

TOWN OF AURORA
TOWN BOARD WORK SESSION
March 27, 2023

The following members of the Aurora Town Board met on Monday, March 27, 2023, at 6:30 p.m. for the purpose of holding a 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:	Charles D. Snyder	Councilman/Deputy Supervisor
	Luke Wochensky	Councilman
	Joseph McCann	Councilman
	James F. Granville	Councilman
	James J. Bach	Supervisor (via Zoom)
Others Present:	Brigid Maloney	Town Attorney
	Richard Miga	Asst. Code Enforcement Officer
	David Gunner	Highway Superintendent
	Rod Simeone	Zoning Board Member
	Paul Ernst	Zoning Board Chairman
	Tim Stroth	Planning Board Member
	Chris Musshafen	Aquatics/Recreation Director
	Elizabeth Wilber	Live Stream Coordinator

Deputy Supervisor Snyder opened the work session at 6:30 p.m. with the recitation of the Pledge of Allegiance to the Flag.

1) Building Department – additional fee request:

In a memo to the Town Board, Code Enforcement Officer Cassidy is requesting approval to amend the building department fee schedule by adding a processing fee to cover the cost of time it takes for her office to obtain all the required documents and manually input a building permit as opposed to the applicant completing and submitting the application through Cloudpermit (building department software program). If approved the fees would go into effect April 1, 2023 for contractors and October 1, 2023 for residents. ACEO Richard Miga stated that the intent is to motivate people to use Cloudpermit and for efficiency. The additional fees are comparable to either the permit fee or permit application fee currently charged by the building department.

Councilman McCann asked what happens if an individual does not have the capability to upload documents needed for a permit application. Mr. Miga stated their department can provide the scanning service and will work with the public on an individual basis.

In a memo to the Town Board, the Town Clerk is requesting that the Board consider approving modifications to the wording in the same fee schedule that would clarify that additional fees may be charged to the property owner/applicant for storm water review, traffic studies, SEQRA review and other engineering review fees.

2) Foit Albert Associates payment request for Church Street and E. Fillmore bridge projects:

Foit Albert has submitted a payment request for the Church Street bridge project in the amount of \$19,456.51 for professional services rendered from December 31, 2022 to February 24, 2023. They have also submitted payment requests for the E. Fillmore bridge project in the amount of \$10,158.08 for professional services rendered from October 1 to October 28, 2022 and in the amount of \$23,986.41 for professional services rendered from December 31, 2022 to February 24, 2023. (The payment request for the period October 29 to December 30, 2022, was previously submitted and approved.)

Highway Superintendent Gunner stated that they are dealing with some property easement issues and the location of NYSEG power lines for the Church Street project. The road reconstruction at the E. Fillmore project is about 80% complete, but they are waiting for the Village of East Aurora to repair a water line leak before they can continue the road work.

3) 359 Quaker Road Rezoning Request:

At a prior meeting the Town Board referred the request to rezone 359 Quaker Road from C3 (formerly I) to R3 to allow construction of two apartment buildings on the property. The Planning Board responded by recommending that the Town Board consider adding the multi-family dwelling use to either the C1 or C2 zoning districts. This recommendation was forwarded to the Code Review Committee who, after a thorough review of Chapter 116 Zoning, the uses allowed and the intent of the C1 and C2 districts, recommended that the multi-family use not be added to any of the C zoning districts, but should remain in the R3 district.

Supervisor Bach stated that he feels that the original request should be sent back to the Planning Board. Councilman Snyder stated the rezoning request should go back to the Planning Board and they should address the request and respond to what the petitioner is asking for.

4) Temporary Use Permit – American Cancer Society: 5K/1mile event at KFSP:

Ashley Ferguson spoke to the Board about the 5K and 1 mile walk that is scheduled to take place at Knox Farm State Park on Sunday, May 21, 2023 to benefit the American Cancer Society. Ms. Ferguson noted that the event is being organized by Orchard Park high school students and they are hoping to involve other schools. There will be a food truck and live music (high school band). Ms. Ferguson stated that they are working on obtaining the signed indemnification document that the Town requires.

5) Private line/private road water fees:

After reviewing the current charges for water service that the Town bills to the residents/properties on private roads/private water lines, a change in the fees and fee structure is being recommended to keep the private road water line fund (ZP) from going back into a deficit. The Erie County Water Authority (ECWA) bills the Town based on the master meter for each water line. The following are two billing options:

Option A

Based on master meter size, number of customers served from a metered line, a water rate of \$3.34/1000 gallons (current ECWA rate), infrastructure fees (ECWA), operation and administration fees (TOA) and repair and maintenance fees (TOA) the following are the minimum quarterly bills that would be needed for private road/private line customers:

Private road/line	O&A	Infrastructure	R&M	Min. water use	Minimum total
Center/WestGate	\$20.02	\$16.61	\$25.00	\$21.71	\$83.34
Mitchell	\$20.02	\$15.94	\$25.00	\$21.05	\$82.01
Hickory (Sanford)	\$20.02	\$26.57	\$25.00	\$35.07	\$106.66
Mary Jane Ln	\$20.02	\$26.57	\$25.00	\$35.07	\$106.66
South Herrick	\$20.02	\$71.16	\$25.00	\$94.53	\$210.71

In this case the water customers would be paying for the fees generated by the master meter associated with their water line plus the Town O&A and R&M fees.

Option B

If the ECWA bills were to be averaged and the total cost spread out over all the private roads/private water line customers, the minimum fees would be as follows:

Private road/line	O&A	Infrastructure	R&M	Min. water use	Minimum total
Center/WestGate	\$20.02	\$30.74	\$25.00	\$40.67	\$116.43
Mitchell	\$20.02	\$30.74	\$25.00	\$40.67	\$116.43
Hickory (Sanford)	\$20.02	\$30.74	\$25.00	\$40.67	\$116.43
Mary Jane Ln	\$20.02	\$30.74	\$25.00	\$40.67	\$116.43
South Herrick	\$20.02	\$30.74	\$25.00	\$40.67	\$116.43

Supervisor Bach stated that each user should pay their way. It would be difficult to explain why a property/resident is being asked to pay for somebody else's expenses.

Councilman McCann stated he echoed Supervisor Bach's thoughts and that there are advantages and drawbacks to living on a private road.

Councilman Wochensky stated the R&M fee should go into a general maintenance fund.

6) Out of District (OOD)Water Customer late fee proposal:

Currently there are property owners in the towns of Colden, Wales and Elma that are out of district water customers as they receive water service through ECWA water lines and/or private road water lines that were installed through Town of Aurora water projects and have debt service. The OOD customers receive an annual invoice for the debt service that has a due date, but at this time there is no late fee if not paid on time. Town of Aurora residents have this debt service fee on their annual town/county tax bill, that if not paid by a certain date have a penalty or late fee applied. Town Attorney Maloney reviewed the current OOD agreements and believes, based on language in the agreements, that the Town Board can impose late fee/penalties on the OOD customers mirroring the penalties on the Town tax bills.

7) Social Media Policy:

Councilman Wochensky stated that the Town does not have a Social Media policy in place. This is different from the policy regarding social media that is in the Employee Handbook that addresses employees on their personal social media pages. The Board discussed the following:

- Site administrator(s)
- Approval of postings
- Site comments and 1st Amendment issues
- Site content
- Whether existing sites held by Highway, Recreation, Historian, and others will continue
- What types of events/information should be allowed to be posted
- Clarifying wording in certain sections of the policy
- Whether or not comments should be allowed

Councilman Wochensky will revise the policy based on comments received and the Board will continue discussions.

Martha Librock
 Town Clerk