

July 25, 2016

A meeting of the Town Board of the Town of Aurora took place on Monday, July 25, 2016, at 7:00 p.m. in the Town Hall Auditorium, 300 Gleed Avenue, East Aurora, New York.

Members Present:	Jeffrey T. Harris Susan A. Friess Charles D. Snyder James J. Bach	Councilman Councilwoman Councilman Supervisor
Absent/Excused:	Jolene M. Jeffe	Councilwoman
Others Present:	Ronald Bennett David Gunner William Kramer William Wheeler Shane Krieger	Town Attorney Highway Superintendent Code Enforcement Officer GHD/Engineer 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 6/20/16 Town Board special meeting; seconded by Councilman Snyder. Upon a vote being taken: ayes – four noes – none Motion carried. Action #214 6/20/16 TB special mtg min approved

Councilman Snyder moved to approve the minutes of the July 11, 2016 work session; seconded by Councilman Harris. Upon a vote being taken: ayes – four noes – none Motion carried. Action #215 7/11/16 wk sess min approved

Councilman Harris moved to approve the minutes of the July 11, 2016 Town Board meeting; seconded by Councilman Snyder. Upon a vote being taken: ayes – four noes – none Motion carried. Action #216 7/11/16 TB mtg min approved

Supervisor Bach welcomed Karl Simmeth, representative from Assemblyman DiPietro's office. Mr. Simmeth stated that Mr. DiPietro is out of session and back in town and can be reached at his local office (652-0591).

AUDIENCE I: none

UNFINISHED BUSINESS:

Councilwoman Friess moved to adopt following resolution to purchase real property; seconded by Councilman Harris:

**RESOLUTION TO PURCHASE REAL PROPERTY**

WHEREAS, the Town of Aurora ("Town") and the Village of East Aurora ("Village") have entered into negotiations for the purchase by the Town from the Village of property identified as the Town of Aurora Senior Citizen Center and the Village of East Aurora former Fire Hall being all the property located at 565, 575 and 587 Oakwood Avenue in the Village of East Aurora, and

WHEREAS, the Town and Village have negotiated a purchase price of \$450,000.00 for the described property which terms and provisions of the Contract are set forth in a copy of the Agreement attached hereto, and

NOW, THEREFORE, be it

RESOLVED, the Town Board approves the Contract and authorizes the Supervisor of the Town to execute and deliver to the Village of East Aurora copies of the Contract for Sale and Purchase to transfer the properties located at 565, 575 and 587 Oakwood Avenue in the Village of East Aurora, according to its terms and provisions included in the Agreement, and be it further

RESOLVED, the Town Clerk or assignee is requested to forward four (4) signed copies of the Contract to the Village of East Aurora, and be it further

RESOLVED, this Resolution shall take effect immediately.

Action #217  
Contract for  
purch of sr ctr  
and fire hall  
approved

DULY ADOPTED, this 25<sup>th</sup> day of July, 2016.

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

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Councilman Snyder moved to adopt the following resolution relating to the SEQR process for the purchase of real property; seconded by Councilwoman Friess:

**RESOLUTION RELATING TO THE  
STATE ENVIRONMENTAL QUALITY REVIEW PROCESS**

WHEREAS, the Town Board is considering purchasing property located at 565, 575 and 587 Oakwood Avenue in the Town of Aurora; and

WHEREAS, the Town Board of the Town of Aurora is duly qualified to act as Lead Agency.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Aurora hereby declares itself as Lead Agency for SEQR review purposes and hereby determines that the proposed action is an Unlisted action, and be it further

RESOLVED, that the Town Clerk is requested to forward, by U.S. mail, a certified copy of this Resolution and the proposed short environmental assessment form to any involved agencies as may be determined by the Town Engineer and the Town Attorney.

Action #218  
Town  
declares lead  
agency for  
purchase of  
Sr Ctr & fire  
hall from  
VEA

DULY ADOPTED, this 25<sup>th</sup> day of July, 2016.

