A meeting of the Town Board of the Town of Aurora took place on Monday, February 22, 2010, at 7:00 p.m. in the Town Hall Auditorium, 300 Gleed Avenue, East Aurora, New York.

Members Present: Jolene M. Jeffe Supervisor

Jeffrey T. Harris
James F. Collins
James J. Bach
Susan A. Friess

Councilman
Councilman
Councilman
Councilwoman

Others Present: Ronald P. Bennett Town Attorney

Bryan Smith Town Engineer
Patrick Blizniak Supt. of Building
Peggy Cooke Recreation Director
Sheryl Harris Dog Control Officer
David Gunner Highway Superintendent

Jeffrey Markello Town Justice

William Adams Planning Board Member

Ronald Krowka Chief of Police

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 an Open Development Area application for 686 Quaker Road, East Aurora, NY. The notice was published in the East Aurora Advertiser and posted on the Town Clerk's bulletin board as evidenced by the affidavits of publication and posting.

The applicant, Greg Schneider, presented an overview of what he plans to do with the 6.3 acre parcel at 686 Quaker Road. His proposal is to divide the land into four (4) building lots. The existing farm house would remain as part of lot no. 1. Lot no. 2 would be to the east of lot no. 1. The remaining two lots would be behind these and would be accessed by long driveways. It is these two lots, nos. 3 and 4, which triggered the Open Development Area code. The existing barn would be part of lot no. 4.

The Supervisor opened the hearing to questions from the audience. Joanne Hameister, Sweet Road, questioned the location of the property. Hearing no further questions or comments, Councilwoman Friess moved to close the hearing at 7:10 p.m.; seconded by Councilman Harris. Upon a vote being taken: ayes – five noes – none

Motion carried.

Motion carried.

Supervisor Jeffe noted that this application will be voted on at the March 8, 2010 meeting.

Councilman Bach moved to approve the minutes of the February 8, 2010 Town Board meeting; seconded by Councilman Collins. Upon a vote being taken: ayes – five noes – none Motion carried.

Councilman Harris moved to approve the minutes of the February 9, 2010 Work Session; seconded by Councilman Bach. Upon a vote being taken: ayes – five noes – none Motion carried.

Councilwoman Friess moved to approve the minutes of the February 16, 2010 Work Session; seconded by Councilman Harris. Upon a vote being taken: ayes – five noes – none

Action #65 2/8/10 Town Board minutes approved.

Action #64

686 Quaker ODA public

hearing closed.

Action #66 2/9/10 work session minutes aprvd.

Action #67 2/16/10 work session minutes aprvd.

BUSINESS FROM AUDIENCE I:

Arlene Mann, Emery Road, spoke in opposition to the proposed Bailey Road windmill. Mrs. Mann stated the size of the windmill has never accurately been reported, nor has there been a scale drawing. She stated she is not opposed to wind energy in some areas, but this neighborhood is being faced with a windmill and a cell tower.

UNFINISHED BUSINESS:

Councilman Harris moved that a letter from the Town Board be sent to the Planning Board giving them direction on the development of a Wind Energy Conversion System code encompassing both commercial and residential/personal use wind systems. The Board is requesting a draft of the code by April 20, 2010. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none

Motion carried.

Action #68 Town Board to send directives to Planning Board re: wind energy code

NEW BUSINESS:

Supervisor Jeffe moved to revise the description of the Open Space Committee Composition as follows:

The Open Space Committee shall consist of seven (7) members, all of whom have voting rights. (The sentence, "One member shall be the Town Board's ex officio representative; this member may vote, but may not serve as Chair." has been deleted.) Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none

Motion carried.

Councilwoman Friess moved to appoint Noelle Ronan, 1796 Mill Road, West Falls, NY, to fill the vacancy on the Open Space Committee, term ending December 31, 2012. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Councilman Bach moved to approve a new Recreation Department program entitled *Geocaching* and to amend the 2010 Budget increasing revenue line A2056 by \$600 and expense line A7020.401 by \$300 and line A7310.400.1 by \$300. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #69 Open Space committee composition revised.

