

July 27, 2020

A meeting of the Town Board of the Town of Aurora took place on Monday, July 27, 2020 at 7:00 p.m. in the Town Hall Auditorium, 300 Gleed Avenue, East Aurora, New York. Although this meeting was held “in-person”, due to the coronavirus/Covid19 pandemic, it was also live-streamed via Zoom and YouTube in accordance with NYS Executive Order 202.1 – *Suspension of law allowing the attendance of meetings telephonically or similar service: Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such action authorized by the law without permitting public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed.*

Present:	Jolene M. Jeffe	Councilwoman
	Susan A. Friess	Councilwoman
	Luke Wochensky	Councilman
	James J. Bach	Supervisor
Absent/Excused:	Charles D. Snyder	Councilman
Others Present:	Ronald Bennett	Town Attorney
	William Kramer	Code Enforcement Officer
	David Gunner	Highway Superintendent
	William Wheeler	Engineer/GHD
	Chris Musshafen	Recreation/Aquatics Director
	Elaine Schiltz	Recreation Supervisor
	Shane Krieger	Chief of Police

Supervisor Bach opened the meeting at 7:00 p.m., noting that Councilman Snyder will not be at this meeting as today is the last day of his quarantine after traveling out of state.

The first item on the agenda was a Public Hearing on a Special Use Permit request from Jyl and Ricardo Rivera to hold events at 1897 Davis Road, PO West Falls, NY. The notice was published in the East Aurora Advertiser and posted on the Town Clerk’s bulletin board as noticed by the Affidavits of Publication and Posting.

Supervisor Bach opened the hearing at 7:04 p.m., and asked if anyone in the audience wished to be heard on this application.

Doug Crow, Davis Road, stated they are good neighbors and is in favor of the proposal.

Jyl Rivera read three letters of support from 1) neighbor at 48 Bridge Street; 2) neighbor at 1905 Davis; and 3) the owner of 1887 Davis Road.

Hearing no other comments, the Supervisor closed the hearing at 7:08 p.m.

Councilwoman Jeffe stated she visited the site and stated the parking lot needs to be striped. Mrs. Jeffe also noted her concerns about having porta-potties for restrooms, the exit onto Davis Road and people crossing Davis Road if they have to park off-site. Mrs. Rivera stated that they and their employees are the ones that park off-site. Mr. Rivera stated they are in line to purchase 1887 Davis Road that could be used for more parking and an alternate exit.

Councilwoman Jeffe asked how the number of people is controlled for an event. Mrs. Rivera stated that due to Covid 19, they are limited to 50 people and all are by reservation.

Councilwoman Friess stated she is concerned with the number of people. Bill Kramer responded that their parking lot has 53 spots (plan submitted shows 34 parking spaces), Town Code figures 4 people per vehicle, so there could be approximately 200 max per event.

After further discussion, Supervisor Bach stated the Town would need to draft a resolution listing all the conditions the Town wants to have on the permit. It could be renewed annually. Councilwoman Friess stated if we get stuck on details, the Town could possibly look at a short-term permit and then revisit it.

Supervisor Bach explained to the applicants that this will not be considered tonight, but will be put on the August 10, 2020 meeting agenda for consideration.

Councilwoman Jeffe moved to approve the minutes of the July 13, 2020 Town Board worksession and meeting; seconded by Councilwoman Friess. Upon a vote being taken: ayes – four noes – none  
Motion carried.

Action #210  
7/13/2020  
minutes  
aprvd

AUDIENCE I:

Jeff Mersmann of the WNY Muckdogs Baseball organization spoke to the Board about his request to use 42 North Field at Community Pool Park for a kid's baseball tournament July 30 thru August 2, 2020. Mr. Mersmann stated they have Covid safety plan in place.

UNFINISHED BUSINESS:

Councilwoman Friess moved to table the ODA request for 2331 Lapham Road until the August 10, 2020 Town Board meeting in order to prepare the proper resolutions to be considered by the Board. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – four noes – none  
Motion carried.

Action #211  
Lapham Rd  
ODA tabled

Councilwoman Jeffe moved to approve payment no. 11 to Greater Niagara Mechanical, Inc., 7311 Ward Road, N. Tonawanda, NY, in the amount of \$23,165.75 for work performed at the Aurora Municipal Center through June 24, 2020. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none  
Motion carried.

