

November 22, 2021

A meeting of the Town Board of the Town of Aurora took place on Monday, November 22, 2021 beginning at 6:45 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:	Susan A. Friess	Councilwoman
	Charles D. Snyder	Councilman
	Luke Wochensky	Councilman
	James J. Bach	Supervisor
Absent/Excused:	Jolene M. Jeffe	Councilwoman
Others Present:	Ronald Bennett	Deputy Town Attorney
	David Gunner	Highway Superintendent
	Donna Bodekor	Senior Center Director
	Greg Keyser	GHD
	Shane Krieger	Police Chief

Supervisor Bach opened the regular meeting at 6:45 p.m., immediately following the conclusion of the work session.

Councilwoman Friess moved to approve the minutes of the November 8, 2021 work session and meeting. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried. Action #336 11/8/21 minutes aprvd

AUDIENCE I: none

UNFINISHED BUSINESS:

Councilwoman Friess moved to adopt the following Employee Abuse Prevention Policy and employee agreement form; seconded by Councilman Wochensky:

TOWN OF AURORA ABUSE PREVENTION POLICY

PURPOSE

This policy establishes how the Town of Aurora will work to prevent the physical, emotional and sexual abuse of children and youth by its employees. The Town of Aurora seeks to create a welcoming and nurturing environment and has zero tolerance for those whose actions may jeopardize the safety, health or innocence of a minor.

DEFINITIONS

Abuse: Because it takes many forms, abuse can be broken down into the following subtypes, all of which are prohibited within the scope of this policy:

- Physical abuse: Injury inflicted on a child or youth
- Sexual abuse: Contact or activity of a sexual nature between an adult and a child or youth
- Emotional abuse: Mental or emotional injury inflicted on a child or youth by the actions of an adult
- Neglect: Failure to provide adequate care for a child or youth
- Economic abuse: Deliberate misuse of the money or belongings of a child or youth

Child: A child is defined as anyone under the age of 12.

Youth: A youth is defined as anyone at least 12 years of age but less than 18 years of age.

POLICY GUIDELINES

Personnel Screenings

Safeguards in the hiring process will be used to eliminate from consideration any candidates who display characteristics that could classify them at a high risk for violating this policy. The required screenings and background information will depend on the positions and its level of involvement with children and youth.

For those aged 18 and up who regularly work with or around children or youth

Candidates for positions that involve regular interaction with children or youth will be screened and selected using the following:

- Standard Town of Aurora employment application that includes signed authorization to perform necessary background checks
- Criminal background checks in any and all states where the candidate has lived in the past seven years
- Sexual offender registry checks in any and all states where the candidate has lived for the last seven years
- Driving records and any applicable certification if the position requires the transportation of children
- In-person interview of the candidate
- If hired, criminal and sexual offender registry checks will be conducted every five years for those who regularly work with children or youth.

For those who occasionally work with children or youth:

Candidates for positions that involve occasional contact with children or youth will be screened and selected using the following:

Standard Town of Aurora employment application that includes signed authorization to perform necessary background checks

In-person interview of the candidate

Driving records and any applicable certification if the position requires the transportation of children

All information collected about a candidate will be reviewed and used to determine if they are appropriate for the respective position. If hired, all information collected during the hiring process will be included in the employee's permanent file, which will be maintained over the course of their employment with the Town of Aurora.

Personnel screenings are required regardless of current employment status with the Town of Aurora. Town of Aurora employees seeking to transfer into a position that involves working with children or youth must undergo the same review process as new hires.

If hired, criminal and sexual offender registry checks will be conducted every five years for those who regularly work with children or youth.

Structural Guidelines for Programs

All Town of Aurora programs are designed to encourage safe interaction between employees and children or youth. The following guidelines are meant to keep established safeguards effective:

Programs for children and youth must have an established adult to child ratio.

Employees are restricted from being alone with a child or youth where they cannot be easily observed by others.

Employees are not allowed to implement new activities or programs for children without Town of Aurora consent. Request for new activities or programs should be submitted in writing to management.

Written permission must be obtained from a parent or guardian before any employee transports a child or youth in the name of the Town of Aurora.

