

April 11, 2016

A meeting of the Town Board of the Town of Aurora took place on Monday, April 11, 2016, at 7:00 p.m. in the Town Hall Auditorium, 300 Glead Avenue, East Aurora, New York.

Members Present:	Jolene M. Jeffe	Councilwoman
	Susan A. Friess	Councilwoman
	Charles D. Snyder	Councilman
	James J. Bach	Supervisor
Absent/Excused:	Jeffrey T. Harris	Councilman
Others Present:	Joel Kurtzhaltz	Acting Town Attorney
	David Gunner	Highway Superintendent
	Camie Jarrell	Engineer/GHD Consulting
	William Kramer	Code Enforcement Officer
	Shane Krieger	Chief of Police

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 a proposed local law of the Town of Aurora amending Local Law 2-2015 to extend the period of a moratorium in regard to the development or subdivision of land that lacks required road frontage in the Town of Aurora (Town Code Chapter 79). The affidavits of publication and posting are on file with the Town Clerk. Supervisor Bach opened the hearing at 7:01 p.m. and asked if anyone in the audience wished to comment on Local Law Intro No. 2-2016. Hearing no comments, the Supervisor closed the hearing at 7:02 p.m.

The next item on the agenda was a PUBLIC HEARING on a proposed local law of the Town of Aurora amending Local Law 3-2015 to extend the period of a moratorium in regard to the subdivision of land and cluster development within the Town of Aurora (Town Code Chapter 99). The affidavits of publication and posting are on file with the Town Clerk. Supervisor Bach opened the hearing at 7:02 p.m. and asked if anyone in the audience wished to comment on Local Law Intro No. 3-2016. Hearing no comments, the Supervisor closed the hearing at 7:03 p.m.

Councilwoman Friess moved to approve the minutes of the 3/22/16 work session; seconded by Councilwoman Jeffe. Upon a vote being taken: ayes – four noes – none Motion carried.	Action #97 3/22/16 wk sess minutes aprvd
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Councilman Snyder moved to approve the minutes of the 3/28/16 work session; seconded by Councilwoman Jeffe. Upon a vote being taken: ayes – four noes – none Motion carried.	Action #98 3/28/16 wk sess minutes aprvd
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Councilwoman Friess moved to approve the minutes of the 3/28/16 Town Board meeting; seconded by Councilman Snyder. Upon a vote being taken: ayes – four noes – none Motion carried.	Action #99 3/28/16 Town board meeting minutes aprvd
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AUDIENCE I: none

UNFINISHED BUSINESS:

The following resolution was offered by Councilwoman Jeffe, seconded by Councilman Snyder, to wit;

In the Matter of the Establishment of the Town of Aurora Master Water Improvement Area in the Town of Aurora, County of Erie, New York, pursuant to Article 12-C of the Town Law.

RESOLUTION AND ORDER OF THE TOWN OF AURORA, NEW YORK, ADOPTED APRIL 11, 2016, CONCERNING THE APPLICATION TO THE STATE COMPTROLLER FOR THE APPROVAL OF THE TOWN OF AURORA MASTER WATER IMPROVEMENT AREA, IN SAID TOWN.

WHEREAS, the Town Board of the Town of Aurora (herein called “Town Board” and “Town”, respectively), in the County of Erie, New York, has, pursuant to Town Law Article 12-C, caused GHD (the “Engineer”), competent engineers duly licensed by the State of New York, to prepare a map, plan and report for the establishment of the Master Water Improvement Area (the “Master Water Improvement Area”); and

WHEREAS, such map, plan and report is on file at the office of the Town Clerk, and available for public inspection at said location; and

WHEREAS, it is the intention of the Town Board that the proposed establishment of the Master Water Improvement Area will include all the improvements necessary to facilitate the transfer of water service to the Erie County Water Authority at a future date; and

WHEREAS, such water system improvements project will generally consist of the installation of approximately 8,500 lineal feet of 8-inch waterline, hydro-pneumatic pump station improvements, water storage tank improvements, installation of a new master meter, and installation of approximately 215 radio read meters to replace non-radio meters, as well as other such improvements as more fully identified in such map, plan and report referred to above, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the “Improvement”); and

WHEREAS, the Engineer has estimated the total cost of the Improvement to be in an estimated maximum amount of \$2,750,000; and

WHEREAS, the estimated maximum amount proposed to be expended for the construction of the Master Water Improvement Area shall be financed by the issuance of serial bonds of the Town in an aggregate amount not to exceed \$2,750,000, said amount to be offset by any federal, state, county and/or local funds, and unless paid from other sources or charges, the costs of said establishment shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the proposed Master Water Improvement Area, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on such bonds or notes as the same shall become due and payable, except as provided by law; and be it

WHEREAS, in furtherance of this important Town project, the Town Supervisor, assisted by engineers for the Town, the Town Attorney, and the Town’s Bond Counsel, has prepared an application to the Office of the New York State Comptroller for approval of the creation of the Master Water Improvement Area in the Town;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF AURORA, as follows:

1. That the attached application for permission of the State Comptroller was prepared at the direction of the Town Board.

