase appropriation line DB5130.217 truck purchase \$21,759.00

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

Action #309
Hwy budget
amendment
aprvd re:
truck
purchase

Councilwoman Jeffe moved to declare a Randall steam table (model no. W000114638 – Town ID#1810) from the Aurora Senior Center as surplus inventory to be auctioned. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #310
Sr. Center
steam table
declared
surplus

Quotes for a steam table for the Aurora Senior Center were received from:

CKEP-USA, Tucson, AZ	\$3,699.00*
BHS, Buffalo, NY	\$3,450.00
Central Restaurant Supply, Syracuse, NY	declined to quote

(*Note: This price is from the NYS bid list.)

Councilman Snyder moved to approve the purchase of a new Advance Tabco steam table (model no. SW-3E-240-DR) for \$3,450.00 from BHS Food Service Solutions (formerly Buffalo Hotel Supply), Commerce Dr., Buffalo, NY. Proceeds from the auctioning of the old steam table will be used toward this purchase and the balance of the funding will be disbursed from TA 1000.0090. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #311
Purchase of
new steam
table for Sr.
Center aprvd

Councilman Harris moved to approve the hiring of the following for the position of Lifeguard Part Time at a rate of \$10.00 per hour effective October 2, 2017:

Trevor Egloff	986 Center Street
Britton Hatch	1415 Center Street
Katelyn Kloc	504 Mill Road

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

Action #312
Approval to
hire 3 part
time
lifeguards

Councilman Snyder moved to approve payment no. 1 for Kandey Company, Inc., 19 Ransier Dr., West Seneca, NY, in the amount of \$85,011.70, covering the period from project commencement through August 31, 2017 for the Master Water Improvement Area Ellis Drive Pump Station improvements. Funds will be disbursed from Capital Fund HA8340.200. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #313
Pymt No. 1
to Kandey
Co for
MWIA
pump station

Councilman Harris moved to authorize the Supervisor to sign an updated vendor payment agreement with JP Morgan Chase Bank in regards to the Loomis courier services. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #314
Supv to sign
agreement
with Chase
for courier
services

Councilwoman Friess moved to accept and approve the bid results from Auctions International for the following surplus inventory:

- 1995 Ford L9000 Dump truck \$12,500.00
- 2007 Ford F150 DCO truck 3,550.00
- 2014 Ford F150 STX Pickup truck 22,100.00

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

Action #315
Auction bid
results for 2
hwy and 1
DCO truck
aprvd

On September 20, 2017, a bid from West Herr Ford was received and opened for a new 2017 Ford F150 ½ ton 4x4 pickup truck in the amount of \$29,587.70. No other bids were received.

Councilwoman Friess moved to approve the purchase of a new 2017

Ford F150 ½ ton 4x4 pickup truck from West Herr Ford in the amount of \$29,587.70. Funds will be disbursed from DB5130.217. Funds received from the sale/auction of the 1995 Ford L9000 and 2014 Ford F150 will be used for the purchase of this vehicle. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #316
Purchase of
2017 Ford
F150 for
hwy supt
aprvd

Councilwoman Friess moved to approve the following budget amendment to record the use of Contingency funds and proceeds from the sale of the 2007 Ford F150 dog control truck to purchase the 2013 Ford Transit Connect van from the Erie County Water Authority:

Action #317
Budget
amendment
for DCO
vehicle
aprvd

- Increase revenue line A2665 Sale of Equipment by \$3,550.00
- Decrease appropriation line A1990 Contingent Acct by \$10,162.00
- Increase appropriation line A3510.200 Dog Control truck by \$13,712.00

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

Councilman Snyder moved to approve the hiring of Daniel Harris, 1362 East Main Street, East Aurora, NY, as a laborer part time seasonal at a rate of \$15.00 per hour with a starting date of October 10, 2017. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none abstain – one (Harris) Motion carried.

Action #318
Hiring of D.
Harris as
laborer pt
seasonal
aprvd

Councilwoman Friess moved to approve the request from Highway Superintendent Gunner to send Daniel Harris and Michael Evens to a pesticide-training seminar on October 12–13, 2017, at the Holiday Inn in Liverpool, NY. The \$252 cost (\$150 registration; \$102 hotel fee) will be disbursed from CE8810.401. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #319
D. Harris &
M. Evens to
attend
pesticide
seminar

Councilwoman Jeffe moved to refer a Special Use Permit application from Daniel Orfeo for an office for West Falls Transportation, Inc., at 180 Ellicott Road, West Falls, NY, to the Planning Board for review and recommendation. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #320
SUP for 180
Ellicott Rd
referred to
Planning
Brd

Councilwoman Friess moved to refer a Special Use Permit application from Dean Weber for an additional building at his business, Webers Landscaping, Inc. at 1241 Davis Road, West Falls, NY, to the Planning Board for review and recommendation. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #321
SUP for
1241 Davis
referred to
Planning
Brd

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

Whereas, Dean Weber has presented plans to build a 24' by 40' accessory building (pole barn) at 1241 Davis Road, PO West Falls, NY, SBL# 186.00-5-22; and

Whereas, the property described is zoned B1 and is adjacent to property zoned residential; and

Whereas, Town Code Chapter 95 Section 95-2 Paragraph C states that a site plan review will be required for any nonresidential commercial improvement constructed on property which immediately adjoins or is directly across the street from or is within 500 feet of property which is zoned residential.

