

April 26, 2021

A meeting of the Town Board of the Town of Aurora took place on Monday, April 26, 2021 at 7:00 p.m. The Board met in-person at the Aurora Municipal Center, 575 Oakwood Avenue, East Aurora, New York. Public attendance was allowed at this meeting. The meeting was live-streamed via Zoom and YouTube.

Members in attendance:	Jolene M. Jeffe	Councilwoman
	Susan A. Friess	Councilwoman
	Charles D. Snyder	Councilman
	Luke Wochensky	Councilman
	James J. Bach	Supervisor
Absent/Excused:	Ronald Bennett	Town Attorney
Others in attendance:	Elizabeth Cassidy	Code Enforcement Officer
	Kevin Glover	Asst. Code Enforcement Officer
	David Gunner	Highway Superintendent
	Chris Musshafen	Recreation/Aquatics Director
	Shane Krieger	Chief of Police
	Tony Rosati	ZBA member/Village Trustee
	Paul Porter	Village Trustee

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

The first item on the agenda was a FURTHER PUBLIC HEARING on a proposed Local Law for the rezoning of 730 Olean Road from RR and A to R3. The notice of public hearing was published in the East Aurora Advertiser and posted on the Town Clerk's bulletin board.

Supervisor Bach opened the hearing at 7:01 p.m. and asked if anyone in the audience wished to comment on this Local Law.

Jim Oubre, Maple St., E. Aurora, stated he is a former ROC board member and current volunteer at ROC. He believes the use should be unrestricted and is concerned they will not be able to have worship services. Councilwoman Friess responded that religious activity is allowed.

Hearing no further questions or comments, the Supervisor closed the hearing at 7:05 p.m.

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Councilman Snyder stated that this local law is for the rezoning of the property, not for the Special Use Permit and Site Plan review that are required to be completed.

Councilwoman Jeffe stated that the R3 zoning is the most restrictive to permit the project and that she understands the position of ROC and of the neighbors.

Councilwoman Friess moved to approve the minutes of the 4/12/2021 work session and meeting; seconded by Councilman Snyder. Upon a vote being taken: ayes – five	noes – none	Motion carried.	Action #104 4/12/21 minutes aprvd
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AUDIENCE I:

Krystal Dedrick, Olean Road, (via zoom), stated she is opposed to the rezoning of 730 Olean Road, noting police reports and incidents and stated that restrictions are appropriate.

UNFINISHED BUSINESS:

Councilman Wochensky moved to adopt Local Law 2-2021, a Local Law to rezone 730 Olean Road from RR and A to R3; seconded by Councilman Snyder:

TOWN OF AURORA

LOCAL LAW NO. 2-2021

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 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 property from its present location in A and RR Zoning Districts to an R-3 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 transfer and place the following described property from its present classification as A and RR District to an R-3 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 Lots Nos. 13 and 14, Township 9, Range 6 of the Holland Land Company’s Survey, described as follows:

BEGINNING at a point in the centerline of Olean Road at the southwest corner of lands conveyed to Daniel C. Clark and wife by deed recorded in the Erie County Clerk’s Office in Liber 8349 of Deeds at page 149; thence easterly along the south line of said lands, 266.8 feet; thence northerly along an easterly line of said lands, 241.8 feet; thence easterly along a southerly line of said lands, 453.5 feet to the west line of lands of the Pennsylvania Railroad Company; thence southeasterly at an interior angle of 104° 18’ 00” along the west line of said Railroad, a distance of 313.70 feet; thence southwesterly at an interior angle of 98° 24’ 00” a distance of 853.11 feet to the center line of Olean Road; thence northwesterly along the centerline of Olean Road, 446 feet to the point or place of beginning.

SECTION 3. RESTRICTIONS ON USE

Rezoning of the real property to R-3 is for the following uses, which are subject to the adoption of a Special Use Permit:

1. Assembly Hall or auditorium with the intended building to include offices, a chapel and multi-purpose rooms for non-profit institutions for charitable, religious, cultural or community social purposes, not including institutions for mental patients, correctional facilities, or animal rescue purposes. All non-profit institutions are subject to site plan review regulations of Chapter 95, regardless of occupancy classification or the size of the building.
2. Customary accessory uses;
3. A Declaration of Restrictive Covenants citing the Restrictions on Use shall be recorded at the Erie County Clerk’s Office and shall expressly state that the restrictions contained therein cannot be amended or rescinded without the permission of the Town Board of the Town of Aurora.

