

January 22, 2024

A meeting of the Town Board of the Town of Aurora took place on Monday, January 22, 2024, beginning at 7:12 p.m., immediately following the work session. The Board met in-person at the Aurora Municipal Center, 575 Oakwood Avenue, East Aurora, New York. The meeting was streamed via Zoom and YouTube.

Present:	Luke Wochensky	Councilman
	Joseph McCann	Councilman
	Raymond M. Wrazen	Councilman
	Charles D. Snyder	Supervisor
Absent/Excused:	James F. Granville	Councilman
Others Present:	Brigid Maloney	Town Attorney
	David Gunner	Highway Superintendent
	Rich Miga	Asst. Code Enforcement Officer
	Meaghan Tent	Recreation Supervisor
	Paul Ernst	ZBA Chairman
	Rod Simeone	ZBA Member
	Douglas Crow	Planning Board Chairman
	Shane Krieger	Chief of Police
	Elizabeth Wilber	Live Stream Coordinator

Supervisor Snyder opened the regular meeting at 7:12 p.m. following the work session.

Councilman Wrazen moved to approve the minutes of the January 8, 2024 work session and meeting. Councilman McCann seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #17
1/8/24
minutes
aprvd

AUDIENCE I:

Harrison Kelly, Grover Road, thanked the Board for the time spent on his Olean Road rezoning request.

UNFINISHED BUSINESS:

Councilman McCann moved to amend the agenda by adding Item 4D - Temporary Use Permit for KFSP Eclipse Event. Councilman Wrazen seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #18
TUP for
KFSP eclipse
event added
to agenda

Councilman McCann moved to adopt the following Local Law; seconded by Councilman Wrazen:

TOWN OF AURORA

LOCAL LAW 1 - 2024

A LOCAL LAW, TO AMEND LOCAL LAW 1-1990 KNOWN AS “THE CODES OF THE TOWN OF AURORA”, ADOPTED BY THE TOWN BOARD OF THE TOWN OF AURORA ON JANUARY 22, 1990, TO AMEND THE ZONING MAP.

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

SECTION 1. LEGISLATIVE INTENT

This Local Law amends a prior Local Law known as “The Town of Aurora Code” adopted by the Town of Aurora on January 22, 1990, as amended, relating to the administrative, legislative and general legislation of Codes within the Town of Aurora as therein set forth. This Local Law will amend the boundaries of the Zone Map to transfer the described properties at their present locations in A and RR Zoning Districts to C-2 Zoning District to accommodate the uses contained herein, or its successors.

SECTION 2. SECTION 116-6, ZONE MAP

Section 116-6(A), Zone Map, of the Codes of the Town of Aurora is amended to place transfer and place the following described properties from their present classification as A and RR Zoning Districts to a C2 Zoning District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Aurora, County of Erie and State of New York, being part of Lot No. 14, Township 9, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the center line of Olean Road, distant 1251.70 feet southeasterly from its intersection with the center line of Lapham Road, which point of beginning is also a southwest corner of lands conveyed to the County of Erie by deed recorded in the Erie County Clerk's Office in Liber 1928 of Deeds at Page 110; thence N 72° 32' E and along southerly line of said lands conveyed to the County of Erie by aforesaid deed a distance of 538.5 feet record and 538.51 feet measured to a point; thence S 27° 06' E, a distance of 233.50 feet to a point, said point being also a southwest corner of said lands conveyed to the County of Erie by aforesaid deed; thence N 62° 54' E a distance of 200 feet to the southwesterly line of lands owned by Conrail, formerly Pennsylvania Railroad; thence S 27° 06' E along said southwesterly line of railroad lands 900 feet to a point in the lands conveyed by Nathaniel Fillmore the heirs of Ephraim Salisbury; thence N 89 ° 41' W along said Salisbury's land a distance of 890 feet record and 887.86 feet measured to the center line of Olean Road; thence N 23° 31' W along the center line of Olean Road 798.55 feet to a point or place of beginning.

-and-

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Aurora, County of Erie and State of New York, being part of Lot No. fourteen (14), Township nine (9) and Range six (6) of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a stone-monument in the division line between the lands of the said Frank W. Adams and Gertrude F. Adams, his wife, and the Pennsylvania Railroad Company, at the north-easterly corner of the lands conveyed hereby, thence westerly at right angles two-hundred (200) feet to a stake thence southerly parallel with said division line one-hundred fifty and five tenths (150.5) feet to a stake; thence westerly at an angle of eighty-two degrees twenty minutes (82°20') five hundred twenty-five and two tenths (525.2) feet to the center of the Olean Road; thence southerly along the center line of said road one hundred fifty nine and seven tenths (159.7) feet; thence easterly at an angle of ninety-six degrees and three minutes (96°3') five hundred thirty-eight and five tenths (538.5) feet to a stake; thence southerly parallel with the said division line Two hundred thirty-three and five tenths (233.5) feet to a stake; thence easterly at right angles two hundred (200) feet to the said division line; thence northerly along said division line five hundred sixty three (563) feet to the said stone monument at the place of beginning.