Whereas, Mr. Weber has requested that the Town Board rescind the requirement for site plan review for the following reasons: 1) The new building is not the primary structure for the property or the business at that location; and 2) the proposed building is 960 square feet, well below the 2,500 square feet that would trigger site plan review if the parcel were not adjacent to a residential zone; and

Whereas, Superintendent of Building Patrick Blizniak, in a memo the Town Board stated that the nature of Mr. Weber’s project as well as the size should be considered insignificant in regards to Site Plan Review; and

Whereas, the proposed building does not require a Stormwater Pollution Prevention Plan (SWPPP); and

Whereas, in accordance with Chapter 95 Section 95-5, the Town Board may waive the applicability of all or any portion of the site plan review process to a particular applicant or project.

Now, Therefore Be It

Resolved, that the Town Board of the Town of Aurora hereby waives the site plan review requirement for the construction of a 24’ by 40’ pole barn at 1241 Davis Road, PO West Falls, New York (SBL#186.00-5-22), including the Stormwater Pollution Prevention Plan requirement; and be it

Action #322
 Site Plan review waived for pole barn at 1241 Davis

Resolved, that this waiver is only for the pole barn cited in the Special Use Permit application by Mr. Weber received by the Town on September 5, 2017.

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

Councilwoman Friess moved to add the following Erie County Water Authority delinquent water bills for Town of Aurora customers to the 2018 Erie County Tax rolls, in accordance with Town Law Article 12 Section 198, for non-payment; seconded by Councilman Harris:

Action #323
 Unpaid ECWA delinquent bills – put on 2018 tax bills

<u>Property Owner</u>	<u>Billing Customer</u>	<u>Service Address</u>	<u>Billing Source and Amount</u>
Dorothy J. Busch	Same	1553 Olean Road	ECWA \$200.01
Michael J. and Amy L. Perry	Billie Becker	1721 Bailey Road	ECWA \$43.02

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

Councilwoman Friess moved to receive the 2018 Tentative Budget from the Town Clerk. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #324
 2018 Tentative budget received

Councilman Snyder moved to approve the installation of four LED lights at the South Street tennis court by Warning Electric in the amount of \$1,479.30 to be paid from A7110.444. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #325
 Installation cost of LED lights at tennis court aprvd

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

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- Town Clerk Tax- August 2017 report
- Dog Control - August 2017 report
- Recreation - August 2017 report
- Work Requisitions - August 2017 report
- Supervisor - August 2017 report

BUSINESS FROM BOARD MEMBERS:

Councilman Snyder toured the recently paved Town roads with Superintendent Gunner.
 Councilwoman Friess thanked Kathleen Moffat for her work on the budget.
 Councilwoman Jeffe spoke about the ladder truck that the EAFD is requesting.
 Supervisor Bach stated we should stay under the tax cap with the 2018 budget.

AUDIENCE II:

Paul Weiss, Girdle Road, spoke to the Board about political signs and the constitutionality of the Town Code regarding political signs.

STAFF REPORTS:

William Wheeler stated that some work still needs to be completed toward the MWIA waterline project and the installation of the pump station is about 10 weeks out.

ABSTRACT OF CLAIMS

The September 25, 2017 Abstract of Claims, consisting of vouchers numbered 1385 to 1462, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 50,469.61
Part Town	89.41
Highway	35,379.50
Capital/MWIA	211,925.27
Capital/Firehall	12,424.00
Cemetery	188.07
Trust/Agency 2	17,033.26
Special Districts	<u>226.10</u>
Grand Total Abstract	\$327,735.22

Councilman Harris moved to approve the September 25, 2017 Abstract of Claims and to authorize payment of same; seconded by Councilwoman Friess. Upon a vote being taken: ayes – five noes – none Motion carried. Action #326 9/25/17 Abstract aprvd

Councilman Snyder moved to enter into Executive Session to discuss contract negotiations, with no action to be taken during the session; seconded by Councilwoman Jeffe. Upon a vote being taken: ayes – five noes – none Motion carried. Action #327 Board enters exec session

Councilwoman Jeffe moved to come out of Executive Session at 8:44 p.m.; seconded by Councilwoman Friess. Upon a vote being taken: ayes – five noes – none Motion carried. Action #328 Board exits exec session

Councilwoman Jeffe moved to adjourn at 8:45 p.m.; seconded by Supervisor Bach. Upon a vote being taken: ayes – five noes – none Motion carried. Action #329 Mtg adjourned

Martha L. Librock
 Town Clerk