

February 27, 2023

A meeting of the Town Board of the Town of Aurora took place on Monday, February 27, 2023, beginning at 7:00 p.m. immediately after the work session. The Board met in-person at the Aurora Municipal Center, 575 Oakwood Avenue, East Aurora, New York. The meeting was also streamed via Zoom and YouTube:

Present:	Charles D. Snyder	Councilman
	Luke Wochensky	Councilman
	Joseph McCann	Councilman
	James F. Granville	Councilman
	James J. Bach	Supervisor
Others Present:	Brigid Maloney	Town Attorney
	Elizabeth Cassidy	Code Enforcement Officer
	Richard Miga	Asst. Code Enforcement Officer
	David Gunner	Highway Superintendent
	Meaghan Tent	Recreation
	Rod Simeone	Zoning Board Member
	Shane Krieger	Chief of Police
	Timothy Stroth	Planning Board Member
	Elizabeth Wilber	Live Stream Coordinator

Supervisor Bach opened the regular meeting at 7:00 p.m., following the conclusion of the work session.

The first item on the agenda was a Public Hearing on a local law to increase the income eligibility for disabled persons to receive a property tax exemption. Supervisor Bach opened the hearing at 7:00 p.m. and asked if anyone wished to comment. Hearing no one, Supervisor Bach closed the hearing at 7:01 p.m.

The second item on the agenda was a Public Hearing on a local law to increase the exemptions allowed for Alternative Veterans to receive a property tax exemption. Supervisor Bach opened the hearing at 7:02 p.m. and asked if anyone wished to comment. Hearing no one, Supervisor Bach closed the hearing at 7:03 p.m.

Councilman Granville moved to approve the minutes of the February 13, 2023 work session and meeting. Councilman McCann seconded the motion. Upon a vote being taken: ayes – five	noes – none	Action #56 2/13/2023 minutes aprvd
Motion carried.		

Audience I:

The following persons spoke to the Board about their opposition to a resolution that would stop the conversion of appliances, vehicles, etc. to all electric:

Sue Russell, East Aurora, NY	Nicole Morris McLaughlin, Girard Avenue
Margaret Potter, Park Place	Ellen Neumeier, Mill Road
Jen Fee, Castle Hill Road	Deb Seeber, Walnut Street
Claudia Newton, Lapham Road	Marty Caplin, Kirby
Rachel Francis, Sycamore Street	Joe Braunschidle, Quaker Road
Sheila Petrocy, Quaker Road	Jeannete Young, Warren Drive
Sandy Roemer, Buffalo Road	Julie Hoth, Hamburg Street
Eric Carlson, Main Street	

Letters from persons opposed to the resolution were read by Councilman Wochensky:

Kathleen Kelleher, Olean Street  
Rachel Morlock, Olean Street  
John Szalasny, Sierra Club

UNFINISHED BUSINESS:

Councilman Snyder moved to adopt Local Law 1-2023; seconded by Councilman McCann:

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, BY AMENDING CHAPTER 101 ARTICLE VIII SECTION 101-23 TO INCREASE THE MAXIMUM INCOME ELIGIBILITY FOR DISABLED PERSONS WITH LIMITED INCOMES.

SECTION 1. LEGISLATIVE INTENT

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

This Local Law amends a prior Local Law known as The Codes of the Town of Aurora, adopted by the Town of Aurora on January 22, 1990, as amended, relating to the administrative, legislative and general legislation of the Codes within the Town of Aurora as herein set forth. This legislation amends the maximum annual income for disabled persons with limited incomes.

SECTION 2. CHAPTER 101, ARTICLE VIII, SECTION 101-23 Eligibility; amount.

To be eligible for the exemption provided by §101-22 of this article, the maximum income of such person shall be \$32,400. Real property owned by one or more persons with disabilities, or real property owned by a husband and wife, or both, or by siblings, at least one of whom has a disability, and whose income, as hereafter defined, is limited by reason of such disability, shall be exempt from taxation by the Town of Aurora to the extent provided in the following table:

<b>Annual Income</b>	<b>Percentage of Assessed Valuation Exempt from Taxation</b>
Up to \$24,000	50%
More than \$24,000 but less than \$25,000	45%
\$25,000 or more, but less than \$26,000	40%
\$26,000 or more, but less than \$27,000	35%
\$27,000 or more, but less than \$27,900	30%
\$27,900 or more, but less than \$28,800	25%
\$28,800 or more, but less than \$29,700	20%
\$29,700 or more, but less than \$30,600	15%
\$30,600 or more, but less than \$31,500	10%
\$31,500 to \$32,400	5%

SECTION 3. EFFECTIVE DATE

This Local Law shall take effect on March 1, 2023 and shall be filed with the New York Secretary of State pursuant to §27 of the New York Municipal Home Rule Law.

Upon a roll call vote being taken:

Councilman McCann     Aye  
Councilman Granville     Aye  
Councilman Snyder     Aye  
Councilman Wochensky     Aye  
Supervisor Bach     Aye

ayes – five

noes – none

Motion carried.