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

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Councilman Harris moved to adopt the following resolution relating to the Aurora Mills Cluster Subdivision Sketch Plan and Preliminary Plat; seconded by Councilman Snyder:

Whereas, the Aurora Mills Cluster Subdivision Sketch Plan was approved by the Town of Aurora Town Board on February, 22, 2016; and

Whereas, the Preliminary Plat for the Aurora Mills Cluster Subdivision was submitted to the Town on June 30, 2016; and

Whereas, the Preliminary Plat deviates from the approved Sketch Plan in that the size of the cul-de-sacs were increased to allow fire truck circulation; the partial cul-de-sac within the southeast corner of the site was reduced to a typical road curve to accommodate the confirmed gas well location; and the waste water pump station was relocated to the northwest cul-de-sac; and

Whereas, the total number of lots remains at eighty-five (85), the lot layout was adjusted slightly to accommodate the conditions listed above; and

Whereas, as a result of the deviations made to the Preliminary Plat, the development footprint increased from twenty-two (22) to twenty-nine (29) acres; and

Whereas, a sufficient amount of undeveloped land remains for the applicant to meet the open space preservation requirement for a Cluster Subdivision.

Now, Therefore be it Resolved, that The Town Board of the Town of Aurora does not see these deviations as being significant changes from the approved Aurora Mills Cluster Subdivision Sketch Plan; and be it

Resolved, that the Town Board accepts the deviations noted above and receives the Aurora Mills Cluster Subdivision Preliminary Plat as presented; and be it

Resolved, that the Town Board will refer the Aurora Mills Cluster Subdivision Preliminary Plat to the Town of Aurora Planning Board for review and recommendation(s); and be it

Resolved, that the Town of Aurora Town Board declares its intent to act as Lead Agency for SEQR review purposes and hereby determines that the proposed action is an Unlisted action.

Action #219  
Accepts  
deviations to  
sketch  
plan/Lead  
Agency Aurora  
Mills Prelim  
Plat

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

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NEW BUSINESS:

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN FRIESS, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN SNYDER, TO WIT

A RESOLUTION DECLARING SURPLUS PROPERTY

WHEREAS, the Town of Aurora acquired improved real property located at 300 Gleed Avenue in the Town of Aurora for use as municipal offices including consolidation with other municipal and/or other not-for-profit entities, and

WHEREAS, such consolidation never occurred and is not expected to occur in the future, and

WHEREAS, such improved real property far exceeds the needs of the Town of Aurora for its uses and purposes.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Aurora hereby declares the improved real property located at 300 Gleed Avenue, excluding the ball diamonds and recreational areas, to be surplus property and to be dealt with accordingly.

This Resolution shall take effect immediately.

DULY ADOPTED, this 25<sup>th</sup> day of July, 2016, by the following:

Supervisor Bach	Voted Aye
Councilwoman Friess	Voted Aye
Councilman Harris	Voted Aye
Councilman Snyder	Voted Aye

Action #220  
300 Glead Ave  
declare surplus  
property

Ayes – Four                      Noes – none                      Motion carried.

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN SNYDER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN HARRIS, TO WIT

A RESOLUTION AUTHORIZING THE TRANSFER OF  
SURPLUS PROPERTY TO WALES AURORA HOLDINGS, LLC, AS AGENT FOR A  
NEW YORK ENTITY TO BE FORMED

WHEREAS, the Town of Aurora acquired improved real property located at 300 Glead Avenue in said Town for use as municipal offices including consolidation with other municipal and/or not-for-profit entities, and

WHEREAS, it is no longer necessary for the Town of Aurora to retain a portion of said property including the building and parking lots only and excluding there from the ball diamonds and recreational areas, and

WHEREAS, Wales Aurora Holdings, LLC, as Agent for a New York Entity to be formed, desires to acquire such property on market terms.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Aurora, in regular session duly convened, does hereby authorize and direct the Supervisor of the Town to execute and deliver to said Wales Aurora Holdings, LLC, as Agent for a New York Entity to be formed, a Purchase and Sale Agreement to transfer the building and parking lots at 300 Glead Avenue, according to the terms stated in such Agreement, excluding there from the ball diamonds and recreational fields, subject to a permissive referendum as permitted by law.