SECTION 4. SEVERABILITY

Councilwoman Friess moved to approve the hiring of the following persons as 2021 seasonal pool personnel and 2021 seasonal playground/day camp/special programs personnel at the following rates, (orientation date will be considered first day worked):

2021 PERSONNEL RECOMMENDATIONS – POOL/EAST

<u>Name</u>	<u>Address</u>	<u>Civil Service Title</u>	<u>Rate/hr.</u>
Kala McCarrison^	8 Marywood, Depew	Lifeguard PT Seasonal	\$15.25
Daniel Schweikard	1854 Reading Rd., WF	Lifeguard PT Seasonal	\$14.25
Kevin Murnock	1997 Lapham Rd., EA	Lifeguard PT Seasonal	\$13.85
Calvin Roberts	525 South St., EA	Lifeguard PT Seasonal	\$14.80
Parker Brod*	1465 Boies Rd., EA	Lifeguard PT Seasonal	\$13.55/14.05
Ethan Egloff	990 Center St., EA	Lifeguard PT Seasonal	\$13.05
Trevor Egloff*	986 Center St., EA	Lifeguard PT Seasonal	\$13.55/14.05
Josey Slater	60 Ruskin Rd., EA	Lifeguard PT Seasonal	\$13.55
Cate Vanner*	1240 Luther Rd., EA	Lifeguard PT Seasonal	\$13.55/14.05
Ella Brophy	13 Victoria Hgts., EA	Lifeguard PT Seasonal	\$13.30
Charles Cich**	428 Fillmore Ave., EA	Lifeguard PT Seasonal	\$13.30/14.05
Will Herr**	1754 Grover Rd., EA	Lifeguard PT Seasonal	\$13.30/14.05
Jayson Kitson	1765 Davis Rd., EA	Lifeguard PT Seasonal	\$13.30
Grace Kwitek**	1289 Center St., EA	Lifeguard PT Seasonal	\$13.30/14.05
Dean Rignel	836 Main St., EA	Lifeguard PT Seasonal	\$13.30
Charles Wangelin**	23 Glenridge Rd., EA	Lifeguard PT Seasonal	\$13.30/14.05
Mary Brinker	201 Glenridge Rd., EA	Lifeguard PT Seasonal	\$13.55
Jessica Drozdowski	758 Jewett Holmwood, EA	Lifeguard PT Seasonal	\$13.05
Katrina Goergen**	482 Fillmore, EA	Lifeguard PT Seasonal	\$13.05/14.05
Macuen Harper^	330 Chairfactory, Elma	Lifeguard PT Seasonal	\$13.05
Joshua Trometer^	22 Apple Blossom, Lanc.	Lifeguard PT Seasonal	\$13.05
Katie Shulz	163 So. Grove, EA	Lifeguard PT Seasonal	\$12.80
Weston Valentine	365 South St., EA	Lifeguard PT Seasonal	\$12.80
Sam Wangelin	23 Glenridge, EA	Lifeguard PT Seasonal	\$12.80

* Will be paid regular rate when lifeguarding and head guard rate when acting as head lifeguard.
** Will be paid regular rate when lifeguarding and WSI rate when instructing swim lessons
^ Non-resident

<u>Name</u>	<u>Address</u>	<u>Civil Service Title</u>	<u>Rate/hr.</u>
Molly Tent	464 Knox Rd., EA	Rec. Attendant PT Seasonal	\$13.95
Dylan Fee	54 Castle Hill Rd., EA	Rec. Attendant PT Seasonal	\$12.95
Oliver Biggs	780 Warren Dr., EA	Rec. Attendant PT Seasonal	\$14.05
Ellie George	201 South Grove St., EA	Rec. Attendant PT Seasonal	\$12.95
Nick Montgomery^	43 First Ave., Franklinville	Rec. Attendant PT Seasonal	\$13.70
Jordyn Mucklewee	267 Greenwood Ct., EA	Rec. Attendant PT Seasonal	\$12.95
Matthew Ferrara^	6062 Vermont Hill, SW	Rec. Attendant PT Seasonal	\$12.70
Madeline Wasner	716 Crescent Ave., EA	Rec. Attendant PT Seasonal	\$13.20
Henry McLaughlin	1740 Emery Rd., EA	Rec. Attendant PT Seasonal	\$12.95
Abby Siener	4 Reed Hill Dr., EA	Rec. Attendant PT Seasonal	\$12.75
Paige Siener	4 Reed Hill Dr., EA	Rec. Attendant PT Seasonal	\$12.75
Gabriel D'Angelo^	7976 Ellicott Rd., WF	Rec. Attendant PT Seasonal	\$12.85
Alissa Dixon	148 Blake Hill Rd., EA	Rec. Attendant PT Seasonal	\$13.80
Meghan Tent	464 Knox Rd., EA	Rec. Attendant PT Seasonal	\$14.00
Kathy Aures	533 Snyder Rd, EA	Rec. Attendant PT Seasonal	\$13.85
Michele Bedard^	155 Berry Rd., Fredonia	Rec. Attendant PT Seasonal	\$12.65