SECTION 3. 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 given effect.

SECTION 4. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the New York Secretary of State.

Action #19
Local Law 1
of 2024 –
rezoning 586
& 600 Olean
adopted

Upon a roll call vote being taken:

- Councilman McCann – aye
- Councilman Wochensky – aye
- Councilman Wrazen – aye
- Supervisor Snyder - aye

ayes – four noes – none Motion carried.

* * * * *

Councilman Wochensky moved to adopt the following resolution; seconded by Councilman Wrazen:

RESOLUTION OF THE GOVERNING BOARD
 AURORA TOWN PUBLIC LIBRARY*
 RATIFYING AN AGREEMENT FOR ADVANCED PAYMENT
 AND
 AUTHORIZING Charles D. Snyder, Supervisor TO EXECUTE
 CLOSING PAPERS ON BEHALF OF AURORA TOWN PUBLIC LIBRARY

WHEREAS, the State of New York has taken or is in the process of taking a portion of the land owned by the Aurora Town Public Library through the process of eminent domain for the purposes of improving 1966 Davis Road;

WHEREAS, the State has offered to pay Aurora Town Public Library the sum of \$70.00 for a portion of Aurora Town Public library's property along 1966 Davis Road as depicted on Map(s) 8 as Parcel(s) 8;

WHEREAS, an agreement to accept said money (an agreement for Advance Payment) has been signed on behalf of Aurora Town Public Library by Charles D. Snyder;

WHEREAS, the Aurora Town Board of the Aurora Town Public Library is the governing body of the Aurora Town Public Library; and

WHEREAS, the Aurora Town Board is meeting on this 22nd day of January, 2024, after proper notice to consider this matter; and

WHEREAS, the Aurora Town Public Library wishes to ratify the Agreement for Advance Payment and to appoint Charles D. Snyder as Supervisor, as the person to execute closing papers on behalf of the Aurora Town Public Library;

IT IS, UPON MOTION DULY MADE AND SECONDED,
RESOLVED THIS 22ND DAY OF JANUARY, 2024;

THAT, the Agreement for Advance Payment is hereby accepted and ratified;

THAT, Charles D. Snyder is hereby designated as the person to execute any and all closing papers with regard to this transfer to the State of New York.

Action #20
Resolution re:
Davis Rd
easements for
Rte 240
project

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

(*Aurora Town Public Library is listed as the owner of record on tax and assessment rolls and Erie County deed records. The NYSDOT uses these records when preparing agreements, etc. The Town of Aurora owns the property.)

* * * * *

Councilman McCann moved to approve payment no. 10 in the amount of \$1179.67 to Foit Albert for professional services rendered from October 28 through December 29, 2023 for the Church Street bridge replacement project. Funds will be disbursed from H7 5120.210. Councilman Wrazen seconded the motion. Upon a vote being taken: ayes – four noes – none
Motion carried.

Action #21
Foit Albert
Pymt 10 –
Church St
bridge aprvd

Councilman Wrazen moved to approve payment no. 9 in the amount of \$1481.21 to Foit Albert for professional services rendered from September 2 through December 29, 2023 for the E. Fillmore bridge replacement project. Funds will be disbursed from H7 5120.210. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – four noes – none
Motion carried.

Action #22
Foit Albert
Pymt 9 – E.
Fillmore
bridge aprvd

Councilman McCann moved to approve a Temporary Use Permit for the Friends of Knox Park to use the Town managed side of Knox Farm State Park for parking for their April 8, 2024 Eclipse Event that is being held on the State managed portion of the park – the number of cars will be dependent on the weather. Councilman Wrazen seconded the motion. Upon a vote being taken: ayes – four noes – none
Motion carried.

Action #23
TUP Friends
of Knox
eclipse event
parking
KFSP

NEW BUSINESS

Councilman Wrazen moved to accept a donation in the amount of \$721.92 from the Friends of the Aurora Town Library to be used toward the purchase of shelving material for the storage shed at the Main Street library. Councilman McCann seconded the motion. Upon a vote being taken: ayes – four noes – none
Motion carried.

Action #24
Donation for
library shed
shelving
accepted

Councilman Wrazen moved to approve the following budget amendment to record the donation from the Friends of the Aurora Town Library:
- Increase revenue line A2705 Gifts & Donations by \$721.92
- Increase appropriation line A1620.422 Buildings & Grounds by \$721.92
Councilman McCann seconded the motion. Upon a vote being taken: ayes – four noes – none
Motion carried.

Action #25
Budget
amendment
for library
donation
aprvd

Councilman McCann moved to authorize the creation of a Local Law to increase the dog kennel boarding fee. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – four noes – none
Motion carried.