Children under the age of six placed in the care of the Town of Aurora will only be released to a parent, legal guardian or a person designated in writing by a parent or legal guardian.

General Conduct

In an effort to provide a safe and healthy environment for both mind and body, the following guidelines are meant to guide Town of Aurora employees during their interactions with children and youth. These guidelines do not and cannot outline every situation that may be encountered while on the job, requiring employees to act with a certain degree of personal discretion. Because a certain action is not prohibited in this section does not mean it is acceptable behavior. Town of Aurora reserves the right to take disciplinary action against employees whose actions are found to be inappropriate regardless of whether they appear in this section:

Employees will treat all children and youth with respect and consideration. Treatment must be fair and equal, and must not be based on sex, race, religion, sexual orientation or economic or social status. All effort must be made to avoid favoritism, or the appearance of favoritism.

While representing the Town of Aurora, employees must not possess, distribute, use or allow others to use any alcohol or drugs.

Employees must not use harsh or inappropriate language, degrading punishment or any type of restraining device in the name of behavior management.

Employees must not participate in or allow others to engage in any form of hazing.

Employees must not have sexual contact with children or youth.

Employees must not dress, undress, shower or bathe with or in the presence of children or youth.

Employees must not use physical punishment in any form. The only time physical force is allowed to be used against a child or youth is when their actions are placing others at an immediate risk for serious harm.

Employees are prohibited from sharing sleeping locations with children or youth. This includes beds, tents, hotel rooms and other similar areas. Employees can sleep in open areas with children or youth as long as the area is large enough for the employee to have their own defined sleeping areas and other employees are also present.

Employees must not discuss their own sexual history, preferences or fantasies nor their use of illicit or pornographic materials while in the company of children or youth.

Employees are not allowed to possess any sexually oriented materials (books, magazines, videos, clothing) when conducting business in the name of the Town of Aurora.

When one-on-one discussion or counseling is warranted, employee interaction with a child or youth will take place in an area that allows for private conversation while remaining in the view of others.

If, for any reason, an employee feels there is a need to make an exception to these guidelines, they must submit to their supervisor a written description of the incident and why their actions were necessary. Their report will be reviewed for wrongdoing. A copy of the original report along with any additional findings made by the reviewer will be included in the employee's permanent file.

**TOWN OF AURORA
ABUSE PREVENTION POLICY
EMPLOYEE AGREEMENT**

If you have any uncertainty or questions regarding the content of this policy, you are required to consult your supervisor. This should be done prior to signing and agreeing to the Town of Aurora Abuse Prevention Policy.

I have read and understand Town of Aurora's Abuse Prevention Policy and agree to abide by its terms and conditions throughout the course of my employment. I understand that my failure to follow the terms of this policy could result in disciplinary action up to and including termination.

Employee Name & Signature Date

Supervisor Name & Signature Date

Upon a vote being taken: ayes – four noes – none Motion carried. Action #337
Abuse prevention policy adopted

Councilman Snyder moved to approve using Praesidium for background screening services for Town employees at a rate of \$16 per person per screening. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried. Action #338
Backgrnd screening svc aprvd

Councilwoman Friess moved to adopt the following resolution; seconded by Councilman Snyder:

**A RESOLUTION RELATING TO THE STATE
ENVIRONMENTAL QUALITY REVIEW PROCESS**

WHEREAS, the Town Board of the Town of Aurora is considering adopting a Local Law to amend the provisions of Chapter 99 of the Code of the Town of Aurora relating to the subdivision of land and open development area; and

WHEREAS, the Town Board of the Town of Aurora is duly qualified to act as Lead Agency for environmental review of certain actions undertaken by local government;

NOW, THEREFORE, BE IT
RESOLVED, that the Town Board of the Town of Aurora hereby

declares itself as Lead Agency for SEQRA review purposes and hereby determines that the proposed action is a Type 1 action.

DULY ADOPTED, this 22nd day of November, 2021, by the following
vote: ayes – four noes – none
* * * * *

Councilman Wochensky moved to set Monday, December 13, 2021 at 7:00 p.m. at the Aurora Municipal Center, 575 Oakwood Avenue, East Aurora, NY, as the date, time and place to hold a public hearing on a proposed local law amending Chapter 99 (Subdivisions and Open Development Areas) of the Town Code. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – four noes – none
Motion carried.

Councilwoman Friess moved to adopt the following resolution;
seconded by Councilman Snyder:

A RESOLUTION RELATING TO THE STATE
ENVIRONMENTAL QUALITY REVIEW PROCESS

WHEREAS, the Town Board of the Town of Aurora is considering adopting a Local Law to add provisions to the Code of the Town of Aurora relating to the regulation of smoking and vaping in public areas within the Town; and

WHEREAS, the Town Board of the Town of Aurora is duly qualified to act as Lead Agency for environmental review of certain actions undertaken by local government;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Aurora hereby declares itself as Lead Agency for SEQRA review purposes and hereby determines that the proposed action is an Unclassified action.

DULY ADOPTED, this 22nd day of November, 2021, by the following
vote: ayes – four noes – none
* * * * *

Councilman Snyder moved to set Monday, December 13, 2021 at 7:00 p.m. at the Aurora Municipal Center, 575 Oakwood Avenue, East Aurora, NY, as the date, time and place to hold a public hearing on a proposed local law to add a chapter entitled “Smoking and Vaping” to the Codes of the Town of Aurora. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – four noes – none
Motion carried.

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

A RESOLUTION RELATING TO THE STATE
ENVIRONMENTAL QUALITY REVIEW PROCESS

WHEREAS, the Town Board of the Town of Aurora is considering adopting a Local Law to amend the provisions of the Code of the Town of Aurora relating to the regulation of special events within the Town; and

WHEREAS, the Town Board of the Town of Aurora is duly qualified to act as Lead Agency for environmental review of certain actions undertaken

Action #339
Chpt 99 LL
SEQR
resolution
adopted –
Type 1

Action #340
Chpt 99 LL
amendment
public
hearing set

Action #341
Smoking &
vaping LL
SEQR
resolution
adopted –
unlisted

Action #342
Smoking &
vaping LL
public
hearing set

by local government;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Aurora hereby declares itself as Lead Agency for SEQRA review purposes and hereby determines that the proposed action is an Unlisted action.

DULY ADOPTED, this 22nd day of November, 2021, by the following vote: ayes – four noes – none
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Action #343
Special
Event LL
SEQR
resolution
adopted –
unlisted

Councilwoman Friess moved to set Monday, December 13, 2021 at 7:00 p.m. at the Aurora Municipal Center, 575 Oakwood Avenue, East Aurora, NY, as the date, time and place to hold a public hearing on a proposed local law to add a Chapter entitled “Special Events” to the Codes of the Town of Aurora. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #344
Special
event LL
public
hearing set

NEW BUSINESS:

Councilwoman Friess moved to amend tonight’s agenda by adding item 5K – library board resignation and item 5L – library board appointment. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #345
Items 5K &
5L added to
agenda

Councilman Wochensky moved to table the Aktion Club/Kiwanis baseball diamond upgrade proposal until a Memorandum of Understanding is written with regard to the proposed project. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #346
Aktion Club
baseball proj
tabled

Councilwoman Friess moved to approve Health Insurance plans for eligible employees. These plans will go into effect January 1, 2022:

Medical - Highmark BCBS of WNY – four plans will be offered:

Platinum POS Plus Silver POS 7100
Platinum PPO Plus Silver POS 8100

Dental - Delta Dental PPO Premier Plan 3
- BCBS Blue Value Dental 3

Vision – VSP Signature Plan

Action #347
Health Ins –
medical,
dental, vision
plans aprvd

And to approve offering a Health Savings Account through Hartloff Benefits. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Councilman Wochensky moved to approve the agreement for a Microsoft Office (Office 365) upgrade through LiftOff LLC for a subscription rate of \$168.00 for the remainder of 2021. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #348
Microsoft
Office
upgrade
aprvd for
town
computers

Councilman Snyder moved to approve the hiring of James Kittner, 7 Victoria Heights, East Aurora, as the second Part Time Assistant Code Enforcement Officer beginning November 29, 2021 at a rate of \$20.60 per hour. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #349
J. Kittner
hired PT Asst
COE

Councilman Snyder moved to authorize the Supervisor to sign the Community Development Block Grant Subrecipient Agreement between the County of Erie and the Town for Aurora Senior Center Safety Improvements - Merv-13 air filters, programmable thermostats, filter pressure differential gauges, UV-C Light air treatment systems, and touchless faucets and lavatories. The Town will receive \$27,601.00 toward these improvements. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #350
Supv auth to
sign agrmt
with Erie
Cnty re: Sr
Center safety
improvements

Councilwoman Friess moved to approve a five-year lease of four Sharp copiers (Senior Center, Town Clerk, Recreation and Building Departments) through Sharp at a cost of \$388.00 per month. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #351
5-yr Sharp
copier lease
aprvd

Councilwoman Friess moved to approve a maintenance agreement with Eagle Systems at a cost of \$920.00 annually plus color and B&W copy overages for the Sharp copiers the Town will be leasing. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #352
Maint agrmt
with Eagle
Syst for
Sharp copiers
aprvd

Councilwoman Friess moved to approve the following budget transfer to cover the expense of William Kramer's compensation through the end of 2021:

From: A3620.103 Asst. CEO payroll	\$1,950.00
To: A3620.404 Building Dept. expense/travel	\$1,950.00

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

Action #353
Bldg Dept
budget trans
aprvd

Councilman Wochensky moved to approve the following Law Department budget transfer to correct an miscalculation of a prior transfer (Action #287 9/27/2021):

From: A1420.102 Deputy Town Attorney payroll	\$6,167.25
To: A1420.100 Town Attorney	\$6,167.25

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

Action #354
Law budget
trans aprvd

Councilman Wochensky moved to reappoint Glen Diemer to the Board of Assessment Review with a term of 10/1/2021 to 9/30/2026. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #355
G. Diemer
reappointed
to BAR

Councilman Snyder moved to approve the request from Assessor Roger Pigeon to close the Assessor's office from 11am – 2pm on December 7, 2021 to allow him and his office staff to attend the Assessor's Association Holiday Luncheon. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #356
Assessor's
ofc closed
12/7 from
11am-2pm

Councilwoman Friess moved to accept the resignation of Richard Wiesen from the Aurora Library Board at the end of his current term. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #357
R. Wiesen
resignation
accepted

Councilman Wochensky moved to appoint Adam Zaremski to the Aurora Library Board effective 1/1/2022 for a five-year term. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #358
A. Zaremski
appt to
library brd
aprvd

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

- Recreation – October 2021 report
- Senior Center – October 2021 report
- EAPD – October 2021 report
- Supervisor – October 2021 report
- Aurora Historical Society – October newsletter

BUSINESS FROM BOARD MEMBERS AND LIAISONS:

Councilwoman Friess and Councilman Snyder wished everyone a Happy Thanksgiving. Councilman Wochensky congratulated Jim Granville and Joe McCann on their successful campaigns for Town Council seats.

Supervisor Bach attended the Veterans Day activities at the American Legion. Mr. Bach also noted that effective at 6:00 a.m. tomorrow, everyone, regardless of Covid 19 vaccination status, will need to wear masks in public areas per County Executive Polocz.

AUDIENCE II: none

STAFF REPORTS:

Greg Keyser stated he will help with the SEQR for the proposed Local Laws.

ABSTRACT OF CLAIMS:

The Abstract of Claims dated November 22, 2021, consisting of vouchers numbered 1228 to 1262, prepaid vouchers numbered 1263 to 1264 and PCard voucher number 1265 was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 200,932.75
Part Town	100.00
Highway/DB	109,485.02
Special Districts	<u>52,777.23</u>
Grand Total Abstract	\$ 363,295.00

Councilwoman Friess moved to approve the 11/22/2021 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 #359
11/22/21
Abstract of
Claims
approved.

Councilwoman Friess moved to adjourn at 7:10 p.m.; seconded by Councilman Snyder. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #360
Meeting
adjourned