^ Non-resident

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

Action #111
2021 Summer
rec/pool hires
& rates aprvd

Councilwoman Jeffe moved to approve and authorize the following 2021 budget amendments to record changes to the Highway permanent improvements budget:

- Increase revenue line DB3501 State Aid CHIPS by \$36,000.00
- Decrease DB599 (fund balance) by \$50,000.00
- Increase appropriation line DB5112.422 Permanent road improvements materials by \$86,000.00

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

Action #112
Hwy budget
amendments
aprvd re:
permanent
improvements

Councilman Snyder moved to approve and authorize the following budget transfers for Highway permanent improvement equipment and materials:

From DB5110.433 General repairs materials	\$24,000.00
To: DB5112.413 Permanent repairs equipment	\$10,000.00
DB5112.433 Permanent repairs material	\$14,000.00

From DB5110.100 General repairs labor	\$20,000.00
To: DB5112.100 Permanent repairs labor	\$20,000.00

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

Action #113
Hwy budget
transfers aprvd
re: permanent
improvements

Councilman Snyder move to approve the amended 2021 Highway 284 Agreement that adds the paving of Boies Road from Blakeley to Emery for a sum not to exceed \$130,000.00, and to authorize the Board to sign the amended agreement. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #114
Amended Hwy
284 Agreement
aprvd

Councilman Wochensky moved to approve the purchase of a new 2021 Caterpillar M318 wheeled excavator 22-ton category with accessories from Milton Cat, Inc., Batavia, NY off of the NYS OGS Source-well contract #PC66988. The purchase is contingent upon funding in the 2022 Town Budget and adoption of the 2022 Budget.

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

Action #115
Purchase of
wheeled
excavator from
2022 budget
aprvd subj to
funding &
budget
adoption

Councilwoman Jeffe moved to authorize a Temporary Use Permit to the Boys & Girls Club of East Aurora to hold a Pitch, Hit & Run competition at Community Pool Park from 5:00 p.m. to 9:00 p.m. on May 14, 2021 (rain date May 21, 2021). Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none
Motion carried.

Action #116
Temp Use
Permit to B&G
Club for Comm
Pool Park for
pitch/hit/run

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

- Dog Control – March 2021 report
- Work Requisitions – March 2021 report
- Building Department – March 2021 report
- EAPD – March 2021 report

BUSINESS FROM BOARD MEMBERS AND LIAISONS:

Councilman Wochensky would like to have information about Town parks on the website, showing where they are located and who to contact for reservations, etc.

Councilwoman Friess attended the Erie County Sewer Board of Managers meeting.

Councilman Snyder noted that the concrete slab at the pool is in and looks great.

AUDIENCE II:

David Peltan (via Zoom) asked where and when the next West Falls committee meeting will be. Councilman Wochensky responded 7:00 p.m. on May 5, 2021, probably at the West Falls fire hall.

Village Trustee Paul Porter commented on the cannabis law, stating that we would lose money from the cannabis sales if we were to opt out.

STAFF REPORTS:

Chris Musshafen thanked the Board for approving the new concrete at the pool and noted that volunteers from the East Aurora High School will be coming to clean up the parks on Wednesday.

ABSTRACT OF CLAIMS:

The 2021 Abstract of Claims dated April 26, 2021, consisting of PCard voucher number 362, vouchers numbered 363 to 420 and prepaid vouchers 421 to 422, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 47,594.08
Part Town	697.50
Highway/DB	25,905.06
Capital/H5	6,181.20
Special Districts	<u>506,210.64</u>
Grand Total Abstract	\$586,588.48

Councilman Snyder moved to approve the 4/26/2021 Abstract of Claims, and authorize payment of same. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none
Motion carried.

Action #117
4/26/21
Abstract of
Claims
approved.

Councilwoman Jeffe moved to adjourn at 7:40 p.m.; seconded by Councilman Snyder. Upon a vote being taken: ayes – five noes – none
Motion carried.

Action #118
Meeting
adjourned

Martha L. Librock
Town Clerk