2. That the Town Board believes the contents of the application to be accurate in all material respects.
3. That the Town Board has determined that the proposed Master Water Improvement Area, for which permission is requested, is in the public interest and will not constitute an undue burden on the properties which will bear the cost thereof.
4. That the Town Board authorizes the Town Supervisor to finalize and submit such application in substantially the attached form.
5. This Resolution and Order shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

AYES:

Supervisor Bach	Voted AYE	Action #100
Councilwoman Friess	Voted AYE	MWIA appl to
Councilman Snyder	Voted AYE	Comptroller
Councilwoman Jeffe	Voted AYE	approved. Supv
		to sign
		application.

NOES: none

ABSENT: Councilman Harris

* * *

Councilwoman Jeffe moved to adopt Local Law No. 2-2016; seconded by Councilman Snyder:

TOWN OF AURORA
LOCAL LAW NO. 2-2016

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF AURORA AS FOLLOWS:

SECTION 1. TITLE.

This Local Law shall be known as Local Law No. 2-2016 and be titled "Amendment To Local Law No. 2-2015 of the Code of the Town of Aurora" to extend the period of a moratorium in regard to the development or subdivision of land that lacks required road frontage in the Town of Aurora.

SECTION 2. PURPOSE AND INTENT.

The purpose of this Local Law is to amend Local Law No. 2-2015 of the Code of the Town of Aurora to extend the period of a moratorium in regard to the development or subdivision of land that lacks required road frontage in the Town of Aurora.

SECTION 3. AMENDMENT.

Local Law No. 2-2015 is hereby amended to read as follows:

The Town Board of the Town of Aurora currently has under review amendments to the Town Code in regard to the development or subdivision of land that lacks required road frontage in the Town of Aurora. Matters pertaining to division and development of land in open development areas within the Town show a need for suitable regulation under existing and clearly established standards in an effort to plan for and protect the health, safety and wellbeing of the citizens of and property in the Town of Aurora. The existing provisions contained in Chapter 79 of the Town Code of the Town of Aurora may not create and meet such appropriate standards and controls to allow for a harmonious balance and to protect the health, safety and wellbeing of the citizens and property in the Town of Aurora. The Town Board desires to review and address, in a careful manner, provisions relating thereto on a comprehensive and town wide basis and to amend and/or adopt appropriate provisions to achieve these purposes.

The Town Board of the Town of Aurora finds it prudent and necessary to enact an extension to a moratorium applicable to the development or subdivision of land that lacks required road frontage in the Town of Aurora. This moratorium extension is intended to ensure that no approvals for such land use application be granted or permitted until this Board can complete its planning studies and has had an opportunity to consider and enact appropriate amendments to the Code.

SECTION 4. AUTHORITY.

This Local Law is enacted pursuant to the provisions of the Town Law and the Municipal Home Rule Law of the State of New York.

SECTION 5. APPLICATION.

This Law shall apply to any and all applications for development or subdivision of land lacking required public road frontage within the Town.

SECTION 6. DURATION.

This Law shall be in effect for six months from and after its adoption.

SECTION 7. SCOPE.

During the effective period of this Local Law no Board or Agency of the Town shall accept, process, review, recommend or grant approval for development or subdivision of land lacking required public road frontage.

SECTION 8. EXISTING ACTIVITIES.

Any or all projects already approved or for which permits have been issued may be continued and shall not be affected by the terms and provisions of this Local Law.

SECTION 9. SEVERABILITY.

The invalidity of any word, section, clause, paragraph, sentence or part or provision of this Local Law shall not affect the validity of any other part of this Local Law, which shall be in effect. This Local Law shall take effect immediately upon adoption by the Town Board of the Town of Aurora and filing with the Secretary of State.

SECTION 10. EFFECTIVE DATE.

This Local Law shall take effect immediately upon adoption by the Town Board of the Town of Aurora and filing with the Secretary of State.

Action #101
LL 2-2016
adopted –
extension of
ODA
moratorium
for 6 months

DULY ADOPTED, this 11th day of April, 2016, by the following

vote:

Supervisor Bach	Voted AYE
Councilwoman Friess	Voted AYE
Councilman Snyder	Voted AYE
Councilwoman Jeffe	Voted AYE

* * *

Councilman Snyder moved to adopt Local Law 3-2016; seconded by Councilwoman Friess:

TOWN OF AURORA
LOCAL LAW NO. 3-2016

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF AURORA AS FOLLOWS:

SECTION 1. TITLE.