Action #57  
LL1-2023  
Income  
increase for  
disabled  
exemptions

Councilman Granville moved to adopt Local Law 2-2023; seconded by Councilman Wochensky:

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, BY AMENDING CHAPTER 101 ARTICLE VI SECTION 101-16 TO INCREASE THE MAXIMUM EXEMPTION ALLOWABLE FOR CALCULATION OF ALTERNATIVE VETERANS EXEMPTIONS.

SECTION 1. LEGISLATIVE INTENT

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

This Local Law amends a prior Local Law known as The Codes of the Town of Aurora, adopted by the Town of Aurora on January 22, 1990, as amended, relating to the administrative, legislative and general legislation of the Codes within the Town of Aurora as herein set forth. This legislation amends the maximum exemption allowable for the calculation of alternative veterans' exemptions.

SECTION 2. CHAPTER 101, ARTICLE VI, SECTION 101-16 Exemption increased.

The Town of Aurora hereby elects to increase the maximum exemption allowable in Paragraphs (a), (b) and (c) of Subparagraph (ii) Paragraph (d) of Subdivision 2 of §458-a of the New York State Real Property Tax law shall be: with respect to paragraph (a) of said subparagraph, thirty thousand dollars (\$30,000.); with respect to paragraph (b) of said subparagraph, twenty thousand dollars (\$20,000.); and with respect to paragraph (c) of said subparagraph, one-hundred thousand dollars (\$100,000.).

SECTION 3. EFFECTIVE DATE

This Local Law shall take effect on March 1, 2023 and shall be filed with the New York Secretary of State pursuant to §27 of the New York Municipal Home Rule Law.

Upon a roll call vote being taken:

Councilman Wochensky Aye  
Councilman Snyder Aye  
Councilman Granville Aye  
Councilman McCann Aye  
Supervisor Bach Aye

ayes – five

noes – none

Motion carried.

Action #58  
LL2-2023  
income  
increase Alt  
Veterans  
exemptions

NEW BUSINESS:

Councilman Granville moved to amend the agenda by adding item 5K – Climate Smart training classes and item 5L Borderland Temporary Use Permit application to the agenda. Councilman Snyder seconded the motion.

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

Action #59  
Items 5K –  
Climate  
Smart classes  
and 5L -  
Borderland  
added to  
agenda

Councilman Snyder moved to approve the hiring of Stephen R. Pigeon, 95 Center Ridge Road, East Aurora, NY as Second Assessor (a temporary position) effective March 13, 2023, while overlapping with the current Assessor for training purposes. Mr. Pigeon's rate of pay will be \$38.46 per hour and he will be given two weeks of vacation in both 2023 and 2024.

Also approved was the following budget transfer to cover the cost of training overlap:

From: A1990 Contingent \$10,000.00  
To: A1355.100 Assessor \$10,000.00

Councilman Wochensky seconded the motion. Upon a vote being taken:

ayes – five

noes – none

Motion carried.

Action #60  
S Pigeon  
hired as 2<sup>nd</sup>  
Assessor; pay  
rate &  
vacation  
aprvd

Councilman McCann moved to approve a \$0.50 hourly stipend for two highway department workers who will be assigned to monitoring, maintaining and reporting on the highway fuel tanks and the Majors Park gas wells. This is contingent upon CSEA Union approval. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #61  
Stipend for fuel tank & gas well monitoring aprvd contingent upon Union approval

Item 5C (natural gas resolution) was removed from the agenda.

Councilman Snyder moved to forward the Open Development Area application from Scott Marshall to erect a detached garage at 1432 Emery Road to the Planning Board for review and recommendation(s). Councilman McCann seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #62  
ODA appl for 1432 Emery referred to Planning Brd

Councilman Granville moved to table the request for out-of-district water customer status for 7007 Center Street, PO West Falls, Town of Colden, for review by the Town Attorney. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #63  
OOD Water request for 7007 Center tabled for attorney review

Councilman McCann moved to approve the payment of Frey Heavy Duty invoice number 1060724 in the amount of \$6,242.12 less a \$1,875.00 core credit for a total payment of \$4,367.12, for a rear end differential replacement for plow truck #324. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #64  
Pymt to Frey HD for truck part aprvd

Councilman Wochensky moved to approve new Recreation program – Chess Camp to be run by coaches from the Buffalo Chess Association as 1099 contractual instructors. The 2023 program will run from July 25 to July 29 at a cost of \$150 for residents and \$160 for non-residents. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #65  
New rec program – Chess camp aprvd

Councilman McCann moved to approve the following FY2022 year-end budget transfers and budget amendment; seconded by Councilman Granville:

Transfers

From: A1110.102 Court Clerk	\$981.00
To: A1110.105 Court Clerk	\$981.00
From: A1420.401 Office Supplies	\$1,988.00
To: A1420.416 General Counsel	\$1,988.00
From: A1620.414 Light, heat, power, water	\$3,130.00
To: A1620.422 Building grounds/repairs	\$3,130.00
From: A9040.800 Workers Comp	\$3,330.00
To: A6772.201 Senior Center Ext. Door	\$3,330.00
From: DB5112.433 Materials & Supplies	\$2,158.00
To: DB5130.420 Mobile Radio Svc Contract	\$2,158.00
From: DB5110.140 Overtime	\$2,475.00
To: DB5110.410 Fuel & Oil	\$2,475.00