Action #70 N. Ronan appointed to fill vacancy on Open Space Committee.

Action #71
Geocaching –
recreation
program
approved –
budget
amended

Councilman Harris moved to approve having the following programs by the Buffalo Audubon Society held in Town and Village Parks, contingent upon approval of from the Village for use of Sinking Ponds and Hamlin Park; seconded by Councilwoman Friess:

February 13 – Majors Park
March 13 – Majors Park
April 10 – Majors Park
May 8 – Majors Park
June 12 – Majors Park
July 10 – Majors Park
August 14 – Majors Park
September 11 – Majors Park
October 9 – Majors Park
November 13 – Majors Park
December 11 – Majors Park

February 27 – JP Nicely (West Falls) Park

March 27 – Sinking Ponds April 24 – Hamlin Park

May 22 – Majors Park (Hubbard Road area)

June 26 – Warren Drive Park

 $July\ 24-JP\ Nicely\ (West\ Falls)\ Park$

August 28 – Majors Park (Hubbard Road area)

September 25 – Hamlin Park

October 23 – JP Nicely (West Falls) Park

November 27 – Sinking Ponds

Upon a vote being taken: ayes – five	noes – none	Action #72
	Motion carried.	Audubon
		programa in

programs in parks aprvd.

Councilman Harris moved to approve the following Community Pool Membership rates for 2010:

Wichiociship raics for	2010.			
	Resident -	Resident -	Non-resident -	Non-resident
	If Purchased	After	If Purchased	After
	By June 19 th	June 19 th	By June 19 th	June 19 th
Single Membership	\$30	\$36	\$50	\$58
Two in Family	\$56	\$63	\$83	\$92
Three in Family	\$69	\$78	\$96	\$107
Four in Family	\$80	\$90	\$108	\$119
Five or more	\$89	\$103	\$123	\$135
Age 60+	\$26	\$29	no discount	no discount
Age 60+ (couple)	\$45	\$49	no discount	no discount
Children under 4 – fro	ee			
Afternoon Open Swin	m:			
Residents Age		\$3	Non-resident \$4	
Residents Age		\$4	Non-resident \$5	
Residents Age		\$3	Non-resident \$4	

Note: A 7-consecutive-day pass is available for relatives of pool members for \$10 each.

Councilman C	ollins seconded the motion. Up	on a vote being taken:	Action #73
ayes – five	noes – none	Motion carried.	2010 Pool
			membership
Boy Sc	out Troop 513 is requesting per	mission to camp at Majors	rates approved.

Boy Scout Troop 513 is requesting permission to camp at Majors Park on April 9-11, 2010. This troop has camped in the park in prior years.

Action #74 Boy Scout Troop 513 to use Majors Park for camping.

Councilman Harris moved to approve the request from Boy Scout Troop 513 to use Majors Park for a "Leave No Trace" overnight campout from 6:00 p.m. Friday, April 9, 2010 through 11:00 a.m. Sunday, April 11, 2010, contingent upon receipt of a certificate of insurance from Boy Scouts of America naming the Town additional insured. Councilman Bach seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Quotes for additional microphones for the Gleed Auditorium were received from:

LimeLite Music	4 wireless microphones	\$1300	
	4 microphone stands	72	
	Installation	<u>75</u>	
	Total	\$1447	
Guitar Center	4 wireless microphones	\$1519.96	
	4 microphone stands	119.96	
	Installation	<u>Free</u>	
	Total	\$1639.92	

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Guitar Factory	4 wireless microphones	\$1400
•	4 microphone stands	100
	Installation	10
	Total	\$1510