Action #212  
Pymt no. 11  
to GNM for  
AMC aprvd

Councilwoman Jeffe moved to approve payment no. 14 to Industrial Power & Lighting, 60 Depot Street, Buffalo, in the amount of \$11,140.26 for work performed at the Aurora Municipal Center through June 30, 2020. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none  
Motion carried.

Action #213  
Pymt no. 12  
to IPL for  
AMC aprvd

Councilwoman Jeffe moved to approve payment no.14 to Telco Construction, Inc., 500 Buffalo Road, E. Aurora, in the amount of \$239,985.26 for work performed at the Aurora Municipal Center through June 30, 2020. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none  
Motion carried.

Action #214  
Pymt no. 14  
to Telco for  
AMC aprvd

NEW BUSINESS:

Councilman Wochensky moved to amend the agenda by adding Items 6I – Request to use West Falls Park and 6J – Public notice – refer to Planning Board, to the agenda. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – four noes – none  
Motion carried.

Action #215  
Items 6I & 6J  
added to  
agenda

The WNY Muckdogs baseball organization is requesting to use 42 North baseball diamond at Community Pool Park for a kid's baseball tournament on July 30 thru August 2, 2020. The Board discussed the request at length.

It was noted that the East Aurora Baseball and Softball league is not playing on the fields this year, but they did put a lot of money into diamond dirt and maintaining the fields.

Councilwoman Friess stated there needs to be a fee structure for this request.

Supervisor Bach stated that there are no restrooms available for the teams at this location.

Councilman Wochensky asked if there was another field they could play at. Highway Superintendent Gunner responded there are no other youth diamonds in Aurora.

Jeff Mersmann of the WNY Muckdogs stated they would bring in two porta potties and a hand washing station, provide their own bases and line the fields.

Councilwoman Jeffe stated this is outdoors, people will be spread out and baseball is approved by NYS guidelines.

Councilwoman Friess asked who enforces social distancing, etc. Mr. Mersmann responded that he, the organization president and league volunteers do the enforcing.

Councilwoman Jeffe asked Police Chief Krieger what he thought of the requests. Chief Krieger responded that his son is playing soccer in Orchard Park this year with the same rules and he does not foresee any issues.

Councilwoman Jeffe moved to approve the request from the WNY Muckdogs baseball organization to hold a youth baseball tournament at 42 North field at Community Pool Park on July 30, 2020 at 6:00 pm (one game); July 31, 2020 at 6:00 pm (one game); August 1, 2020 8:00 am to 8:00 pm and August 2, 2020 8:00 am to 8:00 pm with the following conditions:  
The WNY Muckdogs will:

1. Provide two handicapped accessible porta potties.
2. Provide one handwashing/sanitizing station.
3. Provide bases and line the baseball diamond
4. Pay the Town \$20 per game (for 15 games)
5. Provide signage with regard to Covid procedures

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

Action #216  
Request by  
WNY  
Muckdogs to  
use baseball  
diamond aprvd

Councilwoman Friess moved to approve the hiring of the following as 2020 seasonal pool personnel at \$12.10 per hour (orientation date will be considered first day worked):

<u>Name</u>	<u>Address</u>	<u>Civil Service Title</u>
Jessica Drozdowski	758 Jewett Holmwood, EA	Lifeguard PT Seasonal
Macuen Haper^	330 Chairfactory, Elma	Lifeguard PT Seasonal
Margaret Boyle^	19 Ridge Trail, Glenwood	Lifeguard PT Seasonal

^ Non-resident

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

Action #217  
Seasonal PT  
lifeguards  
aprvd

Councilwoman Friess moved to approve the following budget transfer to cover current and future shortages in the Recreation Secretary part Time Seasonal budget line:

From: A7020.112 Secretarial                      \$4,200  
To: A7020.113 Secretary PT Seasonal                      \$4,200

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

Action #218  
Recreation  
budget transfer  
aprvd

Councilwoman Jeffe moved to approve the following budget transfer to cover extra part time help to prepare for the move to the new Town Hall:

From: A1460.110 Records Management purchased services                      \$1,000  
To: A1410.107 Town Clerk part time help                      \$1,000

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

Action #219  
Town Clerk  
budget transfer  
aprvd

Councilwoman Jeffe moved to approve the following budget transfer to facilitate the close out of HA Master Water Improvement Area capital project:

From: HA Master Water Improvement Area                      \$195,931.22  
To: ZM Master Water Improvement Area                      \$195,931.22

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

Action #220  
MWIA capital  
project budget  
transfer aprvd

Councilwoman Friess moved to authorize the close out of capital project HA Master Water Improvement Area as of July 31, 2020. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #221  
HA MWIA  
capital project  
close out  
aprvd

Councilwoman Friess moved to authorize the following budget amendment to record the receipt of public funds from Erie County:

- Add revenue line A2351.1 Programs for Aging – Other Governments
- Increase revenue line A2351.1 by \$1,000
- Increase appropriation line A6772.401 Supplies by \$1,000

Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – four noes - none Motion carried.

Action #222  
Budget amend.  
for EC public  
funds grant  
authorized

Councilwoman Friess moved to table the Change Order requests from Industrial Power and Lighting and Telco Construction for more information. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #223  
Change orders  
for AMC from  
IPL & Telco  
tabled

Councilwoman Friess moved to approve the following change order from Kistner Concrete Products, Inc., 5550 Hinman Road, Lockport, NY, for changes to the Whaley Avenue box culvert in order to meet the requirements of the Erie County Sewer Authority:

Original contract :	\$107,066.00
Change order increase:	21,294.00
New contract amount:	\$128,360.00

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

Action #224  
Change order  
for Whaley  
Bridge box  
culvert aprvd

Councilwoman Jeffe moved to approve the request from Molly McDermott to hold a HikYoga class at JP Nicely West Falls Park on August 8, 2020 from 10:00 a.m. to 11:30 a.m. for a fee of \$5.00, contingent upon receipt of a certificate of insurance. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #225  
Use of WF  
park for yoga  
class aprvd

Councilman Wochensky moved to refer the Town procedure for publicizing public hearings to the Planning Board for review and recommendations. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #226  
Public hearing  
publicizing  
procedure  
forwarded to  
Planning  
Board

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

- Recreation/Aquatics Director – June 2020 report
- EAPD – June 2020 report
- Supervisor – June 2020 report
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BUSINESS FROM BOARD MEMBERS AND LIAISONS:

Councilman Wochensky stated that Karen Hintz is the new president of Community Garden on South Street and the group will have a Facebook page.

Supervisor Bach stated he met with EC Legislator Joe Lorigo and they visited Behm Road at the former railroad crossing. Mr. Bach noted that the railroad has a federal easement at that location. Erie County will double up on signage to warn drivers of the road condition. Chief Krieger stated the current signs say “bump” and the condition of the road is more than a

bump, it is more like a launch ramp. Councilwoman Jeffe stated the signs need to be posted farther than where they are now to give sufficient warning and asked if rumble strips could be installed.

AUDIENCE II: none

STAFF REPORTS:

Donna Bodekor, via phone, asked if she could be notified in advance regarding the demo of 113 King Street. Ms. Bodekor stated that Erie County is holding a farmers market coupon give-away at the Senior Center August 8, 2020 from 9:30 a.m. to 11:30 p.m.

Highway Superintendent Gunner stated that the Town received 100% of its 2020 CHIPS funding.

Chris Musshafen stated the pool and day camp are both going well and the kids are wearing masks when required to.

Police Chief Krieger stated that the roundabout at the end of the 400 is the way to go.

ABSTRACT OF CLAIMS:

The July 27, 2020 Abstract of Claims, consisting of P-card voucher 797; vouchers numbered 798 to 856; and prepaid vouchers 857 to 858, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 60,110.33
Part Town	168.48
Highway (DB)	60,701.61
Capital/H5	274,291.27
Capital/H7	738.00
Trust/Agency	7,707.47
Special Districts	<u>25,059.47</u>
Grand Total Abstract	\$428,776.63

Councilwoman Friess moved to approve the July 27, 2020 Abstract of Claims and authorize payment of same. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – four noes – none  
Motion carried.

Action #227  
7/27/2020  
abstract aprvd

Councilwoman Jeffe moved to adjourn at 8:35 p.m.; seconded by Councilwoman Friess. Upon a vote being taken: ayes – four noes – none  
Motion carried.

Action #228  
Meeting  
adjourned

Martha L. Librock  
Town Clerk