This Local Law shall be known as Local Law No. 3-2016 and be titled “Amendment To Local Law No. 3-2015 of the Code of the Town of Aurora” to extend the period of a moratorium in regard to the subdivision of land and cluster development within the Town of Aurora.

SECTION 2. PURPOSE AND INTENT.

The purpose of this Local Law is to amend Local Law No. 3-2015 of the Code of the Town of Aurora to extend the period of a moratorium in regard to the subdivision of land and cluster development within the Town of Aurora.

SECTION 3. AMENDMENT.

Local Law No. 3-2015 is hereby amended to read as follows:

The Town Board of the Town of Aurora currently has under review amendments to the Town Code in regard to the subdivision of land and cluster development within the Town. Matters pertaining to the subdivision of land and cluster development within the Town emphasizes a need for suitable regulation under existing and clearly established standards in an effort to plan for and protect the health, safety and wellbeing of the citizens of and property in the Town of Aurora. The existing provisions contained in Chapter 99 of the Town Code of the Town of Aurora may not create and meet such appropriate standards and controls to allow for a harmonious balance and to protect the health, safety and wellbeing of the citizens and property in the Town of Aurora. The Town Board desires to review and address, in a careful manner, provisions relating to the subdivision of land and cluster development within the Town on a comprehensive and town wide basis and to amend and/or adopt appropriate provisions to achieve these purposes.

The Town Board of the Town of Aurora finds it prudent and necessary to enact an extension to a moratorium applicable to the subdivision of land and cluster development within the Town. This moratorium extension is intended to ensure that no approvals for such land use application be granted or permitted until this Board can complete its planning studies and has had an opportunity to consider and enact appropriate amendments to the Code.

SECTION 4. AUTHORITY.

This Local Law is enacted pursuant to the provisions of the Town Law and the Municipal Home Rule Law of the State of New York.

SECTION 5. APPLICATION.

This Law shall apply to any and all subdivision of land and cluster development within the Town.

SECTION 6. DURATION.

This Law shall be in effect for six months from and after its adoption.

SECTION 7. SCOPE.

During the effective period of this Local Law no Board or Agency of the Town shall accept, process, review, recommend or grant approval for the subdivision of land and cluster development within the Town.

SECTION 8. EXISTING ACTIVITIES.

Any or all projects already approved or for which permits have been issued may be continued and shall not be affected by the terms and provisions of this Local Law.

SECTION 9. SEVERABILITY.

The invalidity of any word, section, clause, paragraph, sentence or part or provision of this Local Law shall not affect the validity of any other part of this Local Law, which shall be in effect. This Local Law shall take effect immediately upon adoption by the Town Board of the Town of Aurora and filing with the Secretary of State.

SECTION 10. EFFECTIVE DATE.

This Local Law shall take effect immediately upon adoption by the Town Board of the Town of Aurora and filing with the Secretary of State.

DULY ADOPTED, this 11th day of April, 2016, by the following vote:

Supervisor Bach	Voted AYE
Councilwoman Friess	Voted AYE
Councilman Snyder	Voted AYE
Councilwoman Jeffe	Voted AYE

Action #102
LL 3-2016
adopted –
extension of
subdivision
moratorium
for 6 months

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NEW BUSINESS:

The family of Robert H. Davidson requested that donations be made in Robert's memory to the First Presbyterian Church or Aurora Senior Center. \$580 was donated to the Aurora Senior Center.

Action #103
Donations in
memory of R.
Davidson to Sr.
Center accepted

Councilman Snyder moved to accept \$580 in donations to the Aurora Senior Center to be deposited to TA1000.0090 Senior Center Donations. The donations will be used toward a TV and small weight bench for the Center. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – four noes - none Motion carried.

Councilman Snyder moved to approve the Civil Service title change for Elizabeth Cassidy from Clerk Part-time to Clerk Part-time Seasonal effective April 25, 2016 through September 9, 2016. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #104
E. Cassidy civil
svc title change
approved

Councilwoman Friess moved to approve the following 2015 Year-end budget amendment:

Action #105
2015 YE
budget
amendment
approved

- Increase appropriation line SG1958 in the amount of \$0.27 – the source of funding is SG fund balance.
- Increase appropriation line SG8160.401 in the amount of \$5,708.32 – the source of funding is SG fund balance

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

Councilwoman Friess moved to amend tonight's agenda by adding item 6J – Special Event Permit Application; seconded by Councilman Snyder. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #106
Item 6J added
to agenda.