Councilman Collins moved to approve the purchase of 4 Shure PGX24/SM58-H6 Wireless microphones, 4 tabletop microphone stands and installation at the Gleed Avenue Auditorium, from LimeLite Music, 706 Main Street, East Aurora, NY for a total of \$1447. Funds will be disbursed from Proprietary (Enterprise) Fund budget line ER1621.422. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Councilman Bach moved to authorize the Supervisor to enter into an agreement with Computel Consultants, PO Box 35, Earlville, NY 13332, whereby Computel will review the Town's franchise agreement with Time Warner Cable (formerly Adelphia Cable). In the event Computel secures a refund for the Town, a one-time 50% fee will be paid to Computel. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Councilman Collins moved to authorize the Supervisor to sign an agreement with Conestoga-Rovers & Associates (CRA) for Professional Engineering Services for Municipal Separate Stormwater Sewer System Support for 2010. CRA will provide consolidated stormwater assistance to both the Town of Aurora and Village of East Aurora for a sum of \$16,000, with each municipality paying 50% of the total and each would be billed separately. Councilman Bach seconded the motion. Upon a vote being taken: ayes – four noes – one (Harris)

Motion carried.

Councilman Harris went on record stating he is not against CRA performing this service, but is against unfunded State mandates.

Councilman Collins moved go out to bid for construction work on the renovation of the Village of East Aurora Board Room into a shared use with the Town of Aurora Town Court (work includes replacement of the existing board platform with a new platform and bench, all required electrical work and miscellaneous room alterations) and to set Friday, March 12, 2010 at 10:00 a.m. at the Town Clerk's office, 5 South Grove Street, East Aurora, NY, as the date, time and place for the bid opening. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Councilwoman Friess moved to authorize Dog Control Officer Sheryl Harris to apply for a (non-matching funds) grant from the Meacham Foundation Memorial Grant fund, awarded through the American Humane Association, for funds to create an exercise area for impounded/seized dogs at the Aurora kennel facility at 251 Quaker Road. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Councilman Harris moved to authorize Town Clerk Martha Librock to attend the 2010 NYSTCA Conference in Saratoga, NY on April 26 – 28, 2010. The \$75 registration, \$469.10 hotel/meals and \$150 mileage/tolls expenses will be disbursed from A1410.405 Town Clerk mileage. Councilman Collins seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #75 Purchase of microphones for Gleed auditorium approved.

Action #76 Computel to perform review of cable franchise agreement.

Action #77 CRA to provide storm water sewer system assistance.

Action #78
Bid opening
for court bench
construction at
VEA Hall set.

Action #79 DCO to apply for grant for funds for dog exercise area.

Action #80 Town Clerk to attend NYSTCA conference. 2/22/10 Town Board Meeting Page 5

Councilman Bach moved to amend the 2010 Organizational Chart removing Susan Mascia, Bookkeeper, as alternate check signer and authorizing Judy Reischuck, Assistant to the Supervisor, to sign checks in the absence of and at the request of the Town Supervisor.

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

Action #81 2010 Org. Chart amended: J. Reischuck auth to sign checks.

Councilwoman Friess moved to adopt the following resolution urging Governor David Patterson to continue to support the Department of Environmental Conservation (NYSDEC) Household Hazardous Waste State Assistance Program; seconded by Councilman Bach:

WHEREAS, the Town of Aurora Town Board acknowledges its responsibility to keep our communities safe, clean and healthy, and

WHEREAS, household generated hazardous waste is a dangerous and problematic waste stream which increases risk from fire and poisonings if improperly stored, and

WHEREAS, improper disposal of household hazardous waste can pollute our environment, pose a risk to sanitation workers, and impact wildlife, and

WHEREAS, the safe recycling and/or disposal of household generated hazardous waste is a priority for County residents and their elected officials, and

WHEREAS, the New York State Department of Environmental Conservation is authorized by section 54-0705 of the Environmental Conservation Law, and the 6NYCRR Subpart 373-4 Regulations, to enter into contracts on behalf of the State to provide grants to reimburse 50% of expenses to municipalities for Household Hazardous Waste Programs, and

WHEREAS, the Town of Aurora has, through the Northeast Southtowns Solid Waste Management Board (NEST), worked with the Erie County Department of Environment and Planning to host an annual collection event to reduce risks, protect the environment and insure proper disposal of household hazardous waste materials, and

WHEREAS, the Town of Aurora, as a member of NEST, has paid the disposal costs for a household hazardous waste collection in 2009, and