From: DB9060.800 Hosp/Medical Insurance \$55,862.00  
To: DB5110.410 Fuel & Oil \$39,795.00  
DB5142.140 Overtime \$16,067.00

From: DB5142.100 Snow Removal \$12,092.00  
To: DB5142.140 Overtime \$12,092.00

From: DB9010.800 State Retirement \$28,543.00  
To: Nov Snowstorm 2022 \$28,543.00

From: DB9061.800 Hosp/Medical Ins. Retiree \$17,710.00  
To: DB5142.412 Nov Snowstorm 2022 \$17,710.00

Amendment

Increase A4089 Federal Aid, Other \$40,729.00  
Increase A7110.454 Park Improvement (ARPA) \$40,729.00

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

Action #66  
FY2022 YE  
budget trans  
aprvd

Councilman Wochensky moved to approve the following 2023  
budget transfer to correct an overdrawn appropriation line:

From: A1110.105 Clerk to Town Justice \$1,750.00  
To: A1110.412 PT Contractual \$1,750.00

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

Action #67  
Court clerk  
budget trans  
aprvd

Councilman Snyder moved to approve the proposal from GHD  
Consulting Services, Inc. to review the Stormwater Pollution Prevention Plan  
(SWPPP) for the clearing and grubbing work at 2220 Center Street for a  
lump sum fee of \$2,000.00, and per Town Code Chapter 96, the property  
owner will compensate the Town for the amount charged by GHD for this  
review. Councilman McCann seconded the motion. Upon a vote being  
taken: ayes – five noes – none Motion carried.

Action #68  
GHD proposal  
to review  
SWPPP for  
2220 Center  
aprvd

Councilman Granville moved to approve twelve (12) Cornell Climate  
Stewards classes being held in the meeting room at the Aurora Municipal  
Center from noon to 1:00 p.m. on Saturdays beginning March 25, 2023 and  
ending June 24, 2023. The classes will be conducted free of charge by the  
Cornell Cooperative Extension. Councilman Snyder seconded the motion.  
Upon a vote being taken: ayes – five noes – none Motion carried.

Action #69  
Cornell  
Climate  
classes aprvd  
to be held at  
AMC

Councilman Wochensky moved to approve the request from Jennifer  
Brazill for a temporary use permit to use the Town managed side of Knox  
Farm State Park for parking during the 2023 Borderland Music Festival on  
September 15-17, 2023, contingent upon receipt of a certificate of insurance.  
Councilman McCann seconded the motion. Upon a vote being taken:  
ayes – five noes – none Motion carried.

Action #70  
Borderland  
TUP for KFSP  
parking aprvd  
(needs ins)

COMMUNICATIONS AND REPORTS: The following communications and reports were  
received by the Town Board and filed:

- Building Department – January 2023 report

**BUSINESS FROM BOARD MEMBERS/LIAISONS**

Councilman McCann stated the Open Space Committee is working on developing a trail and improved parking lot for the Hubbard Road end of Majors Park and is planning on having a meeting with Hubbard Road residents on March 28<sup>th</sup>.

Councilman Snyder attended the East Fillmore bridge meeting, noting it was well attended by neighbors of the project.

Councilman Wochensky stated that he will be meeting with Mark Gaston from Erie County Soil and Water to discuss the drainage situation on Old Glenwood Road.

Supervisor Bach stated that he attended the ECAOG meeting where Narcan use was discussed. Mr. Bach would like to have a Narcan dispensing case at Town Hall for residents to obtain Narcan.

AUDIENCE II: none

**STAFF REPORTS:**

Highway Superintendent Gunner noted that after the East Fillmore project meeting, residents are more receptive of the bridge project.

**ABSTRACT OF CLAIMS:**

The February 27, 2023 – 2022 Encumbered Abstract of Claims, consisting of vouchers numbered 1641 to 1645, and PCard voucher number 172, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 11,968.82
Part Town	29.58
Highway/DB	342.59
Special Districts	<u>60,924.86</u>
Grand Total Abstract	\$ 73,265.85

The February 27, 2023 Abstract of Claims, consisting of PCard voucher number 173, vouchers numbered 174 to 221, and prepaid voucher number 222 was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 75,232.82
Highway/DA	88.98
Highway/DB	55,497.91
Trust/Agency	585,260.27
Special Districts	<u>566,657.41</u>
Grand Total Abstract	\$1,282,737.39

Councilman McCann moved to approve the 2/27/2023 – 2022 Encumbered (including PCard) and the 2/13/2023 (including PCard) Abstracts of Claims and authorize payment of same. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #71  
2/27/2023  
Abstracts of  
Claims aprvd

Councilman Snyder moved to adjourn at 8:10 p.m. Seconded by Councilman Granville. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #72  
Meeting  
adjourned