This Resolution shall take effect immediately.

DULY ADOPTED, this 25<sup>th</sup> day of July, 2016, by the following:

Supervisor Bach	Voted Aye
Councilwoman Friess	Voted Aye
Councilman Harris	Voted Aye
Councilman Snyder	Voted Aye

Action #221  
Town Board  
auth to  
sell/transfer  
300 Glead to  
Wales Aurora  
Holdings,  
LLC

Ayes – four                      Noes – none                      Motion carried

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN HARRIS, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN FRIESS, TO WIT

A RESOLUTION RELATING TO THE STATE  
ENVIROMENTAL QUALITY REVIEW PROCESS

WHEREAS, the Town Board of the Town of Aurora is considering selling real property in the Town of Aurora; and

WHEREAS, the Town Board of the Town of Aurora is duly qualified to act as Lead Agency.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Aurora hereby declares itself as Lead Agency for SEQR review purposes and hereby determines that the proposed action is an unclassified action.

DULY ADOPTED, this 25<sup>th</sup> day of July, 2016, by the following vote:

Supervisor Bach	Voted Aye	Action #222
Councilwoman Friess	Voted Aye	Town declares
Councilman Harris	Voted Aye	lead agency for
Councilman Snyder	Voted Aye	sale of 300
		Gleed - SEQR

Ayes – four                      Noes – none                      Motion carried.

Supervisor Bach stated that the contract for the sale of 300 Gleed is for \$2,210,000. The Town will retain the baseball diamonds and have three (3) years of free rent.

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Quotes for a Graco model 3400 airless paint sprayer machine were received from:

Sherwin Williams	\$3,556.80
JN Equipment	\$3,999.00
Prostores.com	\$4,089.00

Councilman Snyder moved to approve the purchase of a Graco LineLazer 3400 airless line striper from Sherwin Williams, 164 Main Street, E. Aurora, NY, in the amount of \$3,556.80. Funds will be disbursed from the Highway Department Garage Building capital improvement (\$50,000) bond. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four      noes – none      Motion carried.

Action #223  
Purchase of  
airless paint  
machine for  
hwy approved

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

- Supervisor – June 2016 report
- Dog Control – June 2016 report

BUSINESS FROM BOARD MEMBERS AND LIAISONS:

Councilwoman Friess thanked the Supervisor for keeping the real estate deals going and thanked the rest of the Board for their work towards the property purchase and sale.

Councilman Snyder “dittoed” Mrs. Friess remarks.

Supervisor Bach thanked the Town Attorney and Town Clerk for their assistance in the purchase and sale process. Mr. Bach noted that since the Town did not market the 300 Gleed property and the offer to purchase the property was unsolicited, there is no broker fee.

AUDIENCE II: none

STAFF REPORTS:

Highway Superintendent Gunner stated that the Brooklea Bridge has been repaired with the exception of some cosmetic work that needs to be done. Mr. Gunner noted that a report will be prepared and submitted to the NYSDOT in order to have the conditions flag removed.

ABSTRACT OF CLAIMS

The July 25, 2016 Abstract of Claims, consisting of vouchers numbered 1128 to 1238, was presented to the Board for audit and authorization of payment from the following funds:

General	\$48,498.27
Part Town	36.96
Highway	15,538.62
Enterprise/Gleed	13,636.93
Special Districts	<u>15,389.05</u>
Grand Total Abstract	\$93,099.83

Councilman Harris moved to approve the July 25, 2016 Abstract of Claims and to authorize payment of same. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none  
Motion carried.

Action #224  
7/25/16  
Abstract of  
Claims aprvd

Councilman Snyder moved to adjourn at approximately 7:25 p.m. Councilman Harris seconded the motion. Upon a vote being taken: ayes – four noes – none  
Motion carried.

Action #225  
Board  
adjourns

Martha L. Librock  
Town Clerk