

March 10, 2014

A meeting of the Town Board of the Town of Aurora took place on Monday, March 10, 2014, at 7:00 p.m. in the Town Hall Auditorium, 300 Gleed Avenue, East Aurora, New York.

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

Others Present:	Ronald P. Bennett	Town Attorney
	Peggy Cooke	Recreation Director
	David Gunner	Highway Superintendent
	Robert Goller	Town Historian
	William Adams	Planning Board member
	Ronald Krowka	Chief of Police

Supervisor Bach opened the meeting at 7:00 p.m. with the Pledge of Allegiance to the Flag.

Councilwoman Jeffe moved to approve the minutes of the February 18, 2014 Town Board work session; seconded by Councilman Harris. Action #66  
2/18/14 wk sess  
minutes aprvd  
Upon a vote being taken: ayes – five noes – none Motion carried.

Councilwoman Friess moved to approve the minutes of the February 24, 2014 Town Board meeting; seconded by Councilman Snyder. Action #67  
2/24/14 TB mtg  
minutes aprvd  
Upon a vote being taken: ayes – five noes – none Motion carried.

AUDIENCE I: none

UNFINISHED BUSINESS:

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

**RESOLUTION REGARDING BROOKLEA BRIDGE  
VILLAGE OF EAST AURORA**

WHEREAS, the Town of Aurora and Village of East Aurora have been unable to reach an agreement in regard to the supervision and control of the Brooklea bridge, and

WHEREAS, the Town has determined that the matter can only be resolved with the direction of a Court proceeding, and

WHEREAS, at the direction of the Board, the Town Attorney has prepared the pleadings requesting a declaratory judgment from the New York Supreme Court in regard to the matter of responsibility for the supervision and care of the Brooklea bridge, and

WHEREAS, the Town Attorney has presented to the Board the proposed Summons and Complaint requesting a determination by the New York Supreme Court,

NOW, THEREFORE, be it

RESOLVED, the Supervisor is authorized to sign the verification of the Summons and Complaint, and be it further

RESOLVED, the Town Attorney is hereby directed to proceed with the filing of the Summons and Complaint with the New York Supreme Court and the service on the Village of East Aurora.

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

Action #68  
Supv. auth to  
sign verif of  
Summons &  
Complaint re:  
Brooklea  
bridge & Twn  
Atty directed to  
proceed with  
filing and  
service.

Councilwoman Jeffe moved to accept a donation from the Western Chapter of the NYS Horse Council in the amount of \$707.50, and a donation from the East Aurora Driving Society in the amount of \$1087.50. Both donations to be used for the maintenance, upkeep and capital improvements of the equestrian center at Knox Farm State Park. Councilman Snyder seconded the motion. Upon a vote being taken:  
ayes – five                      noes – none                      Motion carried.

Action #69  
Donations for equestrian area at KFSP accepted.

Councilwoman Friess moved to accept a \$1500 donation from the East Aurora Kiwanis Aktion Club, in memory of Sarah Oubre, for the Glead Baseball Diamond Project. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five      noes – none                      Motion carried.

Action #70  
Donation from Aktion Club for Glead baseball project accepted

NEW BUSINESS:

Councilman Snyder moved adopt the following resolution; seconded by Councilwoman Jeffe:

RESOLUTION TO SET A PUBLIC HEARING

WHEREAS, Local Law Intro. No. 1-2014 has been introduced to the Town Board on March 10, 2014, 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 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 (1) 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 24<sup>th</sup> day of March, 2014 at 7:00 p.m., at the Town of Aurora Town Hall located at 300 Glead Avenue, East Aurora, New York for the purpose of conducting a public hearing to consider proposed Local Law Intro. No. 1-2014, and be it further

Action #71  
Public hrg set for LL Intro 1 of 2014: rezone 992 Olean

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 – five      noes – none                      Motion carried.  
Duly adopted this 10<sup>th</sup> day of March, 2014.

