

June 24, 2024

A meeting of the Town Board of the Town of Aurora took place on Monday, June 24, 2024, beginning at 6:30 p.m. 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:	Luke Wochensky	Councilman
	Joseph McCann	Councilman
	James F. Granville	Councilman
	Raymond M. Wrazen	Councilman
	Charles D. Snyder	Supervisor

Others Present:	Brigid Maloney	Town Attorney
	Elizabeth Cassidy	Code Enforcement Officer
	Chris Musshafen	Recreation/Aquatics Director
	David Gunner	Highway Superintendent
	Paul Ernst	ZBA Chairman
	Shane Krieger	Chief of Police
	Elizabeth Wilber	Live Stream Coordinator

Supervisor Snyder opened the meeting at 6:30 p.m. with the recitation of the Pledge of Allegiance to the Flag.

The first item on the agenda was a Public Hearing on the site plan for a BnB at 910 Olean Road. Supervisor Snyder opened the hearing at 6:31 p.m. and asked if anyone wished to comment. Hearing no one, the Supervisor closed the hearing at 6:32 p.m.

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Councilman McCann moved to approve the consent agenda consisting of the June 10, 2024 meeting minutes; the June 24, 2024 Abstract of Claims consisting of vouchers 731 to 780 to be paid from the following funds:

General	\$ 53,164.93	Action #223 6/10/24 minutes & 6/24/24 abstract of claims; parks budget transfer aprvd
Part Town	43.89	
Highway/DB	315,844.69	
Special Districts	<u>136,696.95</u>	
Grand Total Abstract	<u>\$505,750.46</u>	

and the following budget transfer to cover work done at the KFSP soccer fields:

From: A7110.105 Seasonal parks laborer	\$1,675.00
To: A7189.105 Seasonal Knox Park laborer	\$1,675.00

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

AUDIENCE I: none

UNFINISHED BUSINESS:

Councilman Wrazen moved to adopt the following resolution approving the Cable Franchise Agreement between Time Warner Cable/Charter Communications/Spectrum Northeast and the Town; seconded by Councilman Granville:

NOW, THEREFORE, the Board of the Town of Aurora finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise; and
2. Spectrum Northeast, LLC has represented to the Town of Aurora that it has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and

3. Spectrum Northeast, LLC has represented to the Town of Aurora that it can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of the Town of Aurora hereby grants the cable television franchise of Spectrum Northeast, LLC and the Town of Aurora for fifteen (15) years commencing with the date of approval by the Public Service Commission expiring (15) years hence.

BE IT FURTHER RESOLVED that the Board of the Town of Aurora hereby confirms acceptance of this franchise renewal agreement. Action #224
Cable

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

Franchise
agreement
aprvd

Councilman Wochensky moved that the Local Law to rezone 12 Old Glenwood Road, PO West Falls, will not result in any adverse environmental impacts as it does not involve construction or physical alteration of land and therefore for purposes of SEQR a negative declaration is issued. Councilman McCann seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #225
Neg
declaration
issued for LL4
Rezoning of
12 Old
Glenwood

Councilman Granville moved to adopt Local Law 4-2024 as follows; seconded by Councilman Wrazen:

**TOWN OF AURORA
LOCAL LAW 4 – 2024**

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, TO AMEND 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 at its present location in the C-2 Zoning District to the R-3 Zoning District to accommodate the uses contained therein, 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 the present classification as C-2 Zoning District to an R-3 Zoning District:

12 Old Glenwood Road (SBL #199.01-1-18)

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Aurora, County of Erie and State of New York, being part of Lot No. 51, Town ship 9, Range 6 of the Holland Land Company’s Survey, bounded and described as follows:

BEGINNING in the center of the highway on the west line of said Lot which highway is designated as the Pine Tree Road to a point 2 chains and 59 links south from the south rail of the main track of the Buffalo, Rochester and Pittsburg Railroad; thence south 83 degrees east 1 chain 31 links; thence south 33 degrees east 77 links; thence south 83 degrees east 48 links to the west line of said Railroad; thence south 31 degrees east along said westerly line of said

Railroad, 100 feet; thence westerly 199 feet to a point in the center line of Old Glenwood Road, distant 104.4 feet southerly from the point of beginning as measured along the center line of Old Glenwood Road; running thence northerly along the center line of said highway, Old Glenwood Road, a distance of 104.4 feet to the place of beginning.

SECTION 3. SEVERABILITY.

The invalidity of any word, section, clause, paragraph, sentence, or part or provision of this Local Law shall not affect the validity of any other part of this Local Law which shall be given effect.