Action #26
LL auth for
kennel fee
change

Quotes for payroll software were received from:
Quotes were obtained from:

- UKG one-time fee \$9,000 annual fee \$9,072
- Edmunds Gov Tech one-time fee \$8,750 annual fee \$4,900
- Tyler Technologies does not provide stand-alone payroll software

Councilman Wrazen moved to approve the purchase of payroll software from Edmunds Gov Tech for a one-time fee of \$8,750 and annual fee of \$4,900 and to authorize the Supervisor to sign the purchase documents. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – four noes – none
Motion carried.

Action #27
Payroll
software
purch from
Edmunds
aprvd

Councilman Wrazen moved to approve the following budget amendment to record the use of assigned fund balance to pay for the cost of the Edmunds Gov Tech payroll software:

- Decrease A599 Fund Balance by \$13,650
- Increase A1680.401 Central Data Processing by \$13,650

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

Action #28
Budget amendment for payroll software purch aprvd

Councilman McCann moved to table his CodeRed proposal for further discussion. Councilman Wrazen seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #29
CodeRed proposal tabled

Councilman Wrazen moved to refer the Site Plan applications for the following Bed-and-Breakfast locations to the Planning Board for review and recommendation(s):

- 686 Quaker Road
- 1309 Grover Road
- 1514 Mill Road

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

Action #30
3 Site Plan applications referred to Planning Brd

Councilman Wrazen moved to refer Short-term rental(s) (ex: AirBnb; VRBO) to the Code Committee to discuss and determine possible code recommendations. Councilman McCann seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #31
Short-term rental issue referred to Code committee

Councilman McCann moved to approve the construction and installation of a new kiosk at the Hubbard Road trailhead in Majors Park. The Town will provide materials and the Ormsby Educational Center will provide the labor for the project. Councilman Wrazen seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #32
Kiosk for Majors Park aprvd

Councilman McCann moved to authorize the following 2023 Budget amendment to account for 2023 ARPA Expenditures:
- Increase revenue line A4089 Federal Aid Other by \$56,006.19
- Increase appropriation line A7110.454 Park Improvements (ARPA only) by \$56,006.19

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

Action #33
2023 budget amendment for ARPA funds auth

Councilman Wrazen moved to table the proposed West Falls sculpture/sign. Councilman McCann seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #34
WFalls sculpture sign tabled

Councilman Wrazen moved to approve the following 2023 Highway budget transfers to prevent overdrawn appropriation lines:

From: DB5112.413 Permanent repairs rental equipment	\$1,925.00
DB5110.413 General repairs rental equipment	600.00
To: DB5110.433 General repairs materials	\$2,525.00

From: A5010.416 Highway Admin medical supplies \$3.58
To: A5010.401 Highway office expense \$3.58

Action #35
Hwy 2023
budget
transfers aprvd

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

Councilman Wochensky moved to approve a new Recreation Department program titled “Winter Theater Camp” to be held Monday and Wednesday evenings from 6:30pm to 8:30pm from February 26 to April 17, 2024 at the 300 Glead Avenue auditorium. Resident fee \$68; Non-resident fee \$78. Instructor(s) will be paid 85% of the net. Councilman Wrazen seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #36
Recreation
theater camp
program aprvd

COMMUNICATIONS AND REPORTS:

- Town Clerk – 2023 Annual report
- Historian – 2023 Annual report
- Building Department – December 2023 report

BUSINESS FROM BOARD MEMBERS/LIAISONS:

Councilman McCann stated that he is now Chair of the Sewer District #3 Board of Managers. Mr. McCann complimented the ZBA on the great job they do.

Councilman Wochensky spoke about future discussion of a skate park and funding for solar sign-up campaign through NYSEERDA.

Councilman Wrazen spoke about the Newfane website and electronic recycling.
Supervisor Snyder attended the West Falls Fire Department installation dinner.

AUDIENCE II:

Rod Simeone, Byeberry Court, asked about the status of the Town’s Comprehensive Plan. Councilman Wochensky stated he is working on the RFP.

STAFF REPORTS:

Paul Ernst thanked Councilman McCann for attending the ZBA meetings.

ABSTRACT OF CLAIMS:

The January 22, 2024 – 2023 Encumbered Abstract of Claims, consisting of PCard voucher number 42 and vouchers numbered 1564 to 1588, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 15,901.31
Part Town	243.28
Highway/DA	438.20
Highway/DB	17,434.13
Special Districts	<u>64,480.63</u>
Grand Total Abstract	\$ 98,497.55

The January 22, 2024 Abstract of Claims, consisting of vouchers numbered 43 to 93 and prepaid voucher number 94, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 52,698.86
Part Town	1,800.00
Highway/DB	11,669.03
Special Districts	<u>13,500.00</u>
Grand Total Abstract	\$ 79,667.89

Councilman McCann moved to approve the 1/22/2024 – 2023 Encumbered and the 1/22/2024 Abstracts of Claims and authorize payment of same. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #37
1/22/24
Abstracts of
Claims aprvd

Councilman McCann moved to adjourn at 7:40 p.m. Seconded by Councilman Wrazen. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #38
Meeting
adjourned

Martha L. Librock
Town Clerk