Councilwoman Friess moved to table Highway Superintendent Gunner's request to hire Northeast Diversification to do the milling of the Southside Municipal Center south parking lot. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #107
SSMC parking
lot milling
proposal tabled

Highway Superintendent David Gunner is requesting Board approval for the purchase of stone and blacktop as needed for the Southside Municipal Center parking lot reconstruction. Countyline Stone, Inc. prices from the 2016 Erie County Summer Materials bid book are:

<u>Stone</u>		<u>Blacktop</u>	
2" crusher stone	\$9.40/ton	Type 3 binder	- \$52.70/ton
#1 clean stone	\$14.25/ton	Type 7 Top	- \$59.70/ton
#2 clean stone	\$13.25/ton		

Supervisor Bach moved to approve the purchase of stone and blacktop for the Southside Municipal Center parking lot project from Countyline Stone, Inc., for the prices noted above taken from the 2016 Erie County Summer Materials bid list, contingent upon funding resources. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #108
Purchase of
stone &
blacktop for
SSMC parking
lot approved

Councilwoman Friess moved to table Highway Superintendent Gunner's request to hire American Paving & Excavating to pave the Southside Municipal Center south parking lot. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #109
Paving
proposal for
SSMC parking
lot tabled

Quotes for a 60-month agreement to provide floor mats and rugs every two weeks for the Highway Department office and the Senior Center were received from:

Unifirst Corporation \$59.40 per delivery with a 5% or CPI annual increase
Ameripride Service \$81.20 per delivery with a 6% annual increase
Cintas \$137.40 per delivery

Councilwoman Jeffe moved to approve the quote from UniFirst Corporation, 3999 Jeffrey Blvd., Blasdell, NY for floor mats and rugs for the Highway Department office and the Senior Center at a first year rate of \$59.40 per delivery and to authorize the Supervisor to sign the agreement. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #110
Quote from
UniFirst for
floor mats/rugs
approved

Highway Superintendent David Gunner is requesting Board approval to hire Union Concrete Construction for wood grinding at the rate of \$385 per hour not to exceed \$5000.00 budgeted in SR8189.200. The rate is off the 2016 Erie County Summer Maintenance bid list.

Action #111
Union Concrete
approved for
wood grinding

Councilman Snyder moved to approve the hiring of Union Concrete Construction for wood grinding at a rate of \$385 per hour (Erie County bid list price) not to exceed \$5,000.00. Funds will be disbursed from SR8189.200. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Councilman Snyder moved to approve a new Recreation program titled Adult Zumba Class to be held at the Hamlin Park Rotary Bandstand on Thursdays from June 2 through August 25, 2016. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #112
Zumba rec
program
approved

Councilwoman Friess moved to authorize the Supervisor to sign the Special Event Permit application to the NYS Liquor Authority to allow the Roycroft Inn to sell or serve alcoholic beverages at the Polo Match on July 23, 2016 on the Town managed section of Knox Farm State Park. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #113
Supv auth to
sign special
event liquor
form for Polo
match/Roycroft
Inn

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

- Water Clerk – March 2016 report
- Town Clerk – March 2016 report
- Town Clerk/Tax – March 2016 report
- Building Department – March 2016 report
- Senior Center – March 2016 report

- Dog Control – March 2016 report
- Recreation Director – March 2016 report
- EAPD – March 2016 report
- Supervisor – February 2016 report

BUSINESS FROM BOARD MEMBERS AND LIAISONS:

Councilwoman Jeffe noted that she attended the EAUFSD communications committee meeting. Mrs. Jeffe stated that the Chamber of Commerce would like a Town representative to attend the Chamber Awards on April 28th at the Holland Willows and that there will be significant changes to the STAR exemption procedure beginning this year.

Councilwoman Friess will attend the Erie County Sewer Board of Managers meeting tomorrow. Mrs. Friess noted that there will be three pieces to vote on at the EAUFSD school elections this year – 1) budget; 2) capital facilities project; and 3) turf and bathrooms at the high school athletic fields.

AUDIENCE II: none

STAFF REPORTS:

Highway Superintendent Gunner stated that there is a 9% increase in CHIPS funding this year and that his employees are straightening gravestones and making improvements at Pioneer Cemetery.

ABSTRACT OF CLAIMS:

The April 11, 2016 Abstract of Claims, consisting of vouchers numbered 435 to 513 was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 28,198.08
Highway	8,065.84
Gleed/Enterprise	12,682.60
Part Town	50.00
Cemetery	48.96
Special Districts	<u>230,312.78</u>
Grand Total Abstract	\$279,358.26

Councilwoman Friess moved to approve the April 11, 2016 Abstract of Claims and to authorize payment of same. Councilman Snyder seconded the motion. Upon a vote being taken:
ayes – four noes – none Motion carried.

Action # 114
Abstract of
Claims
4/11/16
approved.

Councilwoman Jeffe moved to adjourn at 7:35 p.m.; seconded by Councilman Snyder. Upon a vote being taken: ayes – four noes – none
Motion carried.

Action#115
Meeting
adjourned.

Martha L. Librock
Town Clerk