SECTION 4. EFFECTIVE DATE

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

Action #226
LL 4-2024
rezone 12 Old
Glenwood
adopted

Councilman McCann – aye; Councilman Wochensky – aye; Councilman Granville – aye; Councilman Wrazen – aye; Supervisor Snyder – aye
Upon a roll call vote being taken: ayes – five noes – none Motion carried.

NEW BUSINESS:

Councilman McCann moved to amend the agenda by adding item 6M – Intermunicipal Agreement with Village of East Aurora re: bridge projects right-of-way. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #227
Item 6M –
IMA w/ VEA
re: R.O.W –
bridge project

Councilman Wrazen moved to approve the planting of a tree at Majors Park north area near the hill and benches in memory of Sean Freeman. Friends and family will provide the tree. Councilman Granville seconded the motion. Upon a vote being taken: ayes – five noes - none Motion carried.

Action #228
Memorial tree
planting at
Majors Park
aprvd

Barry Haubner of Freedom Energy Logistics gave a presentation on the energy solution services provided by Freedom Energy. Mr. Haubner noted that they offer energy advisory services for solar, sustainability, EV chargers, green energy and energy delivery services.

Reed Braman, Erie County Director of Energy Development and Management, and Ed Doll of Fluent Energy, gave a presentation on the Erie County Utility Aggregation. Mr. Doll noted that there are forty-two municipal participants in the program. Electricity is purchased at wholesale rates and the savings passed on to the member participants. They stated that the Town already has four locations participating in the natural gas aggregation.

Councilman McCann moved to approve Water Safety Instructor pay rates for the following Seasonal PT Lifeguards for those times that they are working as water safety instructors:

Adelle Ferreira \$17.50/hour
Susannah Winfield \$17.50/hour
Erin Zagrobelny \$17.50/hour

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

Action #229
WSI pay rate
for 3
lifeguards
aprvd

Councilman Granville moved to approve a new Recreation Program titled “Summer 2024 Stroke Technique Series” with instructor Margaret Zagrobelny. Councilman Wrazen seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #230
New Rec
program –
swim strokes

Councilman Granville moved to approve a Temporary Use Permit to Jennifer Brazill to use the Town managed portion of Knox Farm State Park for parking for the 2024 Borderland Music Festival (being held on the NY State Parks managed side of the park) on September 13-15, 2024, contingent upon receipt of proof of insurance. The fee for this permit is \$1000. Councilman McCann seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #231
TUP for
Borderland
Music Fest
aprvd w/
contingency

Councilman Granville moved to authorize the Supervisor to sign the Municipal Park Management Agreement with NY State Office of Parks, Recreation and Historic Preservation for use of the Town Ballfields portion of Knox Farm State Park, including soccer fields, polo field and equestrian area, on the South side of Knox Road. Councilman Wrazen seconded the motion. Upon a vote being taken: ayes - five noes – none Motion carried.

Action #232
Supv auth to
sign KFSP
agreement

Councilman McCann moved to authorize the Supervisor to sign the Appraisal Reviews and authorize Right-of-Way Professionals LLC to make offers to the property owners at 70 and 69 Church Street for the acquisition of property rights for the Church Street Bridge replacement, including permanent and temporary easements. Councilman Granville seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #233
Acquisition
of Church St
property
rights aprvd
for bridge
project

Councilman Wrazen moved to approve the hiring of Joseph Kenefick, Blakeley Road, East Aurora, as a full-time laborer at a pay rate of \$20.19 per hour with a start date of July 8, 2024. Orientation will be considered first day worked. Councilman Granville seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #234
J. Kenefick
hired as
laborer

Councilman McCann moved to approve Michael V. Gleason, Gleason Enterprise, as an electrical inspector for the Town. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #235
M. Gleason
aprvd as
electrical
inspector for
Town

Councilman Granville moved to authorize the Supervisor to sign a letter of support for the Erie County Department of Environment and Planning's submittal of an MS4 (storm sewer system) grant application to the NYSDEC. Councilman Wrazen seconded the motion. Upon a vote being taken: ayes – five noes - none Motion carried.

Action #236
Supv auth to
sign/send ltr
of support for
Erie County
MS4 grant

Councilman Granville moved to table the Justice Court audit resolution. Councilman McCann seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #237
Justice Court
audit resolu-
tion tabled

Councilman Granville moved to adopt the Access to Village Property resolution and authorize the Supervisor to sign the associated Intermunicipal Agreement with the Village of East Aurora pertaining to the Church Street and East Fillmore bridge replacement projects:

NOW THEREFORE BE IT RESOLVED, that the Town of Aurora is hereby authorized to enter into an intermunicipal agreement with the Village of East Aurora for the purpose of allowing employees and contractors of the Town of Aurora, including its professional engineering firm and its lowest responsible bidders, to access any and all Village-owned property as needed for travel, construction equipment placement, and construction work on the

