

September 12, 2002

A meeting of the Town Board of the Town of Aurora took place on Monday, September 12, 2022, beginning at 7:15 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 streamed via Zoom and YouTube.

Present:	Charles D. Snyder	Councilman
	Luke Wochensky	Councilman
	James F. Granville	Councilman
	Joseph McCann	Councilman
	James J. Bach	Supervisor
Others Present:	Brigid Maloney	Town Attorney
	Elizabeth Cassidy	Code Enforcement Officer
	David Gunner	Highway Superintendent
	Donna Bodekor	Senior Center Director
	Paul Ernst	ZBA Chairman
	Shane Krieger	Chief of Police
	Elizabeth Wilber	Live Stream Coordinator
	Karin Dojnik	Deputy Town Clerk

Supervisor Bach opened the meeting at 7:15 p.m., immediately following the work session.

The first item on the agenda was a public hearing on a Local Law amending Chapter 116 of the Town Code to include dwelling groups in the RR district with approval by the Town Board. Supervisor Bach opened the hearing at 7:15 p.m. and asked if anyone wished to comment. Hearing no one, the hearing was closed at 7:16 p.m.

Councilman McCann moved to approve the minutes of the August 22, 2022 work session and meeting; seconded by Councilman Snyder. Upon a vote being taken: ayes – five	noes – none	Motion carried.	Action #326 8/22/2022 min aprvd
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#### AUDIENCE I:

Amy Sheehan introduced herself to the Board, noting she will be the new yoga instructor if the class being requested by the Recreation Department is approved.

#### UNFINISHED BUSINESS:

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

TOWN OF AURORA  
LOCAL LAW NO. 5-2022

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 116 ARTICLE 1 SECTION 116-8.4 TO ADD DWELLING GROUP AS A PERMITTED USE IN THE RR (RURAL RESIDENTIAL) DISTRICT WITH A SPECIAL USE PERMIT BY THE TOWN BOARD.

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 Codes of the Town of Aurora, adopted by the Town of Aurora Town Board 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 adds Dwelling Group as a use permitted the RR District when granted a special use permit by the Town Board.

SECTION 2. CHAPTER 116, ARTICLE I, SECTION 116-8.4 RR RURAL RESIDENTIAL DISTRICT

Chapter 116-8.4 is amended by adding and adopting as follows:

116-8.4 B. Permitted uses when approved by the Town Board through special use permit:

- (1) Dwelling group consisting of two or more dwelling units on the same lot.
  - (a) Each dwelling shall be situated on the lot in such a manner that in the event the property is split, each dwelling will meet the zoning requirements with regard to lot size and property line setbacks of the district in which the dwelling is located.
  - (b) Any inconsistencies with any zoning regulations will require Zoning Board of Appeals approval prior to any Town Board action.

SECTION 3. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.

Upon a roll call vote being taken:

Councilman McCann – aye	Action #327
Councilman Granville – nay	LL 5-2022
Councilman Snyder – aye	adopted –
Councilman Wochensky – aye	dwelling grp
Supervisor Bach – aye	in RR zone
Ayes – four	
Noes – one (Granville)	Motion carried.
* * * * *	

Councilman Snyder moved to award the Community Pool building renovation and addition contract to the lowest responsible bidder – The Peyton Barlow Co., Inc., 360 Delaware Ave., Suite 300, Buffalo, NY 14202, in the amount of \$374,670.00. (Base bid \$360,500; Alt 1 – Exterior paint \$16,670; Alt 2 Epoxy floor <-\$6,000>; Alt 3 – new subpanel \$3,500). Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – five noes – none	Action #328 Pool bldg. reno bid awarded to Peyton Barlow Co
	Motion carried.

Councilman Wochensky moved to approve a 5% contingency for any extra expenses to the Community Pool building renovation and addition project, in compliance with the Town’s procurement policy. Councilman McCann seconded the motion. Upon a vote being taken: ayes – five noes – none	Action #329 5% contingency aprvd for pool bldg. reno project
	Motion carried

NEW BUSINESS:

Councilman McCann moved to amend the agenda by adding items 5V-1, 2 and 3, payment approvals. Councilman Granville seconded the motion. Upon a vote being taken: ayes – five noes – none	Action #330 Items 5V 1-3 added to agenda
	Motion carried.

Councilman Wochensky moved to set Monday, September 26, 2022 at 7:00 p.m. at the Aurora Municipal Center, 575 Oakwood Avenue, East Aurora, NY, as the date, time and place for a public hearing on the request for a Special Use Permit for a dwelling group at 718 West Falls Road, West Falls, NY. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none	Action #331 Public Hrg for dwelling group at 718 WF Rd set
	Motion carried.

Councilman Snyder moved to approve a Lap Top Computer agreement to be used when a Town Employee uses a Town owned laptop. Councilman McCann seconded the motion. Upon a vote being taken: ayes – five  
noes – none Motion carried.

Action #332  
Laptop  
computer  
use agrmt  
aprvd

Councilman McCann moved to accept the resignation of Court Clerk Claire Granville effective September 2, 2022. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – four noes – none  
abstain – one (Granville) Motion carried.

Action #333  
C. Granville  
resignation  
accepted

Councilman Wochensky moved to approve the hiring of Claire Granville as a part time 1099 employee (consultant) for the Aurora Town Court at an hourly rate of \$19.38. Councilman Snyder seconded the motion. Upon a vote being taken: ayes - four noes – none  
abstain – one (Granville) Motion carried.

Action #334  
C. Granville  
hire as PT  
consultant  
for court

Councilman Snyder moved to approve the following budget amendment to properly record the part time court consultant pay:  
• Add appropriation line A1110.412 Part time help  
• Decrease appropriation line A1110.102 Court Clerk by \$800  
• Increase appropriation line A1110.412 Part time help by \$800  
Councilman McCann seconded the motion. Upon a vote being taken:  
ayes - four noes – none abstain – one (Granville) Motion carried.

Action #335  
Budget  
amendment  
for PT court  
consultant  
aprvd

Councilman Snyder moved to set the mileage rate reimbursement for Town employees who use their vehicles for Town business at \$0.625 per mile effective September 1, 2022. Councilman McCann seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #336  
Mileage rate  
set at \$0.625  
per mile  
effective  
9/1/22

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

Whereas, the Town of Aurora (Town) is seeking a grant for the Zero-Emissions Vehicle (ZEV) Infrastructure Grant program and intends to submit via the New York State Grants Gateway to the Department of Environmental Conservation ZEV Infrastructure Grant opportunity to install a Dual Port Charge Station for public use in the Community Pool public parking area, and

Whereas, the Town project cost estimate for the Dual Port Vehicle Charge Station is estimated to be \$18,800; and

Whereas, the ZEV through NYS DEC requires a 20% local match of the total project cost; and

Whereas, the Supervisor is required to sign the grant application on behalf of the Town of Aurora as well as a Grant Agreement with the NYSDEC and any and all other contracts, documents and instruments necessary to bring about the Project if a grant is awarded;

NOW, THEREFORE, BE IT:

RESOLVED that the Town authorizes and appropriates a minimum of 20% local match as required by the Zero-Emissions Vehicle Infrastructure Grant program. Under this program, the local match must be at least 20% of total estimated project cost of \$18,800. The maximum local share appropriated subject to any changes agreed to by the Town shall not exceed \$3,760 subject to receipt of a ZEV grant and available funding. The total estimated maximum grant is \$15,040.

The Supervisor may increase this local match through the use of in-kind services without further approval from the Town; and

BE IT FURTHER RESOLVED that the Supervisor is authorized to sign a grant application on behalf of the Town via the Grants Gateway to the NYSDEC ZEV Infrastructure Grant opportunity for a Dual Port Charge Station in the Community Pool Public Parking Lot and that should a ZEV grant be awarded to the Town, the Supervisor is authorized to execute a Grant Agreement with the NYSDEC and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Town's obligations under the Zero-Emissions Vehicle Infrastructure Grants Program through NYSDEC. Action #337  
ZEV grant  
resolution  
adpted –  
pool  
charging  
station

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

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

Whereas, the Town of Aurora (Town) is seeking a grant for the Zero-Emissions Vehicle (ZEV) Infrastructure Grant program and intends to submit via the New York State Grants Gateway to the Department of Environmental Conservation ZEV Infrastructure Grant opportunity to install a Dual Port Charge Station for public use in the Highway Department public parking area, and

Whereas, the Town project cost estimate for the Dual Port Vehicle Charge Station is estimated to be \$23,200; and

Whereas, the ZEV through NYS DEC requires a 20% local match of the total project cost; and

Whereas, the Supervisor is required to sign the grant application on behalf of the Town of Aurora as well as a Grant Agreement with the NYSDEC and any and all other contracts, documents and instruments necessary to bring about the Project if a grant is awarded;

NOW, THEREFORE, BE IT:

RESOLVED that the Town authorizes and appropriates a minimum of 20% local match as required by the Zero-Emissions Vehicle Infrastructure Grant program. Under this program, the local match must be at least 20% of total estimated project cost of \$23,200. The maximum local share appropriated subject to any changes agreed to by the Town shall not exceed \$4,640 subject to receipt of a ZEV grant and available funding. The total estimated maximum grant is \$18,560. The Supervisor may increase this local match through the use of in-kind services without further approval from the Town; and

BE IT FURTHER RESOLVED that the Supervisor is authorized to sign a grant application on behalf of the Town via the Grants Gateway to the NYSDEC ZEV Infrastructure Grant opportunity for a Dual Port Charge Station in the Highway Department Parking Lot and that should a ZEV grant be awarded to the Town, the Supervisor is authorized to execute a Grant Agreement with the NYSDEC and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Town's obligations under the Zero-Emissions Vehicle Infrastructure Grants Program through NYSDEC. Action #338  
ZEV grant  
resolution  
adpted –  
hwy  
charging  
station

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

Councilman Granville moved that the Town of Aurora consents to the designation of East Aurora Union Free School District and its Board of Education as Lead Agency pursuant to SEQR regulations for the District's Capital Improvement Project 2022. Councilman Snyder seconded the motion. Action #339  
Brd agrees  
EAUFSD  
lead agency  
for capital  
project  
Upon a vote being taken: ayes – five          noes – none          Motion carried.

Councilman Snyder moved to authorize the Supervisor to sign the Collection Site Recycling Service Agreement with Sunnking, 4 Owens Road, Brockport, NY 14420, whereby Sunnking will provide removal and recycling

services for end-of-life electronics collected by the Town. Councilman Granville seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #340  
Supv to sign  
Sunning  
agrmt

Councilman McCann moved to accept the \$150 donation from the East Aurora Quaker Club to be used towards the cost of bands for the 2022 Independence Day celebration. Funds will be deposited to A2080.1. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #341  
EAQC  
donation for  
7/3/22 bands  
accepted

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

**WHEREAS**, Center Street and Blakeley Corners are County roads within the Town of Aurora, and

**WHEREAS**, residents of the Town of Aurora have reported that the intersection of Center Street and Blakeley Corners poses a risk to drivers in the area and have requested that the Town investigate possible options for improving traffic safety in and around the intersection, including the placement of an all-way stop sign following an all-way stop traffic study; and

Action #342  
Center &  
Blakeley  
traffic study  
request from  
Erie Cnty

**WHEREAS**, multiple motor vehicle accidents have occurred at said intersection.

**NOW, THEREFORE BE IT**

**RESOLVED**, that the Aurora Town Board hereby requests an all-way stop traffic study by Erie County Department of Public Works, Division of Highways to assess the safety concerns arising at the intersection of Center Street and Blakeley Corners; and

**RESOLVED**, that the Aurora Town Board directs the Town Clerk to submit a certified copy of this resolution to the Erie County Department of Public Works, Division of Highways.

Upon a vote being taken: ayes – five noes – none Motion carried.  
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Councilman Wochensky moved to approve the Temporary Use Permit for the Knights of Columbus Council #12828 to use one of the Knox Farm State Park soccer fields for a soccer kicking/accuracy contest on October 16, 2022 (rain date October 23, 2022) from noon to 3:00 p.m. Councilman McCann seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #343  
TUP for  
soccer event  
at KFSP  
aprvd

Councilman Snyder moved to set the bid opening date for the Senior Center door replacement project for 10:00 a.m. on Tuesday, October 11, 2022, at the Aurora Town Clerk's office, 575 Oakwood Avenue, East Aurora, New York 14052. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #344  
Bid opening  
set for SrCtr  
door  
replacement  
project

Councilman Wochensky moved to approve the hiring of Karen Lazickas, 203 Center Street, East Aurora, as a Clerk/Typist PT for the recreation department at an hourly rate of \$15.37, with a start date of September 13, 2022. Councilman Granville seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #345  
K. Lazickas  
hired a PT  
clerk/typist  
for rec dept

Councilman Granville moved to approve a new recreation program – Yoga Fundamentals – with Amy Sheehan as the instructor. The first session will be on Mondays and Wednesdays, September 26 – November 30, 2022 in the recreation classroom from 7:00 to 8:00 p.m. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #346  
Yoga  
program  
aprvd

Councilman Wochensky moved to approve the following budget amendment to record the \$10,000 funding awarded to the Aurora Senior Center from the Erie County Legislature:

- Add revenue line A2706 Grants from Local Governments
- Increase revenue line A2706 by \$10,000
- Increase appropriation line A6772.102 Senior Center supplies \$10,000

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

Action #347  
Budget  
amendment  
for SrCtr  
funding  
award aprvd

Councilman McCann moved to approve the following budget amendment to reflect the 2022 ARPA fund expenditures made to date:

- Increase revenue line A4089 Federal Aid, Other by \$113,004.48
- Increase appropriation line A7110.454 Park Improvements (ARPA only) by \$113,004.18

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

Action #348  
Budget  
amendment  
for ARPA  
fund use  
aprvd

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

From: A1990 Contingent \$3,600.00  
To: A6989 Grant Consultant \$3,600.00

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

Action #349  
Budget  
transfer for  
grant  
consultant  
aprvd

Councilman Wochensky moved to approve the request from Assessor Roger Pigeon to attend the NYS Assessor's Conference in Lake George, NY from September 18, 2022 to September 21, 2022 – expenses are reimbursed by New York State. Councilman McCann seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #350  
Assessor to  
attend  
NYSAC  
conference

Councilman Granville moved to set 7:00 p.m. Tuesday, October 11, 2022 at the Aurora Municipal Center, 575 Oakwood Avenue, East Aurora, NY, as the time, date and place for a public hearing regarding the use of Federal Community Development funds for 2023/2024 in the Town of Aurora.

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

Action #351  
Public hrg  
set for  
2023/24  
CDBG

Councilman McCann moved to rescind Action #200 from the May 23, 2022 Town Board meeting thereby rescinding the Special Use Permit for Sprouting Minds Montessori School for 936 Davis Road. Sammy Trent, Head of the School, informed the Town she would not be purchasing the property. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #352  
Brd rescinds  
Action #200  
of 5/23/22 –  
SUP for  
Davis Rd  
Montessori  
school

Councilman Snyder moved to approve payment to Crafcro Inc., for invoice #9402758040 for \$3,821.20 for sealing the South Street pickleball and tennis courts. Prices are from the Sourcewell contract. Councilman Granville seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #353  
Crafcro  
payment  
aprvd for  
court surface  
sealing

Councilman Wochensky moved to approve payment to Crafcro Inc., for invoice #9402760386 for \$15,544.22 for sealing the South Street pickleball and tennis courts. Prices are from the Sourcewell contract. Councilman McCann seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #354  
Crafcro  
payment  
aprvd for  
court surface  
sealing

Councilman Snyder moved to approve payment to County Line Stone Co., Inc. for invoice #145956 for \$19,452.76 for blacktop material used for the South Street pickleball and tennis courts. Prices are from the 2022 Summer Erie County Bid list. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #355  
County Line  
Stone pymt  
aprvd for  
court  
blacktop

Councilman Granville moved to approve payment to American Paving & Excavating, Inc. for invoice #34550 for \$33,073.13 for equipment rentals and labor to pave the South Street pickleball and tennis courts. Prices are from the 2022 Summer Erie County Bid list. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #356  
Am Paving  
pymnt aprvd  
for  
equipment –  
labor for  
court paving

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

- Town Clerk - August 2022 report
- West Falls Hamlet Community Survey
- Supervisor – August 2022 report
- Erie County Agriculture District -

PUBLIC NOTICE

**30-DAY PERIOD FOR INCLUSION OF PREDOMINANTLY VIABLE AGRICULTURAL LANDS INTO EXISTING AGRICULTURAL DISTRICTS**

Per New York State Agriculture and Markets Law Section 303-b, the Erie County Legislature designated September 1 through September 30 as the annual thirty-day period during which landowners may submit requests to include predominantly viable agricultural land into an existing certified agricultural district.

Copies of the application form have been provided to Municipal Clerks, Assessors, and Chief Elected Officials for distribution to interested landowners. The application is also available on the DEP website at [www.erie.gov/agenrollment](http://www.erie.gov/agenrollment).

The Erie County Department of Environment and Planning will accept applications from September 1 through September 30. Any questions on this process should be directed to the Erie County Department of Environment and Planning.

A public hearing will also be scheduled at a later date to consider all inclusion requests and the recommendations of the Erie County Agricultural and Farmland Protection Board.

CONTACT:

Sarah Gatti, Principal Planner  
Erie County Environment & Planning 95 Franklin  
Street, 10<sup>th</sup> Floor Buffalo, NY 14202  
Phone: (716) 858-6014  
Fax: (716) 858-7248  
Email: [agriculture@erie.gov](mailto:agriculture@erie.gov)

**BUSINESS FROM BOARD MEMBERS/LIAISONS:**

Councilman McCann thanked Councilman Wochensky and Conor Schneider for their work on the West Falls grant application.

Councilman Snyder thanked Paul Ernst and William Heidt of FFAE Architects for all their help with the pool project.

Councilman Wochensky stated that there is no Code Red update yet; the Climate Smart Community task force is being worked on; and commented on how many people are helping toward the NY Forward grant application for West Falls.

Supervisor Bach thanked Highway Superintendent Gunner for all the work done on the South Street pickleball and tennis courts.

**AUDIENCE II:**

Richard Jachimiak stated that the East Aurora Lions Club is always looking for community projects and noted that the Hamlin Park Lions Club building needs care. Supervisor Bach noted that the building is in Hamlin Park, and he would need to contact the Village.

**STAFF REPORTS:**

Highway Superintendent Gunner stated that the KFSP fields are in good shape. The design work for the West Fillmore and Church Street bridges is underway.

Elizabeth Cassidy stated she attended a training conference and that their new building department software should be going live in about six weeks.

**ABSTRACT OF CLAIMS:**

The September 12, 2022 Abstract of Claims, consisting of vouchers numbered 1034 to 1135 was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 100,159.42
Highway DB	60,589.53
Part Town	37.73
Special Districts	<u>4,510.17</u>
Grand Total Abstract	\$ 165,296.85

Councilman Wochensky moved to approve the 9/12/2022 Abstract of Claims and authorize payment of same. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #356  
9/12/22  
Abstract of  
Claims aprvd

Councilman Snyder moved to adjourn at 8:15 p.m. Seconded by Councilman McCann. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #357  
Meeting  
adjourned.

Martha L. Librock  
Town Clerk