WHEREAS, the Town of Aurora, as a member of NEST, has not received a State reimbursement contract from the application submitted for 2009 program expenses, and

WHEREAS, the Town of Aurora, as a member of NEST, has not been reimbursed for 50% of the costs generated by the collection event held on June 20, 2009, and

WHEREAS, and there is great concern about the sustainability of the Household Hazardous Waste Collection Program and its ability to continue to offer this important service to residents of Erie County without the fiscal assistance from New York State.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Aurora does hereby urge New York State Governor David Paterson to release funds necessary to fulfill reimbursement expectations of municipalities which, in good faith, provided Household Hazardous Waste Collection opportunities to residents in 2009, and

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BE IT RESOLVED, that New York State Governor Patterson, is encouraged to continue support and fund this important reimbursement program in 2010 and beyond to protect our residents and our environment, and,

Action #82 Resolution re: support of NYSDEC Haz. Waste reimbursement adopted.

FURTHER RESOLVED, that the Clerk of the Town Board shall forward copies of this resolution to Governor David Patterson, New York State Comptroller's Office, Senate Majority Leader Pedro Espada Jr, Senate Minority Leader Dean G. Skelos, Assembly Speaker Sheldon Silver, Assembly Majority Leader Ron Canestrari, and Assembly Minority Leader Minority Leader Brian Kolb.

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

Action #83 1519 Quaker ODA public hearing set.

Councilman Collins moved to set 7:00 p.m. Monday, March 8, 2010 at the Town Hall Auditorium, 300 Gleed Avenue, East Aurora, NY, as the time, date and place for a Public Hearing on the Open Development Area application submitted by Russell and Sarah Harlock for 1519 Quaker Road. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none

Motion carried.

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

• DCO – January 2010 report

BUSINESS FROM AUDIENCE II:

William Patterson, Grover Road, stated that it is difficult to talk about agenda items without having more detail coming into the meeting.

BUSINESS FROM BOARD MEMBERS AND STAFF:

Councilman Harris stated he had received a lot of emails about the WECS (wind power) ordinance.

Councilwoman Friess stated the Village has money budgeted for CATV and that she told Jim Oubre, CATV Committee member, that three bids are needed when asking to purchase equipment. Councilwoman Friess noted that she is working with the Erie County Sewer Authority on a time frame for Geneva Road sewers to coordinate with the repaving of Geneva Road.

Councilman Harris requested a list of CATV equipment and asked if there is space at Gleed for the CATV studio.

Councilman Bach stated he will have more information about a grant for solar panels for town buildings ready for the next meeting. He noted that the highway garage would be a good location for solar panel installation since the roof is going to be replaced in the near future.

Councilman Collins stated that he is looking into our slow internet service situation. He noted that Mayor Crook is okay with Town Court using the Village internet service on their office computers.

Supervisor Jeffe state she received a water district update from the highway/water department. The report notes that 50 out of 94 hydrants have been tested to date, with repairs to be made in the Spring. Jeffe also stated that the Town and Village will work together on drafting a resolution in opposition of closing Knox Farm State Park. Interviews for Planning Board alternate members will take place on 2/23.

Police Chief Ron Krowka spoke about NIXLE.com noting that the program is similar to NY Alert which sends alerts out to the community. Residents can register at nixle.com.

The February 22, 2010 Abstract of Claims, consisting of vouchers numbered 203 through 301, was presented to the Board for audit and authorization of payment from the following funds:

General Part Town Highway Enterprise (Gleed) Capital Trust & Agency Special Districts	\$ 38,357.50 1,710.00 43,206.44 14,091.69 12,283.22 421,452.16 41,834.58
Special Districts Grand Total Abstract	41,834.58 \$572,935.59
Special Districts	41,834.58

Councilman Collins moved to approve the February 22, 2010

Abstract of Claims as presented and to authorize payment of same.

Councilwoman Friess seconded the motion. Upon a vote being taken:

Abstract of Claims aprvd

Councilman Harris moved to adjourn; seconded by Councilwoman

Action #85

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

Meeting adjourned.

Martha L. Librock Town Clerk