Quotes for baseball uniforms and caps (based on approximately 245 uniforms and 305 caps) were received from:

	<u>Youth/Adult</u>	<u>Cap</u>	<u>Approx. Cost</u>
Laux Sporting Goods	16.25/17.25	5.39	\$5,760
BSN Sports	19.86/20.24	6.15	\$6,793
Steel Locker Sports	27.40/30.40	n/a	\$7,118

(all quotes include printing)

Action #72  
Purchase of baseball uniforms/caps from Laux approved.

Councilman Snyder moved to approve the per piece quote for baseball uniforms and caps from Laux Sporting Goods, Inc., 25 Pineview Drive, Amherst, NY: youth uniforms - 16.25ea.; adult uniforms – 17.25ea.; caps – 5.39ea. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five      noes – none                      Motion carried.

Quotes for softball uniforms and caps (based on approximately 90 uniforms and 100 visors) were received from:

	Youth/Adult	Visors	Approx. Cost
Laux Sporting Goods	14.95/15.95	2.75	\$1,605
BSN Sports	21.11/22.00	4.85	\$1,940
Steel Locker Sports	21.80/22.10	8.74	\$2,814

(all quotes include lettering/numbering)

Action #73  
 Purchase of  
 softball  
 uniforms &  
 visors from  
 Laux aprvd.

Councilwoman Friess moved to approve the per piece quote for softball uniforms and visors from Laux Sporting Goods, Inc., 25 Pineview Drive, Amherst, NY: youth uniforms - 14.95ea.; adult uniforms – 15.95ea.; visors – 2.75ea. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Supervisor Bach stated that the application for a temporary use permit for an Ultimate Frisbee Tournament at Knox Farm State Park (soccer and polo field area) was withdrawn. The Town and Arsenal Soccer club were concerned that the fields would not be in usable condition in time for the event.

Action #74  
 Printer  
 declared  
 surplus.

Councilman Harris moved to declare an HP OfficeJet 6210 all-in-one printer (Town inventory ID#029) as surplus equipment to be recycled. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Councilwoman Friess moved to declare an Image Treadmill (Town inventory ID#1803) as surplus equipment to be disposed of (trashed). Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #75  
 Treadmill  
 declared  
 surplus.

Councilwoman Friess moved to approve the request from Town Clerk Martha Librock to attend the 32<sup>nd</sup> Annual NYS Town Clerks conference in Saratoga Springs, NY, April 27-30, 2014. Expenses (registration \$125; hotel/meals \$549.03; and mileage reimbursement \$150) will be disbursed from A1410.405 Town Clerk mileage. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #76  
 Town Clerk  
 auth to attend  
 conference

Quotes for 500 recycling bins were received from:

Cascade Engineering	\$5.76 each plus \$445 shipping	\$3325 total
Rehrig Pacific Co.	\$7.56 each plus \$1064 shipping	\$4844 total
Fibrex Products	\$9.92 each plus \$325 shipping	\$5285 total

Action #77  
 Purchase of  
 recycling bins  
 approved.

Councilwoman Jeffe moved to approve the purchase of 500 recycling bins from Cascade Engineering, Grand Rapids, MI, in the amount of \$3,325.00 to be disbursed from SR8189.401. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Councilwoman Friess moved to authorize the following budget transfers due to various budget lines being overspent:

From: DB unappropriated fund balance	\$28,392.00
To: DB5999.0800 for NYS Retirement costs	\$28,392.00

From: WB (Water District 11) unappropriated fund balance	\$2,924.00
To: WB8320.401 (Water District 11) “source of supply”	\$2,924.00

From: WM (Water Imp. Area 7) unappropriated fund balance \$3,508.00  
To: WM8320.401 (Water Imp. Area 7) "source of supply" \$3,508.00

From: ZB (Water District 1S) unappropriated fund balance \$6,531.00  
To: ZB (Water District 1S) "transmission and distribution" \$6,531.00

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

Action #78  
Fund balance  
transfers aprvd

Councilwoman Friess moved to authorize the bookkeeper (Kim Reichert, Freed Maxick) to transfer town funds in accordance with New York State mandates in order to close the books for 2013. The transfers are necessary to correct 2013 budget lines that were overspent at the end of the fiscal year. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #79  
Bookkeeper auth  
to make intra-  
fund transfers

Councilwoman Jeffe moved to approve the installation of a smoke detector in the payroll records area of the newly renovated town records storage room by SimplexGrinnell at a cost of \$949.00. The new photo cell smoke detector will be connected to the existing system which is monitored and maintained by SimplexGrinnell. Funds will be disbursed from A1620.422. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #80  
Installation of  
smoke detector  
in records  
storage room  
aprvd.

Councilwoman Friess moved to rescind acceptance of a \$530 bid for the surplus 1998 Ford F150 (action #62 2/24/14) due to non-payment by the bidder and to accept the bid from the next reputable bidder in the amount of \$510. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #81  
Bid acceptance  
from 2/24/14  
rescinded and  
new bid  
accepted for  
1998 F150

Councilwoman Jeffe moved to approve reimbursement of \$1031.55 for expenses incurred by Supervisor Bach from attendance at the 2014 Association of Towns Conference in NYC in February. The expenses (hotel \$768; meals/travel \$263.55) will be disbursed from A1220.404 Supervisor Expense & Travel. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #82  
Approval to  
reimburse  
conference  
expenses –  
Supervisor Bach

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

- Town Clerk – February 2014 Tax Collection Report
- Water Clerk – February 2014 Water Collection Report
- Building Department – February 2014 Report
- Work Requisitions – February 2014 Report
- Town Clerk – February 2014 Report
- Supervisor – February 2014 Report
- Recreation – February 2014 Report
- Dog Control – February 2014 Report
- Senior Center – February 2014 Report
- EAPD – February 2014 Report
- Tax Receiver – amended 2013 Report

BUSINESS FROM BOARD MEMBERS AND LIAISONS:

Supervisor Bach thanked the Adams family members for their generous donation of an 1800's era musket to the historian's office.

AUDIENCE II: none

STAFF REPORTS:

Robert Goller also thanked Ed and Bill Adams for their generous donation.

David Gunner stated that the NYS Senate and Assembly are trying to put \$50 million back into the CHIPS program. Mr. Gunner noted that Liz Deveso and Sheryl Harris are working on the recycling grant to recoup half of the cost of the recycling bins.

The prepaid Abstract of Claims dated February 27, 2014, consisting of vouchers numbered 267 to 274, was presented to the Board for audit and authorization of payment from the following funds:

General	\$18,125.76
Highway	6,756.95
Trust & Agency	1,045.59
Special Districts	<u>2,471.37</u>
Grand Total Abstract	\$28,545.55

The Abstract of Claims dated March 10, 2014, consisting of vouchers numbered 275 to 355, was presented to the Board for audit and authorization of payment from the following funds:

General	\$58,410.45
Part Town	500.00
Highway	28,383.13
Enterprise/Gleed	2,696.12
Capital/Baseball	666.10
Trust & Agency	452,005.25
Trust & Agency 2	24,909.42
Special Districts	<u>60,092.35</u>
Grand Total Abstract	\$627,662.82

Councilwoman Friess moved to approve the Prepaid Abstract of Claims dated 2/27/14 and the Abstract of Claims dated 3/10/2014, and authorize payment of same. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #83  
3/10/2014  
Abstracts of  
Claims aprvd.

Councilwoman Friess moved to enter into executive session to discuss a possible personnel appointment, with no action being taken during the session; Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #84  
Board enters  
executive  
session.

Councilwoman Friess moved to come out of executive session; seconded by Councilman Harris. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #85  
Board enters  
exec session

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

Action #86  
Meeting  
adjourned.

Martha L. Librock  
Town Clerk