

March 13, 2023

A meeting of the Town Board of the Town of Aurora took place on Monday, March 13, 2023, beginning at 6:37 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:	Charles D. Snyder	Councilman/Deputy Supervisor
	Luke Wochensky	Councilman
	Joseph McCann	Councilman
	James F. Granville	Councilman
Absent/Excused:	James J. Bach	Supervisor
Others Present:	Brigid Maloney	Town Attorney
	Elizabeth Cassidy	Code Enforcement Officer
	Richard Miga	Asst. Code Enforcement Officer
	David Gunner	Highway Superintendent
	Rod Simeone	Zoning Board Member
	Shane Krieger	Chief of Police
	Elizabeth Wilber	Live Stream Coordinator

Deputy Supervisor Snyder opened the regular meeting at 6:37 p.m., following the conclusion of the work session.

Councilman Granville moved to approve the minutes of the February 27, 2023, work session and meeting. Councilman McCann seconded the motion. Upon a vote being taken: ayes – four                      noes – none                      Motion carried.                      Action #73  
2/27/2023  
minutes  
aprvd

Audience I: none

#### UNFINISHED BUSINESS:

Councilman McCann moved to approve the application from Scott Marshall to erect a 40' by 45' accessory building on the Open Development Area lot at 1432 Emery Road:

RESOLUTION  
APPROVING DEVELOPMENT ON AN  
OPEN DEVELOPMENT AREA LOT  
1432 EMERY ROAD  
(SBL# 187.00-4-52.121)

WHEREAS, Chapter 99 of the Code of The Town of Aurora establishes standards for landowners who wish to develop or subdivide land that lacks adequate public road frontage for standard lot development (known as “Open Development Area”); and

WHEREAS, Scott Marshall (“the Applicant”) has filed an Open Development Area application for a 5.08± acre parcel at 1432 Emery Road (SBL#187.00-4-52.121) and seeks approval to construct an accessory building (detached garage) on the parcel; and

WHEREAS, the Applicant has made a reasonable attempt and effort to comply with specifications of Chapter 99 of the Code of the Town of Aurora; and

WHEREAS, the application and supporting documentation were forwarded to the Erie County Division of Planning whose response was that the proposed action has been reviewed and determined to be of local concern and they have no recommendations; and

WHEREAS, the Applicant applied for and the Zoning Board of Appeals granted a fifteen (15) foot lot width/frontage variance for the flag pole portion of the parcel and a thirty (30) foot side yard setback variance at the west lot line of the property to allow construction of a 40' by 45' accessory building (detached garage); and

WHEREAS, the Town of Aurora Planning Board moved to recommend that the Town Board approve the Open Area Development application/proposal for 1432 Emery Road.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Aurora acknowledges that compliance with all standards, requirements and conditions, is in the public interest and will substantially secure the objectives of the standard for Open Development Areas; and BE IT FURTHER

RESOLVED, that approval of this Open Development Area Plan by the Aurora Town Board and any future development is and will be subject to the standards and requirements of Chapter 99 of the Code of the Town of Aurora without modification, variance or waiver; and BE IT FURTHER

RESOLVED, that said Open Development Area Plan for an accessory building (detached garage) at 1432 Emery Road SBL#187.00-4-52.121 is approved.

Action #74  
Development  
on ODA at  
1432 Emery  
Rd aprvd

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

Councilman Granville moved to authorize the Deputy Supervisor to sign the out-of-district customer agreement with Scott and Dena Diebold for 7007 Center Street, PO West Falls, Town of Colden, NY. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – four  
noes – none                      Motion carried.

Action #75  
Out of dist  
water agrmt  
for 7007  
Center aprvd

NEW BUSINESS:

Councilman Granville moved to set 7:00 p.m. Monday, March 27, 2023 at the Aurora Municipal Center, 575 Oakwood Avenue, East Aurora, NY, as the time, date and place for a public hearing on Local Law Intro 3-2023 to amend Chapter 116 Article IX Section 116-91 of the Town Code adding a sunset clause to decisions made by the Zoning Board of Appeals. Councilman McCann seconded the motion. Upon a vote being taken:  
ayes – four                      noes – none                      Motion carried.

Action #76  
Public hearing  
set for LL  
intro 3-2023

Councilman McCann moved to approve the hiring of Mark Gemerek, 1865 Reading Road, as a part time Parks laborer at a rate of \$17.00 per hour. Orientation will be considered his first day worked. Councilman Granville seconded the motion. Upon a vote being taken: ayes – four      noes – none  
Motion carried.

Action #77  
M. Gemerek  
hired as PT  
Parks laborer

Councilman McCann moved to approve the request from Highway Superintendent Gunner to attend the 44<sup>th</sup> Annual Technical Training Workshop and Exhibition May 22-24, 2023, in Lake Placid, NY. The hotel rate of \$129 per night and registration fee of \$340 will be disbursed from ZP8310.404. Councilman Granville seconded the motion. Upon a vote being taken: ayes – four                      noes – none                      Motion carried.

Action #78  
D. Gunner to  
attend water  
workshop

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

- Town Clerk – February 2023 report
- Town Clerk/Tax – February 2023 report
- Town Clerk/Water – February 2023 report
- Senior Center – February 2023 report
- Recreation – February 2023 report
- EAPD – January 2023 report
- Supervisor – February 2023 report
- Thank you letter – West Falls-Colden Community Library
- Thank you letter – P. Kielich

#### BUSINESS FROM BOARD MEMBERS/LIAISONS

Councilman Wochensky stated that CodeRed has launched and the Climate Smart Community Task Force has received information needed for the energy appraisal.

Deputy Supervisor Snyder thanked the Code Review Committee for their work on the ZBA sunset clause. Mr. Snyder attended the Aurora Historical Society/Millard Fillmore fund raiser with Supervisor Bach, Councilmen McCann, Wochensky and Granville and Town Clerk Librock.

AUDIENCE II: none

#### STAFF REPORTS:

ZBA member Rod Simeone thanked the Code Review Committee for the sunset clause wording for the Town Code.

#### ABSTRACT OF CLAIMS:

The March 13, 2023, Abstract of Claims, consisting of vouchers numbered 223 to 286, and prepaid voucher 287 was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 38,227.65
Part Town	149.29
Highway/DA	9.28
Highway/DB	48,067.85
Trust/Agency	761.38
Special Districts	<u>831.88</u>
Grand Total Abstract	\$ 88,047.33

Councilman Wochensky moved to approve the 3/13/2023 Abstract of Claims and authorize payment of same. Councilman McCann seconded the motion. Upon a vote being taken: ayes – four noes – none  
Motion carried.

Action #79  
3/13/2023  
Abstract of  
Claims aprvd

Councilman Granville moved to adjourn at 6:51 p.m. Seconded by Councilman McCann. Upon a vote being taken: ayes – four noes – none  
Motion carried.

Action #80  
Meeting  
adjourned

Martha L. Librock